

TITLE 7. PUBLIC PEACE, MORALS, AND WELFARE

Chapter 7.20

GAMBLING

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7.20.1. Reference. Gambling on the Port Madison Indian Reservation is and shall be controlled pursuant to the Suquamish Gaming Ordinance codified as Chapter 11.5. (Res. 93-025 (part), passed Mar. 8, 1993)

7.20.2. Criminal Offenses. (a) It shall be unlawful for any person to operate, perform, supervise, hold, conduct, or participate in gaming on Suquamish Indian lands in violation of the provisions of chapter 11.5.1 et seq. (the gaming ordinance) or in violation of rules or regulations promulgated pursuant to that chapter.

(b) It shall be unlawful for any person to conduct any gaming activity without the license or licenses required by chapter 11.5, by IGRA, or, in the case of Class III gaming activities, by the tribal–state gaming compact.

(c) It shall be unlawful for any person to knowingly make a false statement in an application for employment or a license application required in chapter 11.5, by IGRA, or, in the case of Class III gaming activities, by the tribal–state gaming compact.

(d) It shall be unlawful for any person to make any false or misleading entry, to willfully fail to maintain or make any entry required to be maintained or made, or to willfully refuse to produce for inspection by the Suquamish Gaming Commission or, in the case of Class III gaming activities, by any person authorized to inspect pursuant to tribal law, IGRA, or the tribal–state gaming compact any book, record, or document required to be maintained or made by tribal law, federal law, or the tribal–state gaming compact.

(e) It shall be unlawful for any person to bribe, to attempt to bribe, to unduly influence, or to attempt to unduly influence any person who licenses, operates, conducts, assists, or is otherwise employed in a gaming activity or enterprise located on Suquamish Indian lands.

(f) It shall be unlawful for any person directly or indirectly operating any gaming activity on Suquamish Indian lands to employ any device, scheme, or artifice to defraud; to make any untrue statement of a material fact or to mislead by omitting a material fact; or to engage in any act, practice, or course of operation which would operate as a fraud or deceit upon any person.

(g) It shall be unlawful for any person participating directly or indirectly in any gaming activity on Suquamish Indian lands to employ or attempt to employ any device, scheme, or artifice or to engage in any act, practice, or operation which would operate as a fraud or deceit upon any other participant or any operator.

(h) It shall be unlawful for any person to alter or misrepresent the outcome or other event on which wagers have been made after the outcome is made sure but before it is revealed to the players.

(i) It shall be unlawful for any person to place, increase, or decrease a bet or to determine the course of play after acquiring knowledge not available to all players of the outcome of the game or any event which affects the outcome of the game or which is the subject of the bet; or to aid anyone in acquiring such knowledge for the purpose of placing, increasing, or decreasing a bet or determining the course of play contingent upon that event or outcome.

(j) It shall be unlawful for any person to claim, collect, or take or attempt to claim, collect, or take money or anything of value in or from a gambling game with intent to defraud without having made a wager thereon, or to claim, collect, or take an amount greater than the amount won.

(k) It shall be unlawful for any person to knowingly entice or induce another to go to any place where a gambling game is being conducted or operated in violation of the provisions of chapter 11.5 or the tribal–state gaming compact with the intent that the other person play or participate in that gambling game.

(l) It shall be unlawful for any person to place or increase a bet after acquiring knowledge of the outcome of the game or other event which is the subject of the bet, including past-posting and pressing bets.

(m) It shall be unlawful for any person to reduce the amount wagered or cancel the bet after acquiring knowledge of the outcome of the game or other event which is the subject of the bet, including pinching bets.

(n) It shall be unlawful for any person knowingly to use other than coins or tokens approved by the Tribal Gaming Commission or other lawful coin or legal tender of the United States of America or to use coin not of the same denomination as the coin intended to be used in the gambling game.

(o) It shall be unlawful for any person to engage in any act, practice, or operation or possess any device while participating in a gaming activity with the intent of cheating any other participant or any operator in order to gain an advantage in the game over any other participant or any operator. For the purposes of chapter 11.5, the word “cheat” means to alter the selection of criteria which determines the result of a gaming activity or the amount or frequency of payment in such gaming activities.

(p) It shall be unlawful for any person to induce any person having a direct or indirect financial interest in a management contract, a person having management responsibility for a management contract, or their agents to significantly and unduly influence the adoption of an ordinance or resolution regarding Class II or Class III gaming.

(q) Except as authorized by chapter 11.5.1 et seq., the rules and regulations adopted pursuant thereto, IGRA, and, in the case of Class III gaming activities, the tribal–state gaming compact, it shall be unlawful for any person to give, provide, or offer to give or provide directly or indirectly any compensation, reward, or share of money or property paid or received through gambling activities in consideration for obtaining any license, authorization, permission, or privilege to participate in any gaming operations to any of the following persons: Tribal Council member, Tribal Gaming Commission member or employee, primary management official, key employee, high security employee, low security employee, contractor, person with a direct or indirect interest in the operation of Class II or Class III gaming, or person who licenses, regulates, or enforces laws related to gaming activities on Suquamish Indian lands.

(r) It shall be unlawful for any person to knowingly cause, aid, abet, or conspire with another to cause any person to violate any provision of chapter 11.5, any rules or regulations adopted by the Tribal Gaming Commission, or, in the case of Class III gaming, any provision of the tribal–state gaming compact.

(s) It shall be unlawful for any person to engage in, be employed in, manage, or operate any professional gambling activity in concert with any number of persons or any wager amounts.

For the purposes of this chapter, the word “professional gambling” means engaging in conduct which materially aids any other form of gaming activity; knowingly accepting or receiving money or other property pursuant to an agreement or understanding with any other person whereby he or she participates in or is to participate in the proceeds of the gaming activity; engages in bookmaking, conducts a lottery, or acts in any manner to create or establish a particular game, contest, scheme, or device; engages in any activity to acquire or maintain premises, paraphernalia, equipment, or apparatus for the purpose of soliciting or inducing persons to participate in the playing of a game, contest, scheme, or device; or arranges any of the financial or recording phases of the operation of such game, contest, scheme, or device. This definition includes any person who has substantial proprietary or other authoritative control over any premises and knowingly permits the premises to be used for the purpose of conducting gambling activities not authorized by chapter 11.5 and makes no effort to prevent their occurrence or continuation. (Res. 95-031 (part), passed Apr. 3, 1995; moved to chapter 7.20 from chapter 11.5 by Res. 2008-201, passed Dec. 15, 2008)

7.20.3. Penalty. Any violation of this chapter shall be punishable as a gross misdemeanor. (Res. 95-031 (part), passed Apr. 3, 1995; amended and moved to chapter 7.20 from chapter 11.5 by Res. 2008-201, passed Dec. 15, 2008)