
By: Delegate C. Davis

Introduced and read first time: February 23, 1996

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 Business Regulation - Slot Machine, Tip Jar, and Casino Gambling - Licensing

3 FOR the purpose of creating the Maryland Slot Machine, Tip Jar, and Casino Gambling
4 Commission under the Department of Labor, Licensing, and Regulation; defining
5 certain terms; providing for the membership, appointment, qualifications, oath,
6 term, removal, ex officio members, chairman, quorum, meetings, compensation,
7 executive director, staff, and legal adviser of the Commission; providing for the
8 general powers of the Commission; providing that the Commission shall adopt
9 certain regulations; providing for the general, regulatory, and licensing powers and
10 duties of the Commission with respect to certain organizations that conduct
11 gambling activities as authorized by law; providing for the Commission's powers and
12 duties with respect to sellers and distributors of gambling equipment and the
13 investigation and audit of gambling activities; providing that the Commission shall,
14 by regulation, set fees for licenses in amounts sufficient to cover the Commission's
15 costs of administering this Act; authorizing the Commission to waive any license fee
16 or requirements under this Act under certain circumstances; allowing, under certain
17 circumstances, the Commission to deny an application for an initial or renewed
18 license or suspend or revoke a license issued by the Commission under this Act or
19 any regulations adopted under this Act; providing that the Commission may
20 investigate complaints about certain organizations and volunteer fire companies
21 made in connection with certain gambling activities; making it unlawful for certain
22 individuals and organizations to conduct certain gambling activities unless licensed
23 under this Act; providing for certain hearings and cease and desist orders;
24 establishing the Maryland Slot Machine, Tip Jar, and Casino Gambling Commission
25 Fund as a special fund; providing certain penalties for violations of this Act;
26 providing for the scope and application of the Act; requiring the Commission to
27 develop a certain plan and procedures to ensure that the licensing requirements of
28 this Act are implemented by a certain date; requiring the Commission to make
29 certain studies and reports; and relating generally to the Maryland Slot Machine,
30 Tip Jar, and Casino Gambling Commission under the Department of Labor,
31 Licensing, and Regulation and the oversight and regulation of the business of slot
32 machine, tip jar, and casino gambling activities in the State of Maryland.

33 BY adding to

34 Article - Business Regulation

35 Section 6A-101 through 6A-601, inclusive, to be under the new title "Title 6A.

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1 Business of Slot Machine, Tip Jar, and Casino Gambling"
2 Annotated Code of Maryland
3 (1992 Volume and 1995 Supplement)

4 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
5 MARYLAND, That the Laws of Maryland read as follows:

6 **Article - Business Regulation**

7 TITLE 6A. BUSINESS OF SLOT MACHINE, TIP JAR, AND CASINO GAMBLING.

8 SUBTITLE 1. DEFINITIONS; SCOPE.

9 6A-101. DEFINITIONS.

10 (A) IN THIS TITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

11 (B) "CHARITABLE ORGANIZATION" MEANS AN ORGANIZATION DESCRIBED
12 IN § 170(C) OF THE INTERNAL REVENUE CODE.

13 (C) "COMMISSION" MEANS THE MARYLAND SLOT MACHINE, TIP JAR, AND
14 CASINO GAMBLING COMMISSION.

15 (D) "GAMBLING EQUIPMENT" MEANS ANY DEVICE, MECHANISM, MACHINE,
16 PRINTED MATTER, FIXTURE, FURNITURE, CONSTRUCTION, OR INSTALLATION FOR
17 USE IN CONNECTION WITH THE GAMBLING ACTIVITIES OR EQUIPMENT REQUIRED
18 TO BE LICENSED UNDER THIS TITLE.

19 (E) "GAMBLING ESTABLISHMENT" MEANS THE BUILDING, ROOM,
20 ENCLOSURE, OR OTHER PLACE IN WHICH GAMBLING ACTIVITY IS CONDUCTED BY A
21 PERSON IF REQUIRED TO BE LICENSED UNDER THIS TITLE OR OTHER LAW.

22 (F) "LICENSEE" MEANS A PERSON LICENSED UNDER THIS TITLE OR THE
23 REGULATIONS ADOPTED UNDER IT.

24 (G) "VENDOR" MEANS ANY PERSON THAT SELLS, LEASES, DELIVERS, OR
25 SUPPLIES ANY GAMBLING EQUIPMENT TO A GAMBLING ESTABLISHMENT OR TO A
26 PERSON REQUIRED TO BE LICENSED UNDER THIS TITLE OR OTHER LAW.

27 6A-102. SCOPE.

28 (A) UNLESS OTHERWISE SPECIFIED, THIS TITLE APPLIES IN ADDITION TO THE
29 PROVISIONS OF ARTICLE 27 OF THE CODE.

30 (B) NOTHING IN THIS TITLE MAY BE CONSTRUED TO PREEMPT OR
31 SUPERSEDE THE AUTHORITY OF ANY COUNTY OR MUNICIPAL CORPORATION OF
32 THE STATE UNDER ARTICLE 27 OF THE CODE OR UNDER ANY OTHER PUBLIC
33 GENERAL OR PUBLIC LOCAL LAW, OR LOCAL ORDINANCE OR RESOLUTION IN
34 EFFECT BEFORE, ON, OR AFTER THE EFFECTIVE DATE OF THIS TITLE.

35 (C) NOTHING IN THIS TITLE MAY BE CONSTRUED TO GRANT ANY PRIVILEGE,
36 RIGHT, OR AUTHORITY TO ANY PERSON OR TO ANY COUNTY OR MUNICIPAL

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1 CORPORATION IN THE STATE IF THAT PRIVILEGE, RIGHT, OR AUTHORITY DID NOT
2 EXIST ON OR BEFORE THE EFFECTIVE DATE OF THIS TITLE.

3 (D) NOTHING IN THIS TITLE MAY BE CONSTRUED TO DENY OR REPEAL ANY
4 PRIVILEGE, RIGHT, OR AUTHORITY OF ANY PERSON OR OF ANY COUNTY OR
5 MUNICIPAL CORPORATION IF THAT PRIVILEGE, RIGHT, OR AUTHORITY EXISTED ON
6 OR BEFORE THE EFFECTIVE DATE OF THIS TITLE.

7 (E) (1) NOTHING IN THIS TITLE MAY BE CONSTRUED TO BROADEN THE
8 AUTHORITY OF THE STATE LOTTERY AGENCY OR THE STATE RACING COMMISSION
9 TO AUTHORIZE ANY LOTTERY OR HORSE RACING ACTIVITY NOT AUTHORIZED BY
10 LAW BEFORE, ON, OR AFTER THE EFFECTIVE DATE OF THIS TITLE.

