
SENATE BILL NO. 415—COMMITTEE ON JUDICIARY

MARCH 25, 2013

Referred to Committee on Judiciary

SUMMARY—Revises provisions relating to gaming employees.
(BDR 41-188)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: Yes.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to gaming; revising provisions governing proceedings relating to the registration of gaming employees; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law requires the State Gaming Control Board to make investigations
2 and to initiate a hearing by filing a complaint with the Nevada Gaming Commission
3 for certain violations relating to the licensing and control of gaming. (NRS
4 463.310) This bill provides that before any investigative hearing relating to the
5 registration of a gaming employee is conducted by or on behalf of the Board, a
6 prehearing conference must be held before an impartial fact finder who must
7 determine whether or not the Board may proceed with an investigative hearing on
8 the matter.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** Chapter 463 of NRS is hereby amended by adding
2 thereto a new section to read as follows:

3 *1. Except as otherwise provided in this subsection, before any*
4 *investigative hearing concerning the registration of a gaming*
5 *employee may be conducted by or on behalf of the Board, a*
6 *prehearing conference, conducted by an impartial fact finder,*
7 *must be held. A gaming employee may waive, in writing, the right*
8 *to a prehearing conference pursuant to this section.*



1 2. *The gaming employee and the Board shall make a good*
2 *faith effort to agree on an impartial fact finder to conduct the*
3 *prehearing conference. If the gaming employee and the Board are*
4 *unable to agree on an impartial fact finder, either party may*
5 *request from the American Arbitration Association a list of seven*
6 *potential fact finders. Within 5 days after receiving the list from*
7 *the American Arbitration Association, the parties shall select their*
8 *fact finder from the list by alternately striking one name until the*
9 *name of only one fact finder remains, who will be the fact finder*
10 *to conduct the prehearing conference. The gaming employee shall*
11 *strike the first name.*

12 3. *At the prehearing conference, the gaming employee and*
13 *the Board:*

14 (a) *Are entitled to be heard, to be represented by counsel and*
15 *to call witnesses on their behalf.*

16 (b) *May offer any evidence that is relevant and material to the*
17 *matter.*

18 (c) *Shall produce such additional evidence as the fact finder*
19 *may require.*

20 4. *The prehearing conference must be recorded on audiotape*
21 *or any other means of sound reproduction. If requested by the fact*
22 *finder, the gaming employee or the Board, an official transcript*
23 *must be made. If a transcript is requested by the gaming employee*
24 *or the Board, the party requesting the transcript shall ensure that*
25 *the transcript is prepared and pay the cost of preparing the*
26 *transcript. Any other party is entitled to a copy of the transcript*
27 *upon the payment of a fee which is not more than the cost of*
28 *preparing the transcript. The fact finder is entitled to receive a*
29 *copy of the transcript at no charge. If the transcript is requested by*
30 *the fact finder, the gaming employee and the Board are equally*
31 *responsible for the cost of preparing the transcript.*

32 5. *Upon the conclusion of the prehearing conference, the fact*
33 *finder shall, within 30 days after the date of the prehearing*
34 *conference:*

35 (a) *Prepare a written report containing findings of fact and*
36 *conclusions of law; and*

37 (b) *Provide a copy of the written report to the gaming*
38 *employee and the Board.*

39 6. *If the report of the fact finder determines that:*

40 (a) *No cause exists for fining the gaming employee or for*
41 *limiting, conditioning, suspending or revoking the registration of*
42 *the gaming employee, then the Board may not proceed with an*
43 *investigative hearing on the matter.*

44 (b) *Cause exists for fining the gaming employee or for*
45 *limiting, conditioning, suspending or revoking the registration of*



- 1 *the gaming employee, then the Board may proceed with an*
- 2 *investigative hearing on the matter.*
- 3 **Sec. 2.** This act becomes effective on July 1, 2013.

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