

Introduced by Senator Leslie

February 26, 1997

An act to add Section 337j to the Penal Code, relating to gambling.

LEGISLATIVE COUNSEL'S DIGEST

SB 777, as introduced, Leslie. Gambling: transmission by wire.

(1) Existing law makes a person who knowingly transmits, by any means whatsoever, information as to the progress or results of a horserace, or information as to wagers, betting odds, changes in betting odds, post or off times, jockey or player changes in any contest or trial, or purported contest or trial, involving humans, beasts, or mechanical apparatus punishable by imprisonment in the county jail for a period of not more than one year or in the state prison.

This bill would make every person who knowingly uses a wire communication facility to engage in gaming, as defined, to conduct any lottery, to transmit bets or wagers, to transmit information in the placing of bets or wagers, or to receive money or credit as a result of gaming, participating in a lottery, or placing bets or wagers, punishable by imprisonment in the county jail for a period of not more than one year or in the state prison.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 337j is added to the Penal Code,
2 to read:

3 337j. (a) Every person who knowingly uses a wire
4 communication facility to engage in gaming, to conduct
5 any lottery, to transmit bets or wagers, to transmit
6 information in the placing of bets or wagers, or to receive
7 money or credit as a result of gaming, participating in a
8 lottery, or placing bets or wagers, is punishable by
9 imprisonment in the county jail for a period of not more
10 than one year or in the state prison.

11 (b) As used un this section, “gaming” means to play a
12 game for money or property.

13 SEC. 2. No reimbursement is required by this act
14 pursuant to Section 6 of Article XIII B of the California
15 Constitution because the only costs that may be incurred
16 by a local agency or school district will be incurred
17 because this act creates a new crime or infraction,
18 eliminates a crime or infraction, or changes the penalty
19 for a crime or infraction, within the meaning of Section
20 17556 of the Government Code, or changes the definition
21 of a crime within the meaning of Section 6 of Article
22 XIII B of the California Constitution.

23 Notwithstanding Section 17580 of the Government
24 Code, unless otherwise specified, the provisions of this act
25 shall become operative on the same date that the act
26 takes effect pursuant to the California Constitution.