11 (2) NOTHING IN THIS TITLE MAY BE CONSTRUED TO AFFECT OR ALTER:

12 (I) THE LICENSURE AND REGULATION OF THE STATE LOTTERY
13 BY THE STATE LOTTERY AGENCY UNDER TITLE 9, SUBTITLE 1 OF THE STATE
14 GOVERNMENT ARTICLE;

15 (II) THE LICENSURE AND REGULATION OF HORSE RACING
16 ACTIVITIES BY THE STATE RACING COMMISSION UNDER TITLE 11 OF THIS ARTICLE;

17 (III) THE AUTHORITY OF THE SECRETARY OF STATE WITH RESPECT
18 TO CHARITABLE ORGANIZATIONS UNDER TITLE 6 OF THIS ARTICLE; OR

19 (IV) THE LICENSURE OF FREE-PLAY CONSOLE MACHINES,
20 FREE-PLAY PINBALL MACHINES, PINBALL MACHINES, CONSOLE MACHINES, AND
21 AMUSEMENT DEVICES UNDER THE AUTHORITY OF THE PROVISIONS OF TITLE 17,
22 SUBTITLE 4 OF THIS ARTICLE OR OTHER LAW.

23 SUBTITLE 2. MARYLAND SLOT MACHINE, TIP JAR, AND CASINO GAMBLING
24 COMMISSION.

25 6A-201. MARYLAND SLOT MACHINE, TIP JAR, AND CASINO GAMBLING COMMISSION
26 ESTABLISHED.

27 (A) THERE IS A MARYLAND SLOT MACHINE, TIP JAR, AND CASINO GAMBLING
28 COMMISSION IN THE DEPARTMENT.

29 (B) FUNDS FOR THE COMMISSION SHALL BE AS PROVIDED IN THE BUDGET.

30 6A-202. MEMBERSHIP; QUALIFICATIONS; TERM.

31 (A) (1) THE COMMISSION CONSISTS OF SEVEN MEMBERS APPOINTED BY
32 THE GOVERNOR WITH THE ADVICE AND CONSENT OF THE SENATE OF MARYLAND.

33 (2) THREE OF THE MEMBERS SHALL HAVE EXPERIENCE IN LAW
34 ENFORCEMENT.

35 (3) IN MAKING APPOINTMENTS TO THE COMMISSION, THE GOVERNOR
36 SHALL GIVE CONSIDERATION TO BASING THE MEMBERSHIP ON FACTORS RELATING
37 TO THE EQUITABLE GEOGRAPHIC REPRESENTATION OF THE REGIONS OF THE
38 STATE.

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1 (B) AT THE TIME OF APPOINTMENT AND QUALIFICATIONS EACH MEMBER:

2 (1) SHALL BE AT LEAST 21 YEARS OLD;

3 (2) SHALL BE A RESIDENT OF THE STATE WHO HAS RESIDED IN THE
4 STATE FOR AT LEAST THE LAST 5 YEARS;

5 (3) SHALL BE A REGISTERED VOTER OF THE STATE;

6 (4) SHALL BE AN INDIVIDUAL WHO HAS NOT BEEN CONVICTED OF A
7 FELONY UNDER STATE LAW OR A CRIME THAT INVOLVES MORAL TURPITUDE;

8 (5) MAY NOT HAVE ANY DIRECT OR INDIRECT FINANCIAL INTEREST BY
9 OWNERSHIP OR MANAGEMENT IN ANY GAMBLING ACTIVITIES IN THIS STATE OR IN
10 ANY OTHER STATE OR FOREIGN JURISDICTION, INCLUDING HORSE RACING OR
11 ACTIVITIES IN CONNECTION WITH ANY LOTTERY;

12 (6) MAY NOT RECEIVE OR SHARE IN, DIRECTLY OR INDIRECTLY, THE
13 RECEIPTS OF ANY GAMBLING ACTIVITY AUTHORIZED BY LAW, INCLUDING
14 LOTTERIES AND HORSE RACING;

15 (7) MAY NOT HAVE A BENEFICIAL INTEREST IN ANY CONTRACT FOR
16 THE MANUFACTURE OR SALE OF GAMBLING DEVICES, THE CONDUCT OF ANY
17 GAMBLING ACTIVITY, OR THE PROVISION OF ANY INDEPENDENT CONSULTANT
18 SERVICES IN CONNECTION WITH ANY GAMBLING ACTIVITY; AND

19 (8) MAY NOT BE EMPLOYED BY OR BE A MANAGER OF ANY PERSON
20 THAT CONDUCTS ANY GAMBLING ACTIVITY.

21 (C) NOT MORE THAN FIVE MEMBERS OF THE COMMISSION MAY BE OF THE
22 SAME POLITICAL PARTY.

23 (D) BEFORE TAKING OFFICE, EACH APPOINTEE TO THE COMMISSION SHALL
24 TAKE THE OATH REQUIRED BY ARTICLE I, § 9 OF THE MARYLAND CONSTITUTION.

25 (E) (1) THE TERM OF A MEMBER OF THE COMMISSION IS 4 YEARS AND
26 BEGINS ON JULY 1.

27 (2) THE TERMS OF MEMBERS ARE STAGGERED AS REQUIRED BY THE
28 TERMS PROVIDED FOR MEMBERS OF THE COMMISSION ON JULY 1, 1995.

29 (3) AT THE END OF A TERM, A MEMBER CONTINUES TO SERVE UNTIL A
30 SUCCESSOR IS APPOINTED AND QUALIFIES.

31 (4) A MEMBER WHO IS APPOINTED AFTER A TERM HAS BEGUN SERVES
32 ONLY FOR THE REMAINDER OF THE TERM AND UNTIL A SUCCESSOR IS APPOINTED
33 AND QUALIFIES.

34 (F) THE GOVERNOR MAY REMOVE A MEMBER OF THE COMMISSION FOR
35 INEFFICIENCY, MISCONDUCT IN OFFICE, OR NEGLECT OF DUTY.

36 6A-203. CHAIRMAN.

37 (A) THE GOVERNOR SHALL DESIGNATE A CHAIRMAN FROM AMONG THE
38 MEMBERS OF THE COMMISSION.

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1 (B) THE TERM OF THE CHAIRMAN IS 1 YEAR.

2 (C) THE CHAIRMAN MAY NOT SERVE MORE THAN TWO CONSECUTIVE TERMS
3 AS CHAIRMAN.

4 6A-204. QUORUM, MEETINGS, AND COMPENSATION.

5 (A) A MAJORITY OF THE MEMBERS THEN SERVING ON THE COMMISSION IS A
6 QUORUM.

7 (B) THE COMMISSION SHALL MEET IN THE STATE, AT THE TIMES AND PLACES
8 THAT THE COMMISSION DETERMINES.

9 (C) THE COMMISSION'S PRINCIPAL OFFICE SHALL BE LOCATED AT A PLACE IN
10 THE STATE AS DETERMINED BY THE COMMISSION.

