

22.4 RENTING SPACE FOR GAMBLING

§ 849.03, Fla. Stat.

To prove the crime of Renting Space for Gambling, the State must prove the following two elements beyond a reasonable doubt:

- 1.** (Defendant), **as owner or agent, knowingly rented** (place alleged) **to** (person alleged).
- 2.** (Defendant) **knew at the time of renting the place that** (person alleged) **intended to use the place for gambling.**

Definition

"Gambling" is a game of chance in which the participant risks money or property on the outcome with the expectation of gaining or losing as a result of the game.

If there is evidence of the exception referred to in § 849.093, Fla. Stat., an appropriate instruction should be given.

Lesser Included Offenses

No lesser included offenses have been identified for this offense.

Comment

This instruction was adopted in 1981.