

N.C.P.I.—CRIMINAL 237.91  
FELONIOUS POSSESSION OF GAME TERMINALS FOR THE PURPOSE OF [PROMOTING]  
[OPERATING] [CONDUCTING] A SERVER-BASED ELECTRONIC GAME PROMOTION.  
GENERAL CRIMINAL VOLUME  
JUNE 2009  
N.C. Gen. Stat. §§ 14-306.3; 14-209(C)  
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237.91 FELONIOUS POSSESSION OF GAME TERMINALS FOR THE PURPOSE OF  
[PROMOTING] [OPERATING] [CONDUCTING] A SERVER-BASED ELECTRONIC GAME  
PROMOTION.

The defendant has been charged with felonious possession of five (or more) game terminals with displays that simulate a game ordinarily played on a [slot machine] [video gaming machine<sup>1</sup>] for the purpose of [promoting] [operating] [conducting] a server-based electronic game promotion<sup>2</sup>.

For you to find the defendant guilty of this offense, the State must prove two things beyond a reasonable doubt:

First, that the defendant possessed five (or more) game terminals with displays that simulate a game ordinarily played on a [slot machine] [video gaming machine].

And Second, that the defendant did so for the purpose of [promoting] [operating] [conducting] a server-based electronic game promotion.

If you find from the evidence beyond a reasonable doubt that on or about the alleged date, the defendant possessed five or more game terminals with displays that simulate a game ordinarily played on a [slot machine] [video gaming machine] and that the defendant did so for the purpose of [promoting] [operating] [conducting] a server-based electronic game promotion, it would be your duty to return a verdict of guilty. If you do not so find or have a reasonable doubt as to one or both of these things, it would be your duty to return a verdict of not guilty.

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1. As used in this section, a video gaming machine means a slot machine as defined in G.S. 14-306(a) and other forms of electrical, mechanical, or computer games such as, by way of illustration:

- (1) A video poker game or any other kind of video playing card game.
- (2) A video bingo game.
- (3) A video craps game.
- (4) A video keno game.
- (5) A video lotto game.
- (6) Eight liner.
- (7) Pot-of-gold.
- (8) A video game based on or involving the random or chance matching of different pictures, words, numbers, or symbols not dependent on the skill or dexterity of the player.

2. "As used in this section, 'server-based electronic game promotion' means a system that meets all of the following criteria:

- (1) A database contains a pool of entries with each entry associated with a prize value.
- (2) Participants purchase, or otherwise obtain by any means, a prepaid card.
- (3) With each prepaid card purchased or obtained, the participant also obtains one or more entries.
- (4) Entries may be revealed in any of the following ways:
  - a. At a point-of-sale terminal at the time of purchase or later.
  - b. At a game terminal with a display that simulates a game ordinarily played on a slot machine regulated under G.S. 14-306 or a video gaming machine regulated under G.S. 14-306.1A." G.S. 14-306.3(c).