11 (D) EACH MEMBER OF THE COMMISSION IS ENTITLED TO:

12 (1) COMPENSATION IN ACCORDANCE WITH THE STATE BUDGET; AND

13 (2) REIMBURSEMENT UNDER THE STANDARD STATE TRAVEL
14 REGULATIONS FOR EXPENSES FOR EACH COMMISSION MEETING ATTENDED AND
15 FOR OTHER NECESSARY EXPENSES, AS PROVIDED IN THE STATE BUDGET.

16 6A-205. EXECUTIVE DIRECTOR.

17 (A) (1) THE SECRETARY SHALL APPOINT AN EXECUTIVE DIRECTOR FOR
18 THE COMMISSION.

19 (2) THE EXECUTIVE DIRECTOR SHALL SERVE AT THE PLEASURE OF
20 THE SECRETARY.

21 (B) THE EXECUTIVE DIRECTOR SHALL:

22 (1) COLLECT THE FEES IMPOSED BY REGULATIONS ADOPTED BY THE
23 COMMISSION UNDER THIS TITLE AND DEPOSIT THEM TO THE CREDIT OF THE
24 GENERAL FUNDS OF THE STATE;

25 (2) KEEP THE RECORDS AND PAPERS OF THE COMMISSION, INCLUDING
26 A RECORD OF EACH PROCEEDING OR MEETING OF THE COMMISSION;

27 (3) ADMINISTER THE LICENSES REQUIRED UNDER THIS TITLE;

28 (4) PREPARE, ISSUE, AND SUBMIT REPORTS OF THE COMMISSION;

29 (5) ADMINISTER THE DAILY OPERATION OF THE OFFICE OF THE
30 COMMISSION;

31 (6) SIGN AND ISSUE SUBPOENAS ON BEHALF OF THE COMMISSION; AND

32 (7) PERFORM ANY OTHER DUTY THAT THE COMMISSION DIRECTS.

33 (C) THE EXECUTIVE DIRECTOR IS ENTITLED TO:

34 (1) COMPENSATION IN ACCORDANCE WITH THE STATE BUDGET; AND

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1 (2) REIMBURSEMENT FOR EXPENSES UNDER THE STANDARD STATE
2 TRAVEL REGULATIONS, AS PROVIDED IN THE STATE BUDGET.

3 (D) (1) THE COMMISSION SHALL REQUEST THE EXECUTIVE DIRECTOR TO
4 PROVIDE TO IT A CRIMINAL BACKGROUND INVESTIGATION REPORT ON OR THE
5 FINGERPRINTS OF THE EXECUTIVE DIRECTOR.

6 (2) THE FINGERPRINTS OR THE CRIMINAL BACKGROUND CHECK SHALL
7 BE TAKEN BY OR MADE BY A REPRESENTATIVE OF A LAW ENFORCEMENT AGENCY
8 OF THE STATE OR FEDERAL GOVERNMENT.

9 (3) EXCEPT WHEN SUBJECT TO A COURT ORDER, ALL INFORMATION
10 OBTAINED BY THE COMMISSION ABOUT ANY CRIMINAL CHARGES AGAINST THE
11 EXECUTIVE DIRECTOR AND THE DISPOSITION OF THOSE CHARGES MAY NOT BE
12 TRANSMITTED OUTSIDE THE COMMISSION AND IS CONFIDENTIAL.

13 6A-206. STAFF OF THE COMMISSION.

14 (A) WITH THE APPROVAL OF THE COMMISSION AND SUBJECT TO THE STATE
15 PERSONNEL MANAGEMENT SYSTEM, THE EXECUTIVE DIRECTOR SHALL APPOINT A
16 STAFF TO THE COMMISSION.

17 (B) THE STAFF MAY INCLUDE INSPECTORS, INVESTIGATORS, EXAMINERS,
18 AUDITORS, TYPISTS, AND CLERKS TO ASSIST THE EXECUTIVE DIRECTOR AND THE
19 COMMISSION IN CARRYING OUT THEIR POWERS AND DUTIES UNDER THIS TITLE.

20 (C) EACH MEMBER OF THE COMMISSION'S STAFF IS ENTITLED TO:

21 (1) COMPENSATION IN ACCORDANCE WITH THE STATE BUDGET; AND

22 (2) REIMBURSEMENT FOR EXPENSES UNDER THE STANDARD STATE
23 TRAVEL REGULATIONS, AS PROVIDED IN THE BUDGET.

24 (D) AN INDIVIDUAL WHO HOLDS A POSITION UNDER THE COMMISSION MAY
25 NOT HAVE A FINANCIAL INTEREST IN ANY GAMBLING ACTIVITY.

26 (E) (1) THE COMMISSION MAY REQUEST AN APPLICANT FOR EMPLOYMENT
27 OR EMPLOYEE OF THE COMMISSION TO PROVIDE TO IT A CRIMINAL BACKGROUND
28 INVESTIGATION REPORT ON OR FINGERPRINTS OF THE APPLICANT FOR
29 EMPLOYMENT OR EMPLOYEE.

30 (2) THE FINGERPRINTS OR CRIMINAL BACKGROUND CHECK SHALL BE
31 TAKEN BY OR MADE BY A REPRESENTATIVE OF A LAW ENFORCEMENT OFFICER OF
32 THE STATE OR FEDERAL GOVERNMENT.

33 (3) EXCEPT WHEN SUBJECT TO A COURT ORDER, ALL INFORMATION
34 OBTAINED BY THE COMMISSION ABOUT ANY CRIMINAL CHARGES AGAINST ANY
35 EMPLOYEE OF THE COMMISSION AND THE DISPOSITION OF THOSE CHARGES MAY
36 NOT BE TRANSMITTED OUTSIDE THE COMMISSION AND IS CONFIDENTIAL.

1 6A-207. GENERAL POWERS OF THE COMMISSION.

2 (A) THE COMMISSION SHALL ENFORCE THE LAWS REGULATING SLOT
3 MACHINE, TIP JAR, AND CASINO GAMBLING IN THE STATE TO ENSURE THAT THOSE
4 GAMBLING ACTIVITIES ARE CONDUCTED IN THE PUBLIC INTEREST.

5 (B) (1) THE COMMISSION SHALL ENSURE THE BONA FIDE NATURE AND
6 CHARACTER AND THE VIABILITY OF CHARITABLE AND NONPROFIT
7 ORGANIZATIONS ALLOWED TO CONDUCT SLOT MACHINE, TIP JAR, AND CASINO
8 GAMBLING ACTIVITIES IN THE STATE AND THAT THE NET PROCEEDS OF THOSE
9 ACTIVITIES INURE ONLY TO CHARITABLE OR NONPROFIT PURPOSES AS REQUIRED
10 BY LAW.

