

GAMING AND CANNABIS IN NEVADA: ARE WE BETTING ON GREEN?¹

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INTRODUCTION

The Great State of Nevada is ever-changing and adaptable. This is most obviously reflected by the integrated casino resorts situated on the Las Vegas Strip which strive to be not just responsive to one of our state's main economic driving forces—tourism—but ever-evolving to stay ahead of trends and developments to maintain our state's rightful place as the world's playground for adults.⁴ As a complement to the booming gaming and nightlife industries, the cannabis industry now seeks to be recognized as another factor supporting Nevada's overarching tourism industry.⁵

The rise of the cannabis industry has led to tensions in Nevada with the well-established gaming industry. Yet, given Nevada's embrace of the "new" and the ability to closely regulate "sin",⁶ the future of cannabis in Nevada is likely intertwined with the success of gaming tourism.⁷ The business men and women who have embraced the cannabis industry in Nevada are most definitely betting on green.

¹ The authors would like to thank Chris Thompson, Operations Manager, Nevada Organic Remedies, for his invaluable assistance with research for and crafting this article.

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⁴ See *Frequently Asked Las Vegas Research Questions*, L.V. CONVENTION & VISITORS AUTHORITY, <https://www.lvcva.com/stats-and-facts/visitor-statistics/faq/> (last visited Nov. 17, 2019).

⁵ See generally RCG Economics, *Marijuana Economic & Fiscal Benefit Analysis*, NEV. DISPENSARY ASS'N, <http://www.nvdispense.com/resources/> (last visited Nov. 4, 2019) (for example, in 2018, the marijuana industry brought \$113 million in taxable revenue).

⁶ See NEV. REV. STAT. § 463.0129(1)(d)–(e) (2019).

⁷ While we do not yet have any statistics to show that tourists are coming to Las Vegas strictly for cannabis tourism, anecdotal evidence suggests that the first stop for many visitors is a licensed dispensary.

I. CURRENT FEDERAL AND LOCAL CANNABIS LAWS

A. Current Federal Status

Despite the fact that federal cannabis law has remained unchanged for nearly fifty years under the Controlled Substances Act,⁸ the past several years in the United States has seen a dramatic shift in how individual states address cannabis law and policy. Once medical cannabis was legalized statewide in California in 1996, a landslide of cannabis legislation and ballot initiatives swept across the country, resulting in both Colorado and Washington legalizing cannabis statewide in 2012.⁹ Currently, there are ten states with legal adult-use cannabis programs and thirty-three states with medical cannabis programs.¹⁰

B. History of Cannabis Legalization in Nevada

Nevada has a relatively long history of cannabis legalization efforts, first the Nevada Marijuana Act was approved in 1998 and then again in 2000.¹¹ Due to the initiative's status as a constitutional amendment, it required passage in consecutive elections to be implemented. The Nevada Legislature then passed Assembly Bill 453 in June 2001, officially legalizing cannabis for medical use and "de-felonizing" possession of less than an ounce of cannabis.¹² Nevada Revised Statute (NRS) 453A and Nevada Administrative Code (NAC) 453A were then created from the bill's language for implementation; initially, this

⁸ Cannabis has been federally illegal in the United States since the passage of the Marihuana Tax Act of 1937; (however, the Controlled Substances Act 1970 (Title II of the Comprehensive Drug Abuse Prevention and Control Act of 1970) is the most recent iteration of federal law on cannabis.

⁹ California's Proposition 215 passed in 1996 with 55.6% of the vote in 1996. *California Proposition 215, the Medical Marijuana Initiative*, BALLOTPEdia, [https://ballotpedia.org/California_Proposition_215_the_Medical_Marijuana_Initiative_\(1996\)](https://ballotpedia.org/California_Proposition_215_the_Medical_Marijuana_Initiative_(1996)) (last visited Jan. 6, 2020). In 2012, Colorado voters approved Amendment 64 with 55.32% of the vote. *Colorado Marijuana Legalization Initiative Amendment 64*, BALLOTPEdia, [https://ballotpedia.org/Colorado_Marijuana_Legalization_Initiative_Amendment_64_\(2012\)](https://ballotpedia.org/Colorado_Marijuana_Legalization_Initiative_Amendment_64_(2012)). Washington voters approved Initiative 502 with 55.7% support. *Washington Marijuana Legalization and Regulation, Initiative 502*, BALLOTPEdia, [https://ballotpedia.org/Washington_Marijuana_Legalization_and_Regulation_Initiative_502_\(2012\)](https://ballotpedia.org/Washington_Marijuana_Legalization_and_Regulation_Initiative_502_(2012)) (last visited Jan. 6, 2020).

