

- 21-6407. Dealing in gambling devices.** (a) Dealing in gambling devices is manufacturing, distributing or possessing with intent to distribute any gambling device or sub-assembly or essential part thereof.
- (b) Dealing in gambling devices is a severity level 8, nonperson felony.
- (c) Proof of possession of any device designed exclusively for gambling purposes, which device is not set up for use or which is not in a gambling place, creates a presumption of possession with intent to distribute.
- (d) It shall be a defense to a prosecution under this section that:
- (1) The gambling device is an antique slot machine and that the antique slot machine was not operated for gambling purposes while in the owner's or the defendant's possession. A slot machine shall be deemed an antique slot machine if it was manufactured prior to the year 1950; or
 - (2) the gambling device or sub-assembly or essential part thereof is manufactured, distributed or possessed by a manufacturer registered under the federal gambling devices act of 1962 (15 U.S.C. 1171 et seq.) or a transporter under contract with such manufacturer with intent to distribute for use:
 - (A) By the Kansas lottery or Kansas lottery retailers as authorized by law and rules and regulations adopted by the Kansas lottery commission;
 - (B) by a licensee of the Kansas racing commission as authorized by law and rules and regulations adopted by the commission;
 - (C) in a state other than the state of Kansas; or
 - (D) in tribal gaming.

History: L. 2010, ch. 136, § 218; July 1, 2011.