
By: **Washington County Delegation**
 Introduced and read first time: February 27, 2003
 Assigned to: Rules and Executive Nominations
 Re-referred to: Ways and Means, March 13, 2003

Committee Report: Favorable
 House action: Adopted
 Read second time: March 21, 2003

CHAPTER 473

1 AN ACT concerning

2 **Washington County - Gaming Commission - Tip Jar Gaming**

3 FOR the purpose of prohibiting the Washington County Gaming Commission from
 4 distributing in any year to each applicant per application more than a certain
 5 amount of money deposited in a certain fund containing gross profits from tip
 6 jar gaming; prohibiting the Commission from distributing more than a certain
 7 amount of money in the fund for each distribution, if the Commission makes two
 8 distributions during a year; repealing a certain reporting requirement imposed
 9 on the Commission; repealing on a certain date limits on the distribution by the
 10 Commission of certain money to certain persons; repealing and altering certain
 11 termination provisions relating to a prohibition against charging a fee for a
 12 gaming sticker to certain persons and to certain percentages of certain money
 13 distributed to certain persons; and generally relating to the Washington County
 14 Gaming Commission.

15 BY repealing and reenacting, with amendments,
 16 Article - Criminal Law
 17 Section 13-2435
 18 Annotated Code of Maryland
 19 (2002 Volume)

20 BY repealing and reenacting, with amendments,
 21 Chapter 26 of the Acts of the General Assembly of 2002
 22 Section 15

23 BY repealing and reenacting, with amendments,

1 Article - Criminal Law
2 Section 13-2435(f)
3 Annotated Code of Maryland
4 (2002 Volume)
5 (As enacted by Section 1 of this Act)

6 BY repealing
7 Chapter 479 of the Acts of the General Assembly of 2000
8 Section 4

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

11 **Article - Criminal Law**

12 13-2435.

13 (a) In this section, "gross profits" means the total proceeds from the operation
14 of a tip jar less the amount of money winnings or value of prizes distributed.

15 (b) There is a Washington County Gaming Fund.

16 (c) (1) The county commissioners shall establish:

17 (i) the method and time of deposits to the fund; and

18 (ii) other procedures necessary to carry out subsections (d) and (e)
19 of this section.

20 (2) In accordance with a written agreement between the county
21 commissioners and the gaming commission, the gaming commission may use money
22 from the fund to reimburse the county commissioners for the costs to the county for
23 administering Part III of this subtitle.

24 (d) (1) This subsection applies only to a person who holds a tip jar license
25 under § 13-2420(b)(7), (8), or (9) of this subtitle.

26 (2) Subject to paragraphs (3) and (4) of this subsection, a person subject
27 to this subsection shall deposit with a financial institution designated by the gaming
28 commission, to the credit of the fund, the gross profits from each tip jar that the
29 person operates.

30 (3) The gross profits from a tip jar may not exceed \$250.

31 (4) To offset the costs of operating a tip jar, a person with a tip jar license
32 may retain 50% of the gross profits from each tip jar game.

33 (e) (1) This subsection applies only to a person who holds a tip jar license
34 under § 13-2420(b)(1) through (6) of this subtitle.

1 (2) A person subject to this subsection shall deposit with a financial
 2 institution designated by the gaming commission, to the credit of the fund, 15% of the
 3 gross profits earned through the operation of tip jars during the 12-month period
 4 ending June 30.

5 (3) If a person fails to contribute the full amount required under
 6 paragraph (2) of this subsection, the person shall deposit the balance required during
 7 the next year.

8 (f) (1) Subject to paragraph (2) of this subsection, and after the
 9 reimbursement under subsection (c)(2) of this section, each year the gaming
 10 commission shall distribute:

11 (i) 50% of the money deposited in the fund to the Washington
 12 County Volunteer Fire and Rescue Association; and

13 (ii) subject to any restrictions that the county commissioners adopt
 14 by regulation, 50% of the money deposited in the fund to bona fide charitable
 15 organizations in the county.

16 (2) (I) IN ANY YEAR, THE GAMING COMMISSION MAY NOT DISTRIBUTE
 17 A TOTAL OF MORE THAN \$100,000 TO EACH APPLICANT PER APPLICATION.

18 (II) [The] IF THE GAMING COMMISSION MAKES TWO
 19 DISTRIBUTIONS DURING A YEAR, FOR EACH DISTRIBUTION, THE gaming commission
 20 may not distribute more than \$50,000 to each applicant per application.

21 [(g) Every 6 months, on or before January 31 and July 31, the gaming
 22 commission shall report to the county delegation on how recipients of moneys from
 23 the fund have been affected by the formula for distributing those moneys specified
 24 under this section.]

25 **Chapter 26 of the Acts of 2002**

26 SECTION 15. AND BE IT FURTHER ENACTED, That Section 3 of this Act
 27 shall take effect July 1, [2003] 2005.

28 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland
 29 read as follows:

30 **Article - Criminal Law**

31 13-2435.

32 (f) [(1) Subject to paragraph (2) of this subsection, and after] AFTER the
 33 reimbursement under subsection (c)(2) of this section, each year the gaming
 34 commission shall distribute:

35 [(i)] (1) 50% of the money deposited in the fund to the Washington
 36 County Volunteer Fire and Rescue Association; and

1 [(ii)] (2) subject to any restriction that the county commissioners
2 adopt by regulation, 50% of the money deposited in the fund to bona fide charitable
3 organizations in the county.

4 [(2) (i) In any year, the gaming commission may not distribute a total
5 of more than \$100,000 to each applicant per application.

6 (ii) If the gaming commission makes two distributions during a year, for
7 each distribution, the gaming commission may not distribute more than \$50,000 to
8 each applicant per application.]

9 SECTION 3. AND BE IT FURTHER ENACTED, That Section(s) 4 of Chapter
10 479 of the Acts of the General Assembly of 2000 be repealed.

11 SECTION 4. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall
12 take effect July 1, 2005.

13 SECTION 5. AND BE IT FURTHER ENACTED, That, except as provided in
14 Section 4 of this Act, this Act shall take effect July 1, 2003.