¹⁰ State Info, NORML, <http://norml.org/states> (select either the category of "Legalization" or "Medical") (last visited Jan. 6, 2020).

¹¹ Nevada voters passed the Nevada Marijuana Act with 59% approval in 1998 and with 65% of the vote in 2000. *Nevada Medical Marijuana Act, Question 9 (1998)*, BALLOTPEdia, [https://ballotpedia.org/Nevada_Medical_Marijuana_Act_Question_9_\(1998\)](https://ballotpedia.org/Nevada_Medical_Marijuana_Act_Question_9_(1998)) (last visited Jan. 6, 2020).; *Nevada Medical Marijuana Act, Question 9 (2000)*, BALLOTPEdia, [https://ballotpedia.org/Nevada_Medical_Marijuana_Act_Question_9_\(2000\)](https://ballotpedia.org/Nevada_Medical_Marijuana_Act_Question_9_(2000)) (last visited Jan. 6, 2020).

¹² See Assemb. B. 453, 2001 Leg., 71st Sess. (Nev. 2001).

language did not allow for commercial licensing or production, therefore from 2002–2013 patients could only personally cultivate cannabis for medical use.¹³

Commercial production and distribution were not able to take place until Senate Bill 374 was passed in 2013, initially allowing for only twelve dispensary licenses and a handful of cultivation and production licenses.¹⁴ The first medical dispensary in Las Vegas, Euphoria Wellness, opened its doors in August of 2015.¹⁵

After two failed adult-use legalization attempts in 2002 and 2006, Nevada voters finally approved the Initiative to Regulate and Tax Marijuana (Question 2) with fifty-four percent of the vote in 2016.¹⁶ Question 2 was an indirect initiated state statute, so it did not require approval in two separate elections to be officially adopted. NRS 453D and NAC 453D followed soon after, establishing the final regulations for the adult-use cannabis program.¹⁷ After a successful quick-start implementation plan by state legislators, adult-use sales began on July 1, 2017.¹⁸

C. Recent Legislative Updates

In the most recent Nevada legislative sessions, a number of bills regarding both the cannabis and gaming industries made it through to the Governor's signature. The most notable of which, Assembly Bill 533, completely overhauled how the cannabis industry is regulated, by creating the Cannabis Advisory Commission, the Cannabis Compliance Board, and preventing local jurisdictions from licensing cannabis consumption lounges.¹⁹ These changes begin to align the regulation of the cannabis industry with gaming, with the counterparts of the Cannabis Advisory Commission and Cannabis Compliance

¹³ See NEV. REV. STAT. § 453A (2001); NEV. ADMIN. CODE § 453A (2018); see also *Nevada Medical Marijuana Act, Question 9 (2000)*, supra note 11 (“The proposal does not authorize the use or possession of the plant for use other than medical. . .”).

¹⁴ See S.B. 374 § 11, 2013 Leg., 77th Sess. (Nev. 2013).

¹⁵ *About Euphoria Wellness*, EUPHORIA WELLNESS, <http://www.euphoriawellnessnv.com/about-us/> (last visited Dec. 19, 2019).

¹⁶ JANN STINNESBECK, LEGIS. COUNS. BUREAU, RECREATIONAL MARIJUANA IN NEVADA 1 (2018), <http://leg.state.nv.us/Division/Research/Publications/Factsheets/RecreationalMarijuana.pdf> (last visited Nov. 6, 2019); *Nevada Marijuana Legalization, Question 2*, BALLOTPEdia, [https://ballotpedia.org/Nevada_Marijuana_Legalization,_Question_2_\(2016\)#Election_results](https://ballotpedia.org/Nevada_Marijuana_Legalization,_Question_2_(2016)#Election_results); *History of Marijuana on the Ballot*, BALLOTPEdia, https://ballotpedia.org/History_of_marijuana_on_the_ballot#Pre-2016.

¹⁷ See NEV. REV. STAT. § 453D (2017); NEV. ADMIN. CODE § 453D (2019).

¹⁸ Colton Lochhead, *Legal Marijuana Sales Begin in Nevada*, L.V. REV. J. (July 2, 2017, 4:34 PM), <https://www.reviewjournal.com/news/pot-news/legal-marijuana-sales-begin-in-nevada/>.