11 (2) FOR PURPOSES OF PARAGRAPH (1) OF THIS SUBSECTION, IF
12 ANOTHER PROVISION OF THE LAW OF THE STATE REQUIRES THAT THE PROCEEDS,
13 IN WHOLE OR IN PART, OF GAMBLING ACTIVITIES SHALL BE USED TO BENEFIT A
14 CHARITY OR SHALL BE USED FOR PURPOSES OF A CHARITABLE, BENEVOLENT,
15 PATRIOTIC, FRATERNAL, EDUCATIONAL, RELIGIOUS, OR CIVIC OBJECTIVE, THE
16 COMMISSION SHALL REQUIRE THAT THE PROCEEDS, OR THE APPLICABLE PORTION
17 OF THE PROCEEDS, SHALL BE USED BY OR DISTRIBUTED TO A CHARITABLE
18 ORGANIZATION.

19 (C) THE COMMISSION SHALL REGULARLY REVIEW ONGOING AND PROPOSED
20 SLOT MACHINE, TIP JAR, AND CASINO GAMBLING ACTIVITIES IN THE STATE.

21 (D) THE COMMISSION SHALL HAVE THE POWERS NECESSARY OR PROPER TO
22 CARRY OUT FULLY ALL THE PURPOSES OF THIS TITLE.

23 6A-208. ADOPTION OF REGULATIONS BY THE COMMISSION.

24 (A) THE COMMISSION SHALL ADOPT REGULATIONS TO CARRY OUT THE
25 PROVISIONS OF THIS TITLE.

26 (B) THE COMMISSION SHALL ADOPT REASONABLE LICENSE APPLICATION
27 AND RENEWAL FEES TO COVER THE DIRECT AND INDIRECT COSTS OF
28 ADMINISTERING THIS TITLE.

29 SUBTITLE 3. LICENSURE AND REGULATORY AUTHORITY.

30 6A-301. POWERS AND DUTIES OF THE COMMISSION.

31 (A) IN ADDITION TO ANY OTHER POWERS AND DUTIES OF THE COMMISSION
32 UNDER THIS TITLE, THE COMMISSION HAS THE FOLLOWING POWERS AND DUTIES:

33 (1) TO DETERMINE THE ELIGIBILITY OF AN APPLICANT FOR A LICENSE
34 UNDER THIS SECTION;

35 (2) TO LICENSE, FOR A PERIOD NOT TO EXCEED 2 YEARS, EACH
36 ORGANIZATION, GROUP, OR PERSON THAT IS AUTHORIZED BY LAW TO CONDUCT
37 THE FOLLOWING GAMBLING ACTIVITIES:

38 (I) CASINO GAMBLING, INCLUDING ROULETTE, DICE GAMES, AND
39 CARD GAMES, PROVIDED THAT THE COMMISSION SHALL ALSO AUTHORIZE AND

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1 LICENSE THE ESTABLISHMENT IN WHICH CASINO GAMBLING AUTHORIZED BY LAW
2 IS CONDUCTED;

3 (II) THE USE OR OPERATION OF SLOT MACHINES; AND

4 (III) THE USE OF TIP JARS;

5 (3) TO LICENSE, FOR A PERIOD NOT TO EXCEED 2 YEARS, EACH
6 VENDOR;

7 (4) TO REQUIRE EACH ORGANIZATION OR GROUP AND EACH
8 GAMBLING ESTABLISHMENT REQUIRED TO BE LICENSED UNDER ITEM (2) OF THIS
9 SUBSECTION TO MAINTAIN BOOKS, RECORDS, LOGS, ACCOUNTS, INVENTORY LISTS,
10 SLOT MACHINES, AND OTHER GAMBLING EQUIPMENT SERIAL NUMBERS, GAMBLING
11 EQUIPMENT MAINTENANCE AND REPAIR DATA, OR ANY OTHER DOCUMENTATION
12 OR INFORMATION THE COMMISSION CONSIDERS NECESSARY AND IN WHATEVER
13 FORMAT AND FOR WHATEVER LENGTH OF TIME THE COMMISSION MAY REQUIRE,
14 PROVIDED THAT THE COMMISSION SHALL REQUIRE THE BOOKS, RECORDS,
15 DOCUMENTS, AND OTHER INFORMATION SET FORTH IN THIS ITEM TO BE
16 MAINTAINED IN THIS STATE, AND PROVIDED THAT EACH ORGANIZATION OR
17 GROUP LICENSED UNDER THIS SECTION SHALL INFORM THE COMMISSION OF THE
18 PRECISE LOCATION OF THOSE BOOKS, RECORDS, DOCUMENTS, AND THE OTHER
19 REQUIRED INFORMATION;

20 (5) TO REQUIRE EACH ORGANIZATION OR GROUP AND EACH
21 GAMBLING ESTABLISHMENT REQUIRED TO BE LICENSED UNDER ITEM (2) OF THIS
22 SUBSECTION TO DISPLAY THE LICENSE CONSPICUOUSLY IN THE PLACE OR ON THE
23 PREMISES WHERE THE GAMBLING ACTIVITY IS HELD;

24 (6) TO REQUEST ANY ORGANIZATION OR GROUP AND GAMBLING
25 ESTABLISHMENT REQUIRED TO BE LICENSED UNDER ITEM (2) OF THIS SUBSECTION
26 TO DESIGNATE THE NAMES OF THOSE INDIVIDUALS WHO ARE DIRECTLY INVOLVED
27 IN THE MANAGEMENT AND OPERATION OF THE GAMBLING ACTIVITIES CONDUCTED
28 BY THE ORGANIZATION, GROUP, OR THE GAMBLING ESTABLISHMENT AND, AT THE
29 COMMISSION'S DISCRETION, TO REQUEST THOSE INDIVIDUALS TO BE
30 PHOTOGRAPHED OR FINGERPRINTED OR THE SUBJECT OF A CRIMINAL
31 BACKGROUND CHECK TAKEN BY A REPRESENTATIVE OF A LAW ENFORCEMENT
32 AGENCY OF THE STATE OR FEDERAL GOVERNMENT, PROVIDED THAT, EXCEPT
33 WHEN SUBJECT TO A COURT ORDER, ALL INFORMATION OBTAINED BY THE
34 COMMISSION ABOUT ANY CRIMINAL CHARGES AGAINST THOSE INDIVIDUALS AND
35 THE DISPOSITION OF THOSE CHARGES MAY NOT BE TRANSMITTED OUTSIDE THE
36 COMMISSION AND IS CONFIDENTIAL;

37 (7) TO INSPECT AND CALIBRATE GAMBLING EQUIPMENT, INCLUDING
38 SLOT MACHINES, AUTHORIZED FOR USE BY A GAMBLING ESTABLISHMENT
39 LICENSED UNDER THIS TITLE;

