

Gaming Research Tips

.....quick start for studies, reports and papers

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Tip Sheet #6: State Gaming Laws

State constitutions. A state constitution establishes the branches of state government and their functions and sets the broad framework of rights and limitations for residents.

Some constitutions may prohibit gambling generally or certain forms of gambling.

An excellent source for the text of all state constitutions is: **State Constitutions of the United States**, compiled by Robert L. Maddex, from Congressional Quarterly (1998). This comes in two versions, in print and electronic.

State laws. States have web sites that make their laws available to citizens and researchers.

The format posted is usually the code, a classified system of laws still in effect, not each session law as passed.

States that permit casino gaming.

Traditional land-based casinos are lawful in the state of Nevada, the cities of Atlantic City, New Jersey, and Detroit, Michigan, with a special dispensation for a single land-based casino in New Orleans, a riverboat state.

Riverboat casinos are permitted in Iowa, Mississippi, Louisiana, Missouri, Indiana and Illinois.

Limited stakes gaming is permitted in 3 towns in Colorado (Cripple Creek, Black Hawk and Central City). Deadwood in

South Dakota is the only place in that state gambling is allowed.

All other casino gaming in the U.S. occurs on Indian lands and they are not subject to state laws.

Beyond casinos, other gambling laws cover racing, lotteries and charitable gaming.

Gaming statutes. These are enabling laws permitting gaming and outlining the legal structure. A handful are listed for illustration.

Nevada Gaming Control Act & Ancillary Statutes

New Jersey Casino Control Act

Colorado Limited Gaming Act of 1991

Illinois Riverboat Gambling Act

Michigan Gaming Control & Revenue Act

[Nevada Revised Statutes \(NRS\)](#). Nevada led the way in state gaming laws and many states followed the Nevada pattern.

Title 41 of the NRS is where the gaming laws are found and is labeled, "Gaming; Horse Racing; Sporting Events". Details are contained in Chapters, as follows:

--Chapter 465 Lotteries

--Chapter 463 Licensing & Control of Gaming
--Chapter 463A Gaming Employee's Labor Organizations
--Chapter 463B Supervisor of Certain Gaming Establishments
--Chapter 464 Pari-Mutuel Wagering
--Chapter 465 Crime & Liabilities Concerning Gaming
--Chapter 466 Horse Racing
--Chapter 467 Unarmed Combat [wagering on boxing]

Attorney General's Opinions. Closely related to laws are opinions of the state's Attorney General who may be asked to render informal decisions on the interpretation of a law whose meaning is in doubt.

In Nevada the Attorney General's office has a Gaming Division to concentrate in this area.

Gaming law experts. Once you get to know who the experts are your research gets easier. Look for names, such as Attorney Anthony Cabot and Professor I. Nelson Rose.

Organizations such as the National Association of Gaming Attorneys, the International Association of Gaming Attorneys and Masters of Gaming Law can be helpful. Law professors who write on gaming law can be identified through legal periodical indexes.

Other experts can be found in a famous directory now found online, titled [Martindale & Hubbell](#), which classifies lawyers according to their specialties.

Suggested topics for research.

----what gambling collection laws apply when casinos extend credit?
----is it legal for a private individual to own a slot machine?
----the legal age for gambling in each state and what breaches have occurred

----does expelling criminals from casinos violate their constitutional rights?
----what constitutional issues prevent a national lottery?
----in a comparative study of state constitutions, how is gambling dealt with?
----how a referendum or initiative is used to establish gaming
----what laws regulate the dissemination of results of horse races

For More Information:

Nevada Gaming Law (3rd ed.). Lionel Sawyer & Collins, 2000. [4th edition planned].