

HOUSE BILL 603

C7

2lr2558

By: **Delegates Stukes, Anderson, Mitchell, and B. Robinson**

Introduced and read first time: February 6, 2012

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Baltimore City – Charitable Gaming Events – For-Profit and Nonprofit**
3 **Organizations**

4 FOR the purpose of authorizing in Baltimore City a for-profit organization to hold a
5 charitable gaming event with a certain nonprofit organization under certain
6 conditions; authorizing a charitable gaming event to include card games, dice
7 games, and roulette; requiring that a for-profit organization and nonprofit
8 organization be issued a permit before conducting a charitable event; requiring
9 that a person who works as an operator of the charitable gaming event be
10 named on the permit; requiring the Baltimore City Police Commissioner to take
11 certain actions before issuing a permit; requiring the Commissioner to make
12 certain permit applications a matter of public record; prohibiting an individual
13 or group of individuals to receive certain benefits; allowing permit holders to
14 pay for certain goods and services; limiting the number of charitable gaming
15 events that permit holders may conduct in a calendar year; requiring permit
16 holders to submit certain documents to the Commissioner and the Department
17 of Finance; prohibiting permit holders from offering or awarding certain prizes;
18 requiring the Commissioner to adopt certain regulations; making a violation of
19 this Act a misdemeanor; providing a certain penalty; defining certain terms;
20 and generally relating to charitable gaming events in Baltimore City.

21 BY repealing and reenacting, without amendments,
22 Article – Criminal Law
23 Section 13–501(a) and (b) and 13–502
24 Annotated Code of Maryland
25 (2002 Volume and 2011 Supplement)

26 BY adding to
27 Article – Criminal Law
28 Section 13–505.1
29 Annotated Code of Maryland

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (2002 Volume and 2011 Supplement)

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

4 **Article – Criminal Law**

5 13–501.

6 (a) In this subtitle the following words have the meanings indicated.

7 (b) “Commissioner” means the Baltimore City Police Commissioner.

8 13–502.

9 This subtitle applies only in Baltimore City.

10 **13–505.1.**

11 **(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE**
12 **MEANINGS INDICATED.**

13 **(2) “CHARITABLE GAMING EVENT” MEANS AN EVENT THAT**
14 **INCLUDES A CARD GAME, A DICE GAME, AND ROULETTE.**

15 **(3) “PARTNER ORGANIZATION” MEANS AN ORGANIZATION IN**
16 **BALTIMORE CITY THAT IS:**

17 **(I) A RELIGIOUS ORGANIZATION;**

18 **(II) A FRATERNAL ORGANIZATION;**

19 **(III) A CIVIC ORGANIZATION;**

20 **(IV) A VETERANS’ HOSPITAL;**

21 **(V) AN AMATEUR ATHLETIC ORGANIZATION IN WHICH ALL**
22 **PLAYING MEMBERS ARE UNDER THE AGE OF 18 YEARS; OR**

23 **(VI) A CHARITABLE ORGANIZATION.**

24 **(B) A FOR–PROFIT ORGANIZATION MAY HOLD A CHARITABLE GAMING**
25 **EVENT WITH A PARTNER ORGANIZATION IF ALL OF THE NET PROCEEDS OF THE**
26 **CHARITABLE GAMING EVENT ARE DONATED TO THE PARTNER ORGANIZATION.**

1 **(C) (1) (I) A FOR-PROFIT ORGANIZATION AND A PARTNER**
2 **ORGANIZATION SHALL BE ISSUED A PERMIT BY THE COMMISSIONER BEFORE**
3 **THE FOR-PROFIT ORGANIZATION AND THE PARTNER ORGANIZATION MAY**
4 **CONDUCT A CHARITABLE EVENT.**

5 **(II) A PERSON WHO WORKS AS AN OPERATOR OF THE**
6 **CHARITABLE GAMING EVENT SHALL BE NAMED ON THE PERMIT WITH THE**
7 **FOR-PROFIT ORGANIZATION AND THE PARTNER ORGANIZATION.**

8 **(2) BEFORE THE COMMISSIONER MAY ISSUE A PERMIT FOR A**
9 **CHARITABLE EVENT, THE COMMISSIONER SHALL REVIEW THE CHARACTER OF**
10 **THE FOR-PROFIT ORGANIZATION AND THE PARTNER ORGANIZATION APPLYING**
11 **FOR THE PERMIT TO ASCERTAIN THAT THE ORGANIZATIONS MEET THE**
12 **REQUIREMENTS OF §§ 13-503 THROUGH 13-505 OF THIS SUBTITLE.**

13 **(3) THE COMMISSIONER SHALL MAKE ANY APPLICATION FOR A**
14 **PERMIT AND THE ACTION TAKEN BY THE COMMISSIONER ON THAT APPLICATION**
15 **A MATTER OF PUBLIC RECORD.**

16 **(D) (1) EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS**
17 **SUBSECTION, A FOR-PROFIT ORGANIZATION AND A PARTNER ORGANIZATION**
18 **CONDUCTING A GAMING EVENT MAY NOT ALLOW AN INDIVIDUAL OR A GROUP**
19 **OF INDIVIDUALS TO:**

20 **(I) BENEFIT FINANCIALLY FROM THE GAMING EVENT; OR**

21 **(II) RECEIVE ANY OF THE PROCEEDS OF THE GAMING EVENT**
22 **FOR PERSONAL USE OR BENEFIT.**

23 **(2) A FOR-PROFIT ORGANIZATION AND A PARTNER**
24 **ORGANIZATION MAY PAY:**

25 **(I) A PERSON TO MANAGE, OPERATE, OR ASSIST IN THE**
26 **MANAGEMENT OR OPERATION OF THE CHARITABLE GAMING EVENT; AND**

27 **(II) THE COST OF GOODS AND OTHER SERVICES ESSENTIAL**
28 **TO THE OPERATION OF THE CHARITABLE GAMING EVENT, SUCH AS FOOD,**
29 **BEVERAGES, AND VENUE RENTAL.**

30 **(E) (1) SUBJECT TO PARAGRAPH (2) OF THIS SECTION, A**
31 **FOR-PROFIT ORGANIZATION AND A PARTNER ORGANIZATION MAY CONDUCT**
32 **NOT MORE THAN THREE CHARITABLE GAMING EVENTS IN A CALENDAR YEAR.**

1 **(2) WITHIN 60 DAYS AFTER HOLDING A CHARITABLE GAMING**
2 **EVENT, THE FOR-PROFIT ORGANIZATION AND THE PARTNER ORGANIZATION**
3 **SHALL SUBMIT TO THE COMMISSIONER AND TO THE DEPARTMENT OF FINANCE**