¹⁹ See Assemb. B. 533 § 52, 2019 Leg., 80th Sess. (Nev. 2019).

Board being the Gaming Commission and the Gaming Control Board, respectively. AB 533 also set a new distance regulation of 1,500 feet between a cannabis licensed establishment and a non-restricted gaming license in counties with populations in excess of 100,000.²⁰ Another landmark bill, Assembly Bill 132, prohibits employers from denying employment to applicants based on presence of marijuana in a pre-employment drug screening.²¹

II. NEVADA GAMING'S RESPONSE TO THE TENSION BETWEEN FEDERAL AND STATE CANNABIS LAWS

A. Nevada Gaming Control Board's Early Rejection of Cannabis

Gaming is arguably Nevada's pre-eminent industry,²² and as such the Gaming Control Board has already taken the initiative to protect the gaming industry from what was perceived to be a potential threat in conflicting state and federal cannabis laws. When Nevada legalized gambling in 1955, a strict regulatory legislative policy was put in place to ensure the gaming industry remained free of criminal interests.²³ This strict regulatory oversight is considered to be one of the main reasons legalized gambling has been so successful in Nevada.

In May of 2014, as dispensary licenses were being granted and dispensary opening was inevitable, the Gaming Control Board issued notice #2014-39 to gaming licensees.²⁴ This notice established a clear separation between the gaming industry and the new medical marijuana industry, barring any gaming licensee from participating in Nevada's medical marijuana program unless Federal law drastically changed.²⁵

The Gaming Control Board's notice was put to the test only a few months later, when the Board voted unanimously to reject Nevada Gaming Partners from operating five new slot machines at a Crab Corner location in July 2014.²⁶ The Board's rejection was due to the fact that Sarah Familian, the wife of the license owner Bruce Familian, owned an eight percent share of a medical

²⁰ Assemb. B. 533 § 96, 2019 Leg., 80th Sess. (Nev. 2019).

²¹ Assemb. B. 132, 2019 Leg., 80th Sess. (Nev. 2019).

²² Nevada's mining industry may disagree with this assessment. As such, we will sit out the fight.

²³ NEV. REV. STAT. § 463.0129 (2019); George G. Fenich, *A Chronology of (Legal) Gaming in the U.S.*, 3 GAMING RESEARCH & REV. J., 65, 70–71 (1996) (The "Wide Open Gambling Bill" was passed in 1931; however, the Nevada Gaming Control Board was not formed until 1955).

²⁴ Notice, State of Nevada Gaming Control Bd., Notice #2014-39 (May 6, 2014), <https://gaming.nv.gov/modules/showdocument.aspx?documentid=8874>.

²⁵ *Id.*

²⁶ Howard Stutz, *Slot Operator Sanctioned Over Medical Pot*, L.V. REV. J. (July 10, 2014, 3:12 PM), <https://www.reviewjournal.com/news/pot-news/slot-operator-sanctioned-over-medical-pot/>.

cannabis company, GB Sciences Nevada LLC.²⁷ Although the gaming and cannabis business interests had been split between husband and wife, the Chairman of the Gaming Control Board at the time, A.G. Burnett, stated that the separation did not go far enough to satisfy the industry notice.²⁸ After the rejection and a subsequent meeting with the Gaming Control Board, Familian elected to sell her stake in the cannabis business; once the interest was sold, Nevada Gaming Partners was subsequently approved to move forward with the Crab Corner slot operations.²⁹

This hardline stance has continued to this day as demonstrated by the Nevada Gaming Control Board's "Personal History Record" application for a gaming license.³⁰ The application not only specifically asks all applicants if they are associated with any medical or recreational marijuana licenses, but also asks if the applicant's spouse has connections to the cannabis industry.³¹

B. Casino Anti-Money Laundering Policies: Reject Cannabis-Related Funds for Gaming

After money-laundering scandals rocked a number of casinos, harsher money-laundering policies were put in place by Nevada gaming licensees.³² This increased scrutiny of where a client's money comes from has fueled the separation between the cannabis industry and gaming licensees and placed additional scrutiny on individual visitors having ties to the cannabis industry.

