

## **BILL ANALYSIS**

Senate Research Center

H.B. 3350  
By: Place (Sibley)  
State Affairs  
5-14-97  
Engrossed

### **DIGEST**

Currently, there are gambling machines, called eight-liners, that look and play like machines found in casinos. Because the accumulation of prizes from these machines increases the value of the prizes, some awarded gift certificates may be worth more than is presently allowed to be awarded by state law. This bill bans eight-liner gambling machines that simulate casino games.

### **PURPOSE**

As proposed, H.B. 3350 bans eight-liner gambling machines that simulate casino games.

### **RULEMAKING AUTHORITY**

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 47.01, Penal Code, by amending Subdivisions (4) and (9) and adding Subdivisions (10)-(14), to define "gambling device," "thing of value," "anything of value," "something of value," "amusement machine," "noncash merchandise," "device," "gambling," and "eight-liner."

SECTION 2. Amends Section 47.02(e), Penal Code, to provide that it is a defense to prosecution under this section that a person played for something of value other than money using an amusement machine, rather than electronic, electromechanical, or mechanical contrivance excluded from the definition of "gambling device" under Section 47.01(4)(B).

SECTION 3. Amends Section 47.03(a), Penal Code, to provide that a person commits an offense if the person intentionally or knowingly commits certain acts with the intent to further gambling, including operating or participating in the earnings of a gambling place or gambling device.

SECTION 4. Amends Section 47.06(e), Penal Code, to provide that an offense under this section is a Class A misdemeanor, unless the defendant has been previously convicted under this section, in which event the offense is a state jail felony.

SECTION 5. Effective date: September 1, 1997.

SECTION 6. Makes application of this Act prospective.

SECTION 7. Emergency clause.