

13-1114. GAMBLING PROMOTION.

- A. A person is guilty of gambling promotion if he derives or intends to derive an economic benefit other than personal winnings from gambling and:
 - 1. He induces or aids another to engage in gambling; or
 - 2. He knowingly invests in, finances, owns, controls, supervises, manages, or participates in any gambling.
- B. Gambling promotion is a class B misdemeanor.

13-1115. POSSESSING A GAMBLING DEVICE OR RECORD.

- A. A person is guilty of possessing a gambling device or record if he knowingly possesses it with intent to use it in gambling.
- B. Possession of a gambling device or record is a class B misdemeanor.

13-1116. FAILURE OF PROSECUTING ATTORNEY OR LAW ENFORCEMENT OFFICER TO PROSECUTE OFFENSES. Any prosecuting attorney or police officer who has reasonable cause to believe that any person has violated any provision of this part and shall thereafter fail or refuse to diligently prosecute such persons is guilty of a class B misdemeanor.

13-1117. SEIZURE AND SALE OF DEVICES OR EQUIPMENT USED FOR GAMBLING.

- A. Whenever the justice of the peace shall determine that any devices or equipment is used or kept for the purpose of being used for gambling, he may notify the governing body and/or the chief of police and may authorize the chief of police to seize such devices and to hold them for sale at the best price obtainable pending a hearing before the justice of the peace. After the hearing has been properly scheduled and all parties having an interest in the devices have been notified of the hearing, the justice of the peace may order the devices seized and declare them to be the property of this municipality. The Court may then order the devices sold for the best price obtainable. The sale shall be made to a person of good character and repute who is a bona fide resident of the state wherein it is lawful to use such equipment. The officials conducting the sale shall place the equipment on a public carrier, properly co-signed to the purchaser at his place of residence.
- B. The proceeds of any sale shall be paid to the municipal treasury.
- C. If no sale is consummated within ninety (90) days after authorization therefore, the devices or equipment shall be destroyed under the direction of the justice of the peace.