"While there are good arguments, in light of previous FinCEN guidance, that financial institutions (including casinos) can serve MRBs consistent with obligations under the federal Bank Secrecy Act if they follow certain procedures," says attorney Wade Thomson, he continued:

... [C]asinos in Las Vegas ultimately are concerned with Nevada Gaming Control Board positions so they can keep their licenses, and Nevada Gaming previously expressed the position that business with MRBs is inconsistent with the effective regulation of gaming given federal laws banning the distribution, possession, and sale of marijuana. That said,

²⁷ *Id.*

²⁸ *Id.*

²⁹ Howard Stutz, *Slot Route Owner Says Wife Sold Medical Pot Business*, L.V. REV. J., July 25, 2014, at D001.

³⁰ Personal History Record Application, NEV. GAMING CONTROL BOARD, <https://gaming.nv.gov/modules/showdocument.aspx?documentid=13255> (last visited Dec. 12, 2019).

³¹ *Id.*

³² See, e.g., John L. Smith, *Reluctant Casinos Get Clear Warning*, L.V. REV. J. (Sept. 28, 2013, 11:12 PM), <https://www.reviewjournal.com/uncategorized/reluctant-casinos-get-clear-warning/>.

Nevada Gaming has made a few pronouncements to provide some clarity on more attenuated relationships to marijuana, for example when it comes to casinos hosting conferences and leasing buildings. That type of clarity is helpful for all involved, and I imagine that we will see more of that before we see significant change either in the federal law itself or in how Nevada Gaming views the existing federal law.³³

In June 2017, the AML standards had one of its first tangible effects on the cannabis industry, after the Wynn & Encore casinos banned Isaac Dietrich, CEO of the cannabis social media platform MassRoots.³⁴ Dietrich applied for Wynn Resorts' Red Card reward program, but instead was ejected from the casino and permanently banned from gaming on the premises due to his involvement in the legal cannabis industry.³⁵ Although MassRoots is a business listing platform (similar to Yelp) that does not actually handle or distribute cannabis products, Wynn Resorts, defended the decision to ban Dietrich, based on the Wynn Las Vegas compliance program identifying Dietrich's "business as a marijuana related entity that derives its income from marijuana businesses."³⁶

C. Cannabis and Gaming Conflict Spills into Industry Trade Shows

The Nevada Gaming Commission passed a resolution at its September 2017 meeting regarding the evolving relationship between the gaming and cannabis industries.³⁷ The new resolution firmly reiterated the clear separation between the cannabis industry and gaming, but appeared to go farther to recommend that "[I]icensees should take care to ensure that any events on the premises of a licensed gaming establishment do not promote illegal activities or foster incidents which might negatively impact the reputation of Nevada's gaming industry."³⁸ This relatively broad language may have given some licensees the impression that the Gaming Commission intended to discourage casinos from taking part in the many cannabis trade shows that take place in

³³ E-mail from Wade A. Thomson, partner at Jenner & Block, to Krystal Saab (Sept. 18, 2019, 2:38 PM) (on file with author). Mr. Thomson practices out of both the Chicago and London offices. He has counseled many companies, including casinos, in anti-money laundering and Bank Secrecy Act investigations and is a certified anti-money laundering specialist.

³⁴ Ed Murrieta, *Las Vegas Casino Bans MassRoots CEO for Cannabis Ties*, LEAFLY (June 12, 2017), <https://www.leafly.com/news/industry/las-vegas-casino-bans-massroots-ceo-cannabis-ties>.

³⁵ *Id.*

³⁶ *Id.*

³⁷ Meeting Notice and Agenda, Nev. Gaming Comm'n (Sept. 21, 2017).

³⁸ *Id.*

Las Vegas.

In response to confusion surrounding the Gaming Commission's resolution, Governor Sandoval issued Executive Order 2017-13 in September 2017. The Order reconvened the Nevada Gaming Policy Committee to gather information, engage in discussion, and provide recommendations regarding the relationship between the marijuana and gaming industries.³⁹ Specifically, the Executive Order aimed to reduce ensuing confusion from the Gaming Commission's hardline stance on Gaming Licensees interacting with cannabis companies, especially with respect to trade shows and conventions. After this Executive Order, the Gaming Policy Committee hosted several information gathering meetings where the Committee heard from a variety of speakers on topics such as cannabis and banking, federal law and marijuana, and the economic impacts of cannabis business conventions.⁴⁰

