

**528.050 Possession of gambling records in the first degree.**

- (1) A person is guilty of possession of gambling records in the first degree when, with knowledge of the contents thereof, he possesses any writing, paper, instrument or article of a kind commonly used:
  - (a) In the operation or promotion of a bookmaking scheme or enterprise and constituting, reflecting or representing bets totaling more than \$500; or
  - (b) In the operation, promotion or playing of a lottery or mutuel scheme or enterprise and constituting, reflecting or representing more than 500 plays or chances therein.
- (2) It shall be a defense to any prosecution under this section that:
  - (a) The writing, paper, instrument or article possessed by the defendant constituted, reflected or represented bets of the defendant himself in a number not exceeding ten (10); or
  - (b) The writing, paper, instrument or article possessed by the defendant was neither used nor intended to be used in the operation or promotion of a bookmaking scheme or enterprise, or in the operation, promotion, or playing of a lottery or mutuel scheme or enterprise.
- (3) Possession of gambling records in the first degree is a Class D felony.

**Effective:** January 1, 1975

**History:** Created 1974 Ky. Acts ch. 406, sec. 244, effective January 1, 1975.