AN ACT

To prohibit certain forms of vice in Chuuk, including gambling establishments, gambling, and prostitution; and for other purposes.

BE IT ENACTED BY THE CHUUK STATE LEGISLATURE:

Section 1. Definitions.

a) "Establishment" defined. "Establishment" means any premises wherein or whereon any gaming is done.

b) "Game" and "gambling" defined. "Game" or "gambling" means playing or the use of any gaming device, mechanical, electro mechanical or electronic device or machine or game of chance, for money, property, checks, credit or any representative of value, including, without limiting the generality of the foregoing, faro, monte, roulette, keno, bingo, fan-tan, twenty-one, blackjack, seven-and-a-half, big injun, klondike, craps, poker, chuck-a-luck, Chinese chuck-a-luck (daishu), wheel of fortune, chemin de fer, baccarat, pai gow, beat the banker, cock-fighting, panuigui, slot machine, any banking or percentage game or any other game or device, but does not include games played in private homes or residences in which no person makes money for playing or operating such games.

c) "Conduct of gaming or gambling" defined. "Conduct of gaming or gambling" means to deal, operate, carry on, conduct, maintain or expose for play any game as defined in Section 1(b).

d) "Gaming device" defined. "Gaming device" means any equipment or mechanical, electro mechanical or electronic contrivance, component or machine used remotely or directly in connection with gaming or any game which affects the result of a wager by determining win or loss.

e) "Person" defined. "Person" means any individual, sole proprietorship, unincorporated association, partnership, joint venture, corporation, holding company, and
any other entity organized for the purpose of or conducting business in Chuuk State.

f) "Prostitution" defined. "Prostitution" means the act of performing, or offering or agreeing to perform, a sexual act for hire, either as a prostitute or as a customer of a prostitute. Prostitution includes engaging in or agreeing or offering to engage in sexual conduct with another person, and engaging in any lewd act between persons, for money or other consideration, either as the person paying or the person receiving the money or other consideration.

Section 2. Gaming, Gambling, Prohibited. Except as specifically provided in Section 1(f) of this Act, no person in Chuuk State, either on land, on or under the State's waters, or in its airspace, shall be permitted to conduct gaming or gambling, or to operate an establishment wherein gaming or gambling is conducted or permitted, or to permit gaming or gambling, or to permit gaming or gambling on his property. A person convicted for violation of this Section shall be guilty of a felony and punished by imprisonment for not more than 10 years, or a fine of not more than $100,000.00, or both.

Section 3. Gaming Devices Prohibited. Gaming devices are prohibited in Chuuk State. A person convicted of possession of a gaming device shall be guilty of a felony and punished by imprisonment for not more than 3 years, or a fine of not less than $500.00 and not more than $10,000.00, or both.

Section 4. Gambling Prohibited. Any person who intentionally plays a game or uses any gaming device, as defined in this Act, shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by imprisonment for not less than 30 days and not more than 1 year, or a fine of not less than $100 and not more than $5,000, or both.

Section 5. Prostitution Prohibited. Prostitution or in any way taking part or aiding in prostitution is prohibited in Chuuk State. A person convicted of prostitution or of taking
part or aiding in prostitution shall be guilty of a
misdemeanor and upon conviction thereof punished by
imprisonment for not more than one year, or a fine of not less
than $500.00 for each violation, or both.

Section 6. Effective Date. This Act shall become law
upon its approval by the Governor, or upon its becoming law
without such an approval.

Signed by: Roger S. Mori, President
Senate
Chuuk State Legislature

Attested:
Datasi Albert, Chief Clerk
Senate
Chuuk State Legislature

Signed by: Rasmus R. Sos, Speaker
House of Representatives
Chuuk State Legislature

Attested:
Hertef Sorim, Chief Clerk
House of Representatives
Chuuk State Legislature

Dis-Approved by: Sasao H. Gouland
Governor, Chuuk State

HISTORY:
S.B.NO:2-1;S.D.1;H.D.1
H.S.C.R.NO: 2-2R-78
Repassed by Senate: 11:14 a.m., 11/15/94
7 - yes
1 - nay
2 - absent
Repassed by House of Rep. 11:20 a.m., 11/16/94
19 - yes
1 - nay
8 - absent

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