

## 2016 Kansas Statutes

- 21-6408. Unlawful possession of a gambling device.** (a) It shall be unlawful for any person to possess a gambling device.
- (b) Violation of this section is a class B nonperson misdemeanor.
- (c) 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 is possessed or under custody or control of 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, § 219; July 1, 2011.