

Senate, April 8, 1998. The Committee on Judiciary reported through SEN. WILLIAMS, 29th DIST., Chairman of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT CONCERNING GAMBLING.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (a) A person is guilty of
2 cheating when, in the course of playing or
3 conducting any gambling game authorized by law,
4 he: (1) Knowingly uses an altered or counterfeit
5 chip, token, tile, pull tab, wagering slip or
6 check or knowingly marks, loads or tampers with
7 any cards or dice or substitutes any cards or dice
8 that have been marked, loaded or tampered with; or
9 (2) knowingly uses any device, instrument, article
10 or substance with intent to cheat or defraud; or
11 (3) intentionally places, increases or attempts to
12 increase a winning wager or decreases or attempts to
13 decrease a losing wager.

14 (b) Cheating is a class D felony, except that
15 a violation of subdivision (3) of subsection (a)
16 of this section is a class B misdemeanor.

17 Sec. 2. (NEW) (a) A person is guilty of
18 possession of a cheating device when, while on
19 premises where gambling is authorized by law to be
20 conducted, he knowingly possesses or has under his
21 control: (1) Any altered or counterfeit chip,
22 token, tile, pull tab, wagering slip or check or
23 any cards or dice that have been marked, loaded or

24 tampered with; or (2) any device, instrument or
25 other thing adopted, designed or commonly used to
26 facilitate the alignment of any winning
27 combination in a piece of gaming equipment or to
28 facilitate the unauthorized removal of any money
29 or other contents from any gaming equipment; or
30 (3) any other device, instrument or thing which,
31 under the circumstances in which it is used or
32 possessed, manifests an intent that it be used by
33 the actor or another person to commit cheating as
34 provided in section 1 of this act or larceny as
35 provided in section 53a-119 of the general
36 statutes.

37 (b) Possession of a cheating device is a
38 class D felony.

39 JUD COMMITTEE VOTE: YEA 37 NAY 0 JFS

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"THE FOLLOWING FISCAL IMPACT STATEMENT AND BILL ANALYSIS ARE PREPARED FOR THE BENEFIT OF MEMBERS OF THE GENERAL ASSEMBLY, SOLELY FOR PURPOSES OF INFORMATION, SUMMARIZATION AND EXPLANATION AND DO NOT REPRESENT THE INTENT OF THE GENERAL ASSEMBLY OR EITHER HOUSE THEREOF FOR ANY PURPOSE."

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FISCAL IMPACT STATEMENT - BILL NUMBER sSB 268

STATE IMPACT	Potential Cost, Potential Minimal Revenue Gain, see explanation below
MUNICIPAL IMPACT	None
STATE AGENCY(S)	Criminal Justice Agencies

EXPLANATION OF ESTIMATES:

The bill's provisions concerning additional criminal penalties would result in increased pressures on the criminal justice system and a potential revenue increase from fines. Over the long term, these pressures would lead to a need for increased criminal justice resources, especially for incarceration and community supervision. Although direct cost quantification is problematic, it should be noted that SHB 5021 (the revised Appropriations Act for FY 1998-99 as favorably reported by Appropriations) includes \$5.4 million to address overcrowding in the state's prisons and jails. In addition, the Public Defender Services Commission is currently under suit by the American Civil Liberties Union relating to the adequacy of funding for public defenders. Increases in criminal penalties will at some point require additional funds for criminal justice agencies in order to maintain adequate enforcement of other criminal laws.

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OLR BILL ANALYSIS

sSB 268

AN ACT CONCERNING GAMBLING

SUMMARY: This bill creates several new crimes to punish cheating and the possession of cheating devices when playing or conducting legalized gambling.

Under the bill a person is guilty of cheating while a game is in play if he:

1. knowingly uses altered or counterfeit chips, tokens, tiles, pull tabs, wagering slips, or checks;
2. knowingly marks, loads, or tampers with cards or dice, or knowingly substitutes them; or
3. knowingly uses any device, instrument, article, or substance with the intent to cheat or defraud.

Under the bill a person is guilty of possessing a cheating device on the premises of legalized gambling if he knowingly possesses or has in his control:

1. altered or counterfeit chips, tokens, tiles, pull tabs, wagering slips or checks;
2. marked, loaded, or tampered cards or dice;
3. any device, instrument, or other thing that is adapted, designed, or commonly used to create winning combinations or to remove money or contents from gaming equipment; or
4. any other device, instrument, or thing which under the circumstances shows an intent that it be used to cheat or to commit larceny.

All of these acts are class D felonies, punishable by imprisonment of one to five years, a fine of up to \$5,000, or both.

The bill also makes it illegal to intentionally place, increase, or attempt to increase a winning wager or to

decrease or attempt to decrease a losing wager while a game is in play. This is a class B misdemeanor, punishable by up to six months in prison, a fine of up to \$1,000, or both.

EFFECTIVE DATE: October 1, 1998

COMMITTEE ACTION

Judiciary Committee

Joint Favorable Substitute
Yea 37 Nay 0