

**TWENTY SECOND NORTHERN MARIANAS COMMONWEALTH
LEGISLATURE**

IN THE HOUSE OF REPRESENTATIVES

First Regular Session, 2021

H. B. 22-47

A BILL FOR AN ACT

To allow Senatorial Districts to establish and regulate internet gaming; and for other purposes.

**BE IT ENACTED BY THE 22ND NORTHERN MARIANAS
COMMONWEALTH LEGISLATURE:**

1 **Section 1. Short Title.** This Act shall be known as the “Internet Gaming
2 Act of 2021.”

3 **Section 2. Findings.** The Legislature finds that internet gaming, when
4 properly regulated, does not pose any greater risk to health safety or welfare than
5 other forms of properly licensed gambling. The Legislature further finds that
6 whether or not to allow internet gaming can be authorized either with
7 Commonwealth-wide law or by local in senatorial districts that have established
8 gambling pursuant to Article XXI, § 1 of the Northern Mariana Islands
9 Constitution.

10 The Legislature further finds internet gaming that is accessible by
11 individuals in jurisdictions in which internet gaming is legal will provide a source
12 of revenue that is independent of tourist arrivals. The Legislature further finds that

1 the Unlawful Internet Gambling Enforcement Act allows internet gambling under
2 federal law, provided that security features are required that prevent access to
3 minors and individuals in jurisdictions in which gambling is illegal. *See* 33 U.S.C.
4 5362(10)(B). The Legislature finds that in light of available geolocation security,
5 the senatorial districts should be entitled to decide whether or not to authorize
6 internet gaming within their respective municipalities. The Legislature finds that
7 the gambling provisions of the criminal code set forth at 6 CMC § 3151 *et seq.* are
8 inconsistent and conflict with the authority of each Senatorial Districts authority
9 to regulate gaming pursuant to Article XXI, § 1 of the Northern Mariana Islands
10 Constitution.

11 **Section 3. Amendment.** 1 CMC § 1402 (a) of the Commonwealth Code is
12 amended by adding a new paragraph (21) as follows:

13 “(21) The establishment and regulation of internet gambling within
14 a senatorial district that has establish gambling pursuant to Article XXI, §
15 1 of the Northern Mariana Islands Constitution, and between that
16 senatorial district and other jurisdictions in which internet gaming is legal,
17 provided that the local law requires geolocation or other security measures
18 to prevent the access of such internet gambling by individuals in senatorial
19 districts in which internet gambling is not authorized.”

20 **Section 4. Amendment.** 6 CMC § 3154 of the Commonwealth Code is
21 amended by adding a new subsection (c) as follows:

1 “(c) “internet gaming” means the conduct of gambling games
2 through the use of communications technology that allows a person,
3 utilizing money, checks, electronic checks, electronic transfers of money,
4 credit cards debit cards or any other instrumentality, to transmit to a
5 computer information to assist in the placing of a bet or wager and
6 corresponding information related to the display of the game, game
7 outcomes or other similar information.”

8 **Section 5. Amendment.** 6 CMC § 3156(a) of the Commonwealth Code is
9 amended by adding a new paragraph (8) as follows:

10 “(8) Any internet gaming operator licensed pursuant to
11 Commonwealth law or licensed pursuant to the laws of a Senatorial
12 District, and the employees and patrons of such internet gaming operator,
13 provided that the internet operator utilize effective geolocation or other
14 security features to ensure that the internet gaming can only be accessed
15 by individuals in the senatorial district or in other jurisdictions in which
16 gambling is legal.”

17 **Section 6. Severability.** If any provision of this Act or the application of
18 any such provision to any person or circumstance should be held invalid by a
19 court of competent jurisdiction, the remainder of this Act or the application of its
20 provisions to persons or circumstances other than those to which it is held invalid
21 shall not be affected thereby.

1 **Section 7. Savings Clause.** This Act and any repealer contained herein
2 shall not be construed as affecting any existing right acquired under contract or
3 acquired under statutes repealed or under any rule, regulation, or order adopted
4 under the statutes. Repealers contained in this Act shall not affect any proceeding
5 instituted under or pursuant to prior law. The enactment of the Act shall not have
6 the effect of terminating, or in any way modifying, any liability, civil or criminal,
7 which shall already be in existence on the date this Act becomes effective.

8 **Section 8. Effective Date.** This Act shall take effect upon its approval by
9 the Governor or becoming law without such approval.

Prefiled: 3/23/2021

Date: 3/23/2021

Introduced by: _____

Rep. Joseph Lee Pan T. Guerrero

Reviewed for Legal Sufficiency by:

[Signature]
House Legal Counsel