

WEST VIRGINIA LEGISLATURE

FIRST EXTRAORDINARY SESSION, 1970

ENROLLED

SENATE BILL NO. 5

(By Mr. Carney)

PASSED June 18, 1970

In Effect Ninety days from Passage

FILED IN THE OFFICE
JOHN D. ROCKEFELLER, IV
SECRETARY OF STATE
THIS DATE 6-23-70

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ENROLLED
Senate Bill No. 5

(By MR. CARRIGAN)

[Passed June 18, 1970; in effect ninety days from passage.]

AN ACT to amend and reenact section one, article ten, chapter sixty-one of the code of West Virginia, one thousand nine hundred thirty-one, as amended, prohibiting the keeping or exhibiting of gaming tables or banks, any slot machine, multiple coin console machine, multiple coin console slot machine or device in the nature of a slot machine or any other gaming table or device; providing for the complete destruction of any of the same following seizure thereof; providing certain exceptions; and providing criminal penalties.

Be it enacted by the Legislature of West Virginia:

That section one, article ten, chapter sixty-one of the code

of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

ARTICLE 10. CRIMES AGAINST PUBLIC POLICY.

§61-10-1. Keeping or exhibiting gaming table, machine, or device; penalty; seizure of table, machine or device; forfeiture of money used in such gaming.

1 Any person who shall keep or exhibit a gaming table,
2 commonly called A. B. C. or E. O. table, or faro bank, or
3 keno table, or any slot machine, multiple coin console ma-
4 chine, multiple coin console slot machine or device in the
5 nature of a slot machine, or any other gaming table or de-
6 vice of like kind, under any denomination, or which has no
7 name, whether the game, table, bank, machine or device be
8 played with cards, dice or otherwise, or shall be a partner,
9 or concerned in interest, in keeping or exhibiting such
10 table, bank, machine or gaming device of any character,
11 shall be guilty of a misdemeanor, and, upon conviction,
12 shall be confined in jail not less than two nor more than
13 twelve months and be fined not less than one hundred
14 nor more than one thousand dollars. Any such table,
15 faro bank, machine or gaming device, and all money

16 staked or exhibited to allure persons to bet at such table,
17 or upon such gaming device, may be seized by order of
18 a court, or under the warrant of a justice, and the money
19 so seized shall be forfeited to the county and paid into
20 the treasury of the county in which such seizure is made,
21 and the table, faro bank, machine or gaming device shall
22 be completely destroyed: *Provided, however,* That the
23 provisions of this section shall not extend to coin-oper-
24 ated nonpayout machines with free play feature or to
25 automatic weighing, measuring, musical and vending
26 machines which are so constructed as to give a certain
27 uniform and fair return in value or services for each
28 coin deposited therein and in which there is no element
29 of chance.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

William Tompkins

Chairman Senate Committee

Clayton C. Davidson

Chairman House Committee

Originated in the Senate.

To take effect 90 days from passage.

Thomas M. Ryan

Clerk of the Senate

CA Blankenship

Clerk of the House of Delegates

Leah G. Jackson

President of the Senate

Harold F. Biersky

Speaker House of Delegates

The within *approved* this the *22nd*
day of *June*, 1970.

Arch A. Shaver Jr.

Governor



PRESENTED TO THE
GOVERNOR

Date 6/22/70

Time 2:00 p.m.

RECEIVED

JUN 23 9 46 AM '70

OFFICE OF
SECRETARY OF STATE
STATE OF WEST VIRGINIA