

SB 358 INTRODUCED BY NEUMAN
ENFORCEABILITY OF DISHONORED CHECK TO PREMISES
OFFERING CARD GAMES

2/17	INTRODUCED		
2/17	REFERRED TO BUSINESS & INDUSTRY		
2/19	HEARING		
2/19	COMMITTEE REPORT--BILL PASSED		
2/21	2ND READING PASS MOTION FAILED	21	24
2/21	2ND READING INDEFINITELY POSTPONED	31	15

1 Senate BILL NO. 358
 2 INTRODUCED BY Sturesson

3
 4 A BILL FOR AN ACT ENTITLED: "AN ACT CLARIFYING THAT A BAD
 5 CHECK ISSUED TO A PREMISES OFFERING CARD GAMES OR GAMES OF
 6 CHANCE IS AN ENFORCEABLE DEBT EVEN THOUGH THE PROCEEDS ARE
 7 LATER USED IN A CARD GAME OR GAME OF CHANCE; AND AMENDING
 8 SECTIONS 23-5-314 AND 23-5-417, MCA."
 9

10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

11 Section 1. Section 23-5-314, MCA, is amended to read:

12 "23-5-314. Gambling on cash basis. (1) In every
 13 authorized card game the consideration paid for the chance
 14 to play shall be strictly cash. Every participant must
 15 present the money with which he intends to play the game at
 16 the time the game is played. No check, credit card, note,
 17 I O U, or other evidence of indebtedness may be offered or
 18 accepted as part of the price of participating in a card
 19 game or as payment of a debt incurred therein.

20 (2) No action based on such a debt is maintainable in
 21 a court of this state.

22 (3) A check cashed at a premises offering card games,
 23 the proceeds of which are later used in a card game, is not
 24 subject to subsections (1) and (2). If a check referred to
 25 in this subsection is later dishonored, it is a valid debt

1 and is recoverable under 27-1-717 and the issuer is
 2 punishable under 45-6-316."

3 Section 2. Section 23-5-417, MCA, is amended to read:
 4 "23-5-417. Gambling on cash basis. (1) In every game
 5 of chance the consideration paid for the chance to play
 6 shall be strictly cash. Every participant must present the
 7 money with which he intends to play the game at the time the
 8 game is played. No check, credit card, note, I O U, or other
 9 evidence of indebtedness shall be offered or accepted as
 10 part of the price of participation in such game or as
 11 payment of a debt incurred therein.

12 (2) No action based on such a debt is maintainable in
 13 a court of this state.

14 (3) A check cashed at a premises offering a game of
 15 chance as defined in this part, the proceeds of which are
 16 later used in a game of chance, is not subject to
 17 subsections (1) and (2). If a check referred to in this
 18 subsection is later dishonored, it is a valid debt and is
 19 recoverable under 27-1-717 and the issuer is punishable
 20 under 45-6-316."

-End-

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INTRODUCED BILL
 SB. 358

APPROVED BY COMM. ON
BUSINESS & INDUSTRY

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