40 (8) TO REVIEW ANY PAYMENTS RELATED TO GAMBLING ACTIVITIES
41 MADE BY ANY ORGANIZATION OR GROUP, GAMBLING ESTABLISHMENT, OR
42 VENDOR TO ANY PERSON, PROVIDED THAT NOTHING IN THIS ITEM MAY BE
43 CONSTRUED TO AUTHORIZE ANY PAYMENT TO ANY INDIVIDUALS INVOLVED WITH

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1 GAMBLING ESTABLISHMENTS IF SUCH PAYMENTS ARE OTHERWISE PROHIBITED BY
2 LAW;

3 (9) TO REQUIRE ALL INCOME AND EXPENSES THAT RELATE TO
4 GAMBLING FROM THE ACTIVITIES CONDUCTED BY THE ORGANIZATION, GROUP, OR
5 THE GAMBLING ESTABLISHMENT LICENSED UNDER THIS TITLE TO BE RECORDED
6 AND REPORTED TO THE COMMISSION IN ACCORDANCE WITH REGULATIONS
7 ADOPTED BY THE COMMISSION;

8 (10) TO REQUIRE ALL INFORMATION REQUIRED TO BE MAINTAINED BY
9 GAMBLING ESTABLISHMENTS UNDER ITEM (4) OF THIS SUBSECTION TO BE
10 SUBMITTED TO THE COMMISSION IN ACCORDANCE WITH A SCHEDULE TO BE
11 DETERMINED BY THE COMMISSION;

12 (11) TO REQUIRE THE INFORMATION RECEIVED UNDER ITEM (10) OF
13 THIS SUBSECTION TO PROVIDE SUFFICIENT AND CLEAR DATA ON THE DAILY GROSS
14 INCOME OR GROSS RECEIPTS FROM ALL GAMBLING ACTIVITY, ALL EXPENSES AND
15 PAYMENTS MADE FROM THE GROSS RECEIPTS, THE NATURE AND VALUE OF DAILY
16 OR OTHER PRIZES AND PAYOFFS DISTRIBUTED TO WINNING PLAYERS, THE
17 IDENTITY OF ALL CHARITABLE RECIPIENTS OF THE PROCEEDS OF THE GROSS
18 INCOME, THE AMOUNT DONATED TO EACH CHARITY, AND THE AMOUNT USED IN
19 FURTHERANCE OF THE PURPOSES OF THE GAMBLING ESTABLISHMENT;

20 (12) TO COLLECT AND ACCOUNT FOR THE LICENSE FEES IMPOSED
21 UNDER THIS TITLE;

22 (13) TO PUBLISH AND MAKE AVAILABLE, ON REQUEST, AT THE
23 COMMISSION'S OFFICE OR ELSEWHERE, A LIST OF THE LICENSES ISSUED BY THE
24 COMMISSION, INCLUDING THE NAMES, ADDRESSES, TYPES OF LICENSE, AND
25 LICENSE NUMBER OF EACH LICENSEE;

26 (14) TO PROVIDE INFORMATION AND EXPERTISE TO STATE AND LOCAL
27 LAW ENFORCEMENT AGENCIES AND OFFICES TO ASSIST THEM IN THE
28 ENFORCEMENT OF THIS TITLE AND THE OTHER GAMBLING LAWS OF THE STATE,
29 INCLUDING, UPON REQUEST, ANY INFORMATION OBTAINED BY THE COMMISSION
30 UNDER THIS TITLE;

31 (15) TO REQUIRE THAT ANY LICENSEE UNDER THIS TITLE PROVIDE TO
32 THE COMMISSION ON FORMS DEvised BY THE COMMISSION A DISCLOSURE OF
33 OWNERSHIP OF ANY GAMBLING EQUIPMENT USED BY THE LICENSEE AND OF
34 OWNERSHIP OF ANY GAMBLING ESTABLISHMENTS;

35 (16) TO REQUIRE THAT EXPENSES OF ANY GAMBLING ACTIVITIES BE
36 DOCUMENTED AND BE COMMERCIALY REASONABLE; AND

37 (17) TO REQUIRE THAT ALL REVENUES AND PROCEEDS FROM
38 GAMBLING ACTIVITIES BE SEPARATELY ACCOUNTED FOR AND NOT BE
39 COMMINGLED WITH OTHER FUNDS.

40 (B) A LICENSE ISSUED BY THE COMMISSION UNDER THIS SECTION IS NOT
41 TRANSFERABLE.

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1 (C) THE COMMISSION MAY WAIVE ANY LICENSE OR FEE REQUIREMENT OR
2 ANY PHOTOGRAPHING, FINGERPRINTING, OR CRIMINAL BACKGROUND CHECK
3 REQUIREMENT UNDER THIS TITLE IF THE COMMISSION FINDS THAT APPLICABLE
4 LOCAL LAW AND LOCAL REGULATORY PROVISIONS ARE SUFFICIENT TO
5 SUBSTITUTE FOR ANY SUCH REQUIREMENTS UNDER THIS TITLE.

6 6A-302. DENIAL, SUSPENSION, AND REVOCATION OF LICENSES.

7 (A) THE COMMISSION MAY DENY AN APPLICATION FOR AN INITIAL OR
8 RENEWED LICENSE OR SUSPEND OR REVOKE A LICENSE ISSUED BY IT UNDER THIS
9 TITLE IF THE APPLICANT OR LICENSEE:

10 (1) FRAUDULENTLY OR DECEPTIVELY OBTAINS OR ATTEMPTS TO
11 OBTAIN OR RENEW A LICENSE FOR THE APPLICANT OR ANOTHER PERSON;

12 (2) FRAUDULENTLY OR DECEPTIVELY USES THE LICENSE;

13 (3) HAS HAD A SIMILAR LICENSE DENIED, SUSPENDED, OR REVOKED;

14 (4) WILLFULLY FAILS TO PROVIDE OR WILLFULLY MISREPRESENTS
15 ANY INFORMATION REQUIRED TO BE PROVIDED BY THIS TITLE OR ANY
16 REGULATION ADOPTED UNDER THIS TITLE;

17 (5) VIOLATES OR HAS VIOLATED:

18 (I) ANY OF THE PROVISIONS OF THIS TITLE OR ANY
19 REGULATIONS ADOPTED UNDER THIS TITLE; OR

20 (II) ANY OTHER LAW;

21 (6) KNOWINGLY CAUSES, AIDS, ABETS, OR CONSPIRES WITH ANOTHER
22 PERSON TO VIOLATE:

23 (I) ANY OF THE PROVISIONS OF THIS SUBTITLE OR ANY
24 REGULATIONS ADOPTED BY THE COMMISSION UNDER THIS TITLE; OR

25 (II) ANY OTHER LAW;

26 (7) HAS BEEN CONVICTED OF OR PLEADED GUILTY TO ANY FELONY
27 UNDER MARYLAND LAW OR ANY CRIME THAT INVOLVES MORAL TURPITUDE;