Then, in March of 2018, the Gaming Policy Committee adopted a resolution that clarified the relationship between marijuana and gaming.⁴¹ This new resolution recommended a clear division between the cannabis industry and gaming licensees be continued, preventing gaming licensees from participating, contracting with, maintaining business relationships with, or providing or receiving financing for entities for the purpose of engaging in the sale, cultivation, or distribution of marijuana.⁴² However, the resolution also specifically recommended permitting gaming licensees to host conventions, trade shows, or similar cannabis conferences that foster networking, exchange of knowledge, and do not promote illegal activities.⁴³

As a result of this clarification in the sanctioned relationship(s) between Nevada gaming licensees and the cannabis industry, cannabis conferences have flourished in Nevada, including the MJBizCon which is set to attract over 35,000 attendees in December 2019.⁴⁴

D. Caesars Takes the Lead on Sensible Pre-Employment Screening

In May of 2018, Caesars Entertainment Corporation announced that it was ending pre-employment drug screenings for cannabis in the wake of the

³⁹ Nev. Exec. Order No. 2017-13 (Sept. 2017). *Accessed through a records request from the Nevada State Archives* (on file with author); see also Richard N. Velotta, *Sandoval Summons Gaming Panel to Address Recreational Pot*, L.V. Rev. J. (Sept. 21, 2017), <https://www.reviewjournal.com/news/pot-news/sandoval-summons-gaming-panel-to-address-recreational-pot/>.

⁴⁰ Meeting Notice and Agenda, Nev. Gaming Pol'y Comm. Meeting (Nov. 29, 2017).

⁴¹ *Resolution of the Nevada Gaming Policy Committee Regarding Marijuana and Gaming*, gaming.nv.gov/modules/showdocument.aspx?documentid=13216.

⁴² *Id.*

⁴³ *Id.*

⁴⁴ *MJBizCon*, MARIJUANA BUS., <https://mjbizconference.com/vegas/> (last visited Dec. 19, 2019).

passage of Question 2.⁴⁵ In a statement to the Las Vegas Review-Journal, Rich Broome, executive vice president of corporate communications and community affairs for Caesars Entertainment, commented that “[a] number of states have changed their laws and we felt we might be missing some good candidates because of the marijuana issue and we felt that pre-screening for marijuana was on the whole, counterproductive.”⁴⁶

Not surprisingly, given the gaming industry’s quickness to adapt, Caesars testing policy pre-dated the passage of Nevada’s AB 132 in 2019, which bars Nevada businesses from testing employees for cannabis prior to employment.⁴⁷ This legislation does not include safety-related jobs such as EMT or professional drivers, but it is still one of the first statewide bills barring discrimination solely on the basis of cannabis consumption.⁴⁸

E. Nevada’s Integrated Resorts Face Other Cannabis-Related Challenges

Casinos that also contain non-gaming entities, such as spas, boutique stores, health food clinics, etc. are in a potential gray area when it comes to hemp-based products. After the 2018 Farm Bill passed, non-psychoactive industrial hemp products (with a THC concentration of below 0.3% by weight) are officially a legal agricultural commodity and can be sold across state lines.⁴⁹ Does this mean that spas inside Nevada gaming licensees property can apply CBD-infused massage oil? Can casino-owned health food stores sell CBD supplements? Considering that hemp is now federally considered an agricultural product due to the Farm Bill, the answer to both questions should be a “yes.” However, testing and regulation of these products still remains a question, and will likely continue to be a question until federal safety regulations are developed by the FDA.

III. POTENTIAL FEDERAL ACTIONS AND CROSS-INDUSTRY SOLUTIONS

A. Changes to Nevada’s Current Cannabis Regulations

One of the biggest changes on the horizon for the Nevada cannabis industry is the implementation of AB 533, which created the Cannabis

⁴⁵ Richard N. Velotta, *Caesars No Longer Screening Job Applicants for Marijuana Use*, L.V. REV. J. (May 7, 2018, 6:00 PM), <https://www.reviewjournal.com/business/casinos-gaming/caesars-no-longer-screening-job-applicants-for-marijuana-use/>.

⁴⁶ *Id.*

⁴⁷ Assemb. B. 132, 2019 Leg., 80th Sess. (Nev. 2019).

⁴⁸ *Id.*

⁴⁹ Agriculture Improvement Act of 2018, H.R. 2, 115th Cong. § 2 (2018).

Advisory Commission and the Cannabis Compliance Board.⁵⁰ The regulation of the cannabis industry in Nevada will move from the Department of Taxation to the Cannabis Compliance Board, with the Cannabis Advisory Commission acting as a study source for advisory recommendations to the Cannabis Compliance Board.⁵¹ This change shifts the regulatory framework closer to how gaming is regulated, with the respective organizations being the Gaming Commission and Gaming Control Board. With these changes, it is not currently fully known how the cannabis industry will be affected, but there may be additional cross-industry solutions that present themselves once the industries are more closely aligned on regulation.

