

## **CHAPTER 53-04**

### **LICENSING OF AMUSEMENT GAMES**

**53-04-01. Definitions.** In this chapter, unless the context or subject matter otherwise requires:

1. "Amusement games or devices" includes such coin-operated games and devices as electric ray guns, music boxes, picture boxes, bumper-ball or pinball, and other similar coin-operated miniature games or devices, whether or not they show a score, but does not apply to any machine which may constitute a lottery under the laws of this state.
2. "Person" includes any partnership, corporation, or limited liability company.

**53-04-02. Annual license required - Fee.** A person may not operate, lease, or distribute an amusement game or device without first having obtained an annual license.

Licenses are of two types. An operator's license entitles the licensee to operate, lease, or distribute machines at locations not owned or managed by the licensee. The operator shall affix to each machine an operator's number provided by the attorney general. The operator shall have a business office within the state and a valid sales tax permit. A location license must be secured by an individual for any establishment managed or owned by that person. A location license entitles the licensee to have not more than ten machines at one location managed or owned by that individual. An individual is not entitled to more than one location license. The location license must be displayed on or near the machines.

The annual fee for an operator's license is one thousand dollars. The annual fee for a location license is twenty-five dollars per machine.

A reinstatement fee of one hundred dollars for an operator's license renewal and fifty dollars for a location license renewal is required in addition to the annual license fee for each license renewal applied for after June thirtieth.

**53-04-03. Annual license required - Fee.** Repealed by S.L. 1983, ch. 545, § 4.

**53-04-04. Annual license fee.** Repealed by S.L. 1983, ch. 545, § 4.

**53-04-05. Administering and enforcing provisions of chapter - Confiscation of machines and devices.** The attorney general shall administer and enforce the provisions of this chapter and may adopt rules as deemed necessary and expedient. The attorney general may confiscate all machines and devices that are not covered by an appropriate license or are machines primarily designed for gambling.

**53-04-06. License to be displayed.** Repealed by S.L. 1983, ch. 545, § 4.

**53-04-07. All money remitted to state treasurer.** All money collected under the provisions of this chapter for licenses on amusement devices must be remitted to the state treasurer and must be credited to the general fund of the state.

**53-04-08. Penalty.** Any person engaged in the operating or displaying to the public of any amusement device, whether one or more, in violation of any of the provisions of this chapter is guilty of a class B misdemeanor.