28 (8) HAS MADE, DIRECTLY OR INDIRECTLY, ANY UNLAWFUL PAYMENT
29 TO ANY PERSON IN CONNECTION WITH ANY GAMBLING ACTIVITY THAT IS THE
30 SUBJECT OF THIS TITLE;

31 (9) DENIES THE COMMISSION, ANY AUTHORIZED REPRESENTATIVE OF
32 THE COMMISSION, OR ANY LAW ENFORCEMENT AGENCY ACCESS TO ANY PLACE OR
33 PREMISES WHERE GAMBLING ACTIVITY AUTHORIZED UNDER THIS TITLE OR OTHER
34 LAW IS CONDUCTED;

35 (10) FAILS TO PRODUCE FOR INSPECTION OR AUDIT ANY BOOK,
36 RECORD, DOCUMENT, OR ITEM REQUIRED BY THIS TITLE OR BY ANY REGULATION
37 ADOPTED BY THE COMMISSION UNDER THIS TITLE;

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1 (11) FAILS TO DISPLAY ITS LICENSE AT ALL TIMES IN THE PLACE OR ON
2 THE PREMISES WHERE THE GAMBLING ACTIVITY AUTHORIZED UNDER THIS TITLE
3 OR UNDER OTHER LAW DURING THE OPERATION OF THE GAMBLING ACTIVITY; OR

4 (12) FAILS TO PROVIDE BY CLEAR AND CONVINCING EVIDENCE THAT
5 THE APPLICANT OR LICENSEE IS QUALIFIED IN ACCORDANCE WITH THE
6 PROVISIONS OF THIS TITLE.

7 (B) THE COMMISSION MAY NOT DENY AN APPLICATION FOR AN INITIAL OR
8 RENEWED LICENSE OR SUSPEND OR FAIL TO ISSUE A LICENSE, OR SUSPEND OR
9 REVOKE A LICENSE FOR ANY REASON BASED ON RACE, COLOR, CREED, SEX,
10 RELIGIOUS AFFILIATION, NATIONAL ORIGIN, OR PHYSICAL DISABILITY.

11 6A-303. HEARINGS AND APPEALS.

12 (A) EXCEPT AS OTHERWISE PROVIDED IN TITLE 10 OF THE STATE
13 GOVERNMENT ARTICLE, BEFORE THE COMMISSION TAKES ANY FINAL ACTION
14 UNDER § 6A-302 OF THIS TITLE, THE COMMISSION SHALL GIVE ANY PERSON AGAINST
15 WHOM THE ACTION IS PROPOSED AN OPPORTUNITY FOR A HEARING BEFORE THE
16 COMMISSION.

17 (B) THE COMMISSION SHALL GIVE NOTICE AND HOLD THE HEARING IN
18 ACCORDANCE WITH TITLE 10, SUBTITLE 2 OF THE STATE GOVERNMENT ARTICLE.

19 (C) IF, AFTER DUE NOTICE, THE PERSON AGAINST WHOM THE ACTION IS
20 CONTEMPLATED DOES NOT APPEAR, THE COMMISSION MAY HEAR AND DETERMINE
21 THE MATTER.

22 (D) A PARTY TO A PROCEEDING UNDER THIS TITLE WHO IS AGGRIEVED BY A
23 FINAL DECISION OF THE COMMISSION IN A CONTESTED CASE, AS DEFINED IN § 10-201
24 OF THE STATE GOVERNMENT ARTICLE, MAY TAKE AN APPEAL AS ALLOWED IN §§
25 10-215 AND 10-216 OF THE STATE GOVERNMENT ARTICLE.

26 SUBTITLE 4. MISCELLANEOUS PROVISIONS.

27 6A-401. POWERS TO INVESTIGATE, AUDIT, REMOVE EMPLOYEES, AND REQUIRE
28 RECORD KEEPING.

29 (A) THE COMMISSION MAY:

30 (1) INVESTIGATE AN ALLEGED VIOLATION OF THIS TITLE, ARTICLE 27
31 OF THE CODE, OR OTHER LAW; AND

32 (2) INSPECT, EXAMINE, OR AUDIT THE BOOKS, DOCUMENTS, AND
33 RECORDS OF ANY ORGANIZATION, GROUP, VENDOR, OR GAMBLING
34 ESTABLISHMENT LICENSED UNDER THIS TITLE, ANY PERSON LENDING MONEY TO
35 OR IN ANY MANNER FINANCING ANY GAMBLING ACTIVITY, OR ANY APPLICANT FOR
36 A LICENSE, UNDER THIS TITLE OR OTHER LAW, TO ENGAGE IN GAMBLING
37 ACTIVITIES.

38 (B) THE COMMISSION MAY ADMINISTER OATHS.

12

1 (C) THE COMMISSION MAY ISSUE SUBPOENAS FOR THE ATTENDANCE OF
2 WITNESSES TO TESTIFY OR TO PRODUCE BOOKS, RECORDS, DOCUMENTS, OR OTHER
3 EVIDENCE.

4 (D) (1) IF THE COMMISSION FINDS THAT A LICENSEE UNDER THIS TITLE
5 HAS VIOLATED THIS TITLE OR ANY REGULATION ADOPTED UNDER IT, THE
6 COMMISSION MAY SUMMARILY ISSUE A CEASE AND DESIST ORDER TO THE
7 VIOLATOR IF THE COMMISSION:

8 (I) FINDS THAT THE PUBLIC HEALTH, SAFETY, OR WELFARE
9 REQUIRES EMERGENCY ACTION;

10 (II) GIVES THE VIOLATOR WRITTEN NOTICE OF THE ORDER, THE
11 REASONS FOR THE ORDER, AND THE RIGHT OF THE VIOLATOR TO REQUEST A
12 HEARING UNDER PARAGRAPH (2) OF THIS SUBSECTION; AND

13 (III) REFERS THE MATTER TO THE ATTORNEY GENERAL OR THE
14 APPROPRIATE STATE'S ATTORNEY.

15 (2) (I) IF THE COMMISSION SUSPENDS OR REVOKES A LICENSE
16 UNDER § 6A-302(A) OF THIS TITLE OR ISSUES A CEASE AND DESIST ORDER UNDER
17 THIS SUBSECTION, THE PERSON TO WHOM THE SUSPENSION, REVOCATION, OR
18 ORDER APPLIES MAY REQUEST A HEARING FROM THE COMMISSION.

19 (II) WITHIN 30 DAYS AFTER A REQUEST IS SUBMITTED, THE
20 COMMISSION SHALL HOLD A HEARING IN ACCORDANCE WITH TITLE 10, SUBTITLE 2
21 OF THE STATE GOVERNMENT ARTICLE.

22 6A-402. COORDINATION WITH REGULATORY AGENCIES.