Riana Durrett, Executive Director of the NDA, characterized her thoughts on the upcoming Cannabis Compliance Board:

Members of the Nevada Dispensary Association are looking forward to the stability and institutional knowledge that will be developed over time with a board and commission dedicated to cannabis issues. The cannabis industry is surprisingly complex with the demands of seed to sale tracking and extensive testing requirements. Nevada's industry has been complimented as one more willing to work with regulators and work in good faith to be compliant than some in other states. I think the Board and Commission will be pleasantly surprised that the majority of operators will make their job easy and they can focus on a smaller number of operators struggling with compliance.⁵²

B. Potential Federal Changes to Cannabis Banking

On the federal horizon, the future looks bright for the cannabis industry. In September 2019, the United States House of Representatives passed the S.A.F.E. Banking Act, which created protections for banks that provide financial services to legal cannabis businesses complying with state-level cannabis laws.⁵³ Nevada awaits a vote by the United States Senate on the

⁵⁰ Assemb. B. 533 § 52, 2019 Leg., 80th Sess. (Nev. 2019).

⁵¹ *Id.*

⁵² E-mail from Riana Durrett, Executive Director of the NDA, to Krystal Saab (Sept. 19, 2019, 8:16 AM) (on file with author). Riana Durrett currently serves as the Executive Director of the Nevada Dispensary Association and continues to practice in a limited, of counsel, capacity to McLetchie Law. She previously practiced criminal and immigration law, but she found the rapidly changing laws and policies around cannabis regulation engaging and challenging. Durrett is responsible for coordinating the Nevada Dispensary Association's legislative and policy agendas, researching and responding to various cannabis issues, and community outreach.

⁵³ SAFE Banking Act of 2019, H.R. 1595, 116th Cong. § 1 (2019); SAFE

S.A.F.E. Banking Act to see if it will be enacted into law. If it becomes law, the S.A.F.E. Banking Act may sway the Gaming Control Board to allow the use of cannabis-related funds for gaming—both casinos and banks are considered “financial institutions” by FinCEN.⁵⁴

C. Potential Changes to the Controlled Substances Act (CSA)

Another very real set of possibilities on the federal level are either the re-scheduling or complete de-scheduling of cannabis from a Control I Substance. There are already several bills worked their way through Congress that would result in de-scheduling cannabis from the CSA, including the following two: the Marijuana Opportunity, Reinvestment, and Expungement (MORE) Act, a piece of bipartisan legislation that would completely remove cannabis from the controlled substances act,⁵⁵ and the Ending Federal Marijuana Prohibition Act of 2019, that would also completely remove cannabis as a Controlled Substance.⁵⁶ Additional legislation also calls for a simple de-scheduling of cannabis, such as the Marijuana 1-to-3 Act, with a focus on de-scheduling for the purpose of increasing access to medical research.⁵⁷ Depending on what law is eventually adopted, this could remove the federal barrier to banking and research, and would make cannabis a federally de-scheduled substance, like alcohol and tobacco.

CONCLUSIONS

The question looms: will Las Vegas ever see tourists consuming cannabis at baccarat tables alongside alcohol and cigarettes? Depending on what happens both at the federal and state levels in the next legislative sessions, that outcome may be more likely than not. If safe, legal banking is opened up to the cannabis industry, especially in combination with a de-scheduling or re-scheduling of cannabis from the Controlled Substances Act, there would be little in the way of federal regulations stopping the Nevada gaming industry from betting on green.

Banking Act of 2019, S. 1200, 116th Cong. § 1 (2019).

⁵⁴ *Financial Institution Definition*, FIN. CRIMES ENFORCEMENT NETWORK, <https://www.fincen.gov/financial-institution-definition> (last visited Dec. 19, 2019).

⁵⁵ MORE Act of 2019, H.R. 3884, 116th Cong. § 1 (2019); MORE Act of 2019, S. 2227, 116th Cong. § 1 (2019).

⁵⁶ Ending Federal Marijuana Prohibition Act of 2019, H.R. 1588, 116th Cong. § 1 (2019).

⁵⁷ See Marijuana 1-to-3 Act of 2019, H.R. 4323, 116th Cong. § 1 (2019).