23 THE COMMISSION, THE STATE LOTTERY AGENCY, THE STATE RACING
24 COMMISSION, THE SECRETARY OF LABOR, LICENSING, AND REGULATION, THE
25 SECRETARY OF THE STATE POLICE, AND THE SECRETARY OF STATE SHALL
26 COORDINATE THEIR ACTIVITIES SET FORTH UNDER THIS TITLE AND COOPERATE
27 AND CONSULT WITH EACH OTHER ON A REGULAR BASIS.

28 6A-403. PROHIBITION ON CONDUCTING CERTAIN GAMBLING ACTIVITIES WITHOUT A
29 LICENSE; OTHER PROHIBITIONS.

30 (A) NOTWITHSTANDING ANY OTHER LAW, AN ORGANIZATION OR GROUP
31 MAY NOT CONDUCT ANY ACTIVITY COVERED UNDER § 6A-301(A)(2) OF THIS TITLE
32 UNLESS THE ORGANIZATION OR GROUP HAS A LICENSE ISSUED UNDER THIS TITLE
33 FOR EACH GAMBLING ESTABLISHMENT IN WHICH THE AUTHORIZED GAMBLING
34 ACTIVITY IS CONDUCTED.

35 (B) A CONTRACT BETWEEN A VENDOR OF GAMBLING EQUIPMENT AND AN
36 ORGANIZATION, GROUP, OR GAMBLING ESTABLISHMENT LICENSED UNDER THIS
37 TITLE OR OTHER LAW TO CONDUCT GAMBLING ACTIVITY MAY NOT PROVIDE A FEE
38 TO THE VENDOR THAT EXCEEDS A PERCENTAGE OF THE PROCEEDS, AS
39 DETERMINED BY THE COMMISSION BY REGULATION.

13

1 (C) A VENDOR MAY NOT LEASE, RENT, SELL, DISTRIBUTE, OR SUPPLY ANY
2 GAMBLING EQUIPMENT ON TERMS OTHER THAN A WRITTEN CONTRACT TO LEASE,
3 RENT, SELL, DISTRIBUTE, OR MANUFACTURE.

4 (D) A VENDOR MAY NOT SELL OR DISPOSE OF A SLOT MACHINE EXCEPT TO A
5 PERSON AUTHORIZED BY LAW TO POSSESS ONE.

6 (E) (1) EXCEPT AS MAY BE OTHERWISE ALLOWED BY LAW, A PERSON MAY
7 NOT GIVE ANYTHING OF VALUE TO A LICENSEE OR ANY AGENT, EMPLOYEE, OR
8 PERSONNEL OF THE LICENSEE, INCLUDING A VOLUNTEER.

9 (2) EXCEPT AS MAY BE OTHERWISE ALLOWED BY LAW, A LICENSEE OR
10 ANY AGENT, EMPLOYEE, OR PERSONNEL, INCLUDING A VOLUNTEER, OF A LICENSEE
11 MAY NOT ACCEPT ANYTHING OF VALUE, WHICH IS GIVEN FOR THE PURPOSE OF
12 INDUCING THE LICENSEE TO TAKE OR NOT TAKE ANY PARTICULAR ACTION IN
13 CONNECTION WITH ANY GAMBLING ACTIVITY.

14 6A-404. AUDITS OF GAMBLING ESTABLISHMENTS.

15 (A) EXCEPT AS OTHERWISE PROVIDED IN THIS TITLE, THE STATE POLICE
16 SHALL HAVE ACCESS TO THE RECORDS IN THE CUSTODY OF THE COMMISSION.

17 (B) AN ORGANIZATION, GROUP, OR GAMBLING ESTABLISHMENT, AS A
18 CONDITION FOR LICENSURE UNDER THIS TITLE, SHALL ALLOW AN AUTHORIZED
19 LAW ENFORCEMENT OFFICER OR THE COMMISSION, THE EXECUTIVE DIRECTOR, OR
20 A MEMBER OF THE STAFF OF THE COMMISSION, UPON THE PRESENTATION OF
21 PROPER CREDENTIALS BY THE APPROPRIATE INDIVIDUAL, TO ENTER THE
22 PREMISES DURING BUSINESS HOURS TO INSPECT:

23 (1) ANY RECORD REQUIRED TO BE KEPT BY ANY REGULATION
24 ADOPTED UNDER THIS TITLE; OR

25 (2) ANY GAMBLING EQUIPMENT.

26 (C) IF THE COMMISSION FINDS THAT THE ACCOUNTS OF THE ORGANIZATION,
27 GROUP, OR GAMBLING ESTABLISHMENT ARE INADEQUATE OR INADEQUATELY
28 KEPT OR POSTED, THE COMMISSION MAY EMPLOY EXPERTS TO REWRITE, POST, OR
29 BALANCE THEM AT THE EXPENSE OF THE LICENSEE.

30 (D) THE EXPENSE INCURRED IN ANY EXAMINATION, AUDIT, OR
31 INVESTIGATION OF AN ORGANIZATION, GROUP, OR GAMBLING ESTABLISHMENT
32 MADE UNDER THIS TITLE SHALL BE PAID FOR, WITHIN 30 DAYS AFTER THE
33 EXAMINATION, AUDIT, OR INVESTIGATION BY THE ORGANIZATION, GROUP, OR
34 GAMBLING ESTABLISHMENT BEING EXAMINED, AUDITED, OR INVESTIGATED.

35 (E) (1) EACH ORGANIZATION, GROUP, OR GAMBLING ESTABLISHMENT
36 EXAMINED, AUDITED, OR INVESTIGATED SHALL, WITHIN 30 DAYS AFTER THE
37 EXAMINATION, AUDIT, OR INVESTIGATION, PAY TO THE COMMISSION THE TRAVEL
38 EXPENSES AND A PER DIEM AS COMPENSATION OF INVESTIGATORS, AUDITORS, AND
39 TYPISTS TO THE EXTENT INCURRED, ON ACCOUNT OF THE EXAMINATION, AUDIT,
40 OR INVESTIGATION AT REASONABLE RATES AS THE COMMISSION SHALL ESTABLISH
41 BY REGULATION.

14

1 (2) A DETAILED ACCOUNT OF THE EXPENSE INCURRED SHALL BE
2 PRESENTED TO THE ORGANIZATION, GROUP, OR GAMBLING ESTABLISHMENT
3 BEING EXAMINED, AUDITED, OR INVESTIGATED AT THE TIME REQUEST FOR
4 PAYMENT IS MADE.

5 (3) AN ORGANIZATION, GROUP, OR GAMBLING ESTABLISHMENT MAY
6 NOT PAY AND AN INVESTIGATOR, EXAMINER, OR AUDITOR MAY NOT ACCEPT ANY
7 ADDITIONAL EMOLUMENT ON ACCOUNT OF ANY EXAMINATION.

8 6A-405. REPORTS AND STUDIES.

9 (A) THE COMMISSION SHALL PREPARE AND SUBMIT AN ANNUAL REPORT TO
10 THE GOVERNOR AND, SUBJECT TO THE PROVISIONS OF § 2-1312 OF THE STATE
11 GOVERNMENT ARTICLE, TO THE GENERAL ASSEMBLY ON ALL MATTERS,
12 INCLUDING DISCIPLINARY ACTIONS TAKEN BY THE COMMISSION, RELATING TO THE
13 COMMISSION'S REGULATION AND LICENSURE OF GAMBLING AND RELATED
14 ACTIVITIES UNDER THIS TITLE.

15 (B) THE GOVERNOR OR THE GENERAL ASSEMBLY MAY REQUIRE OTHER
16 REPORTS FROM THE COMMISSION TO BE SUBMITTED ON A MORE FREQUENT BASIS
17 ON OR ABOUT ANY MATTER RELATING TO THIS TITLE.

18 (C) THE REPORTS MADE UNDER THIS SECTION ARE PUBLIC RECORDS.

19 6A-406. MARYLAND SLOT MACHINE, TIP JAR, AND CASINO GAMBLING COMMISSION
20 FUND.

21 (A) THERE IS A MARYLAND SLOT MACHINE, TIP JAR, AND CASINO GAMBLING
22 COMMISSION FUND WITHIN THE DEPARTMENT.

23 (B) ALL FEES COLLECTED UNDER THIS TITLE SHALL BE PAID INTO THE
24 MARYLAND SLOT MACHINE, TIP JAR, AND CASINO GAMBLING COMMISSION FUND.

25 (C) THE MARYLAND SLOT MACHINE, TIP JAR, AND CASINO GAMBLING
26 COMMISSION FUND IS A SPECIAL CONTINUING, NONLAPSING FUND.

27 (D) SUBJECT TO THE APPROPRIATION PROCESS IN THE STATE BUDGET, THE
28 COMMISSION SHALL USE THE FUND FOR THE EXPENSES INCURRED UNDER THIS
29 TITLE.

30 (E) THE STATE TREASURER SHALL HOLD AND THE STATE COMPTROLLER
31 SHALL ACCOUNT FOR THE FUND.

32 (F) THE FUND SHALL BE INVESTED AND REINVESTED IN THE SAME MANNER
33 AS OTHER STATE FUNDS.

34 (G) INVESTMENT EARNINGS ACCRUE TO THE BENEFIT OF THE FUND.

15

1 SUBTITLE 5. PENALTIES.

2 6A-501. PENALTIES.

3 (A) A PERSON WHO WILLFULLY OR KNOWINGLY VIOLATES THIS TITLE IS
4 GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO A FINE NOT
5 EXCEEDING \$5,000 OR IMPRISONMENT NOT EXCEEDING 1 YEAR OR BOTH.

6 (B) EACH INDIVIDUAL WHO PARTICIPATES IN OR CONSENTS TO A VIOLATION
7 OF THIS TITLE IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO
8 A FINE NOT EXCEEDING \$5,000 OR IMPRISONMENT NOT EXCEEDING 1 YEAR OR
9 BOTH.

10 (C) AT THE INITIATIVE OF THE APPROPRIATE STATE'S ATTORNEY OR THE
11 ATTORNEY GENERAL'S OFFICE AND IN ACCORDANCE WITH THE APPLICABLE
12 PROCEDURES OF ARTICLE 27 OF THE CODE, A PERSON SHALL FORFEIT ANY
13 GAMBLING EQUIPMENT TO THE STATE IF:

14 (1) THE PERSON WILLFULLY OR KNOWINGLY OWNS, OPERATES, SELLS,
15 LEASES, SUPPLIES, OR DISTRIBUTES THE EQUIPMENT WITHOUT OBTAINING ALL
16 NECESSARY LICENSES REQUIRED BY THIS TITLE AND, IF APPROPRIATE, BY ARTICLE
17 27 OF THE CODE; OR

18 (2) THE PERSON WILLFULLY OR KNOWINGLY OWNS, OPERATES, SELLS,
19 LEASES, SUPPLIES, OR DELIVERS THE EQUIPMENT WITHOUT PROVIDING THE
20 COMMISSION THE WRITTEN RECORDS, DOCUMENTATION, OR INFORMATION
21 REQUIRED BY THIS TITLE OR THE REGULATIONS UNDER IT.

22 (D) EACH VIOLATION OF THIS TITLE IS A SEPARATE OFFENSE.

23 SUBTITLE 6. SHORT TITLE.

24 6A-601. SHORT TITLE.

25 THIS TITLE MAY BE CITED AS THE MARYLAND SLOT MACHINE, TIP JAR, AND
26 CASINO GAMBLING ACT.

27 SECTION 2. AND BE IT FURTHER ENACTED, That the terms of the initial
28 members of the Maryland Slot Machine, Tip Jar, and Casino Gambling Commission shall
29 expire as follows:

30 (1) 3 members on July 1, 1999;

31 (2) 3 members on July 1, 1998; and

32 (3) 1 member on July 1, 1997.

33 SECTION 3. AND BE IT FURTHER ENACTED, That the Maryland Slot
34 Machine, Tip Jar, and Casino Gambling Commission, as soon as possible after its
35 formation and organization, shall develop a workable, efficient, and clearly
36 understandable plan and procedures to ensure that all organizations, associations,
37 companies, firms, and business entities that are required to be licensed by the
38 Commission under the provisions of this Act shall be licensed by January 1, 1997.

1 SECTION 4. AND BE IT FURTHER ENACTED, That if any provision of this Act
2 conflicts with or duplicates the powers and duties of the Secretary of State under Title 6
3 (Charitable Organizations) of the Business Regulation Article, or any other provision of
4 Title 6, the Secretary of State and the Maryland Slot Machine, Tip Jar, and Casino
5 Gambling Commission shall, by January 1, 1997, develop legislation, in consultation with
6 the Department of Legislative Reference, to resolve the conflicts or duplication of
7 powers, authority, or any other provisions of law affecting the Secretary of State and the
8 Commission.

9 SECTION 5. AND BE IT FURTHER ENACTED, That any organization or group
10 that is authorized and licensed to conduct gambling activities in accordance with the
11 provisions of Article 27 of the Annotated Code of Maryland or any other law on or before
12 the effective date of this Act and that continues to possess the valid license as provided in
13 the Code or other law is not required to obtain a license as provided in § 6A-301 of the
14 Business Regulation Article as provided in this Act until 1 year after the effective date of
15 this Act but shall otherwise be subject to all other provisions of this Act.

16 SECTION 6. AND BE IT FURTHER ENACTED, That the catchlines inserted
17 after each section designation in Section 1 of this Act are not law and may not be
18 considered to have been enacted as part of this Act.

19 SECTION 7. AND BE IT FURTHER ENACTED, That this Act shall take effect
20 July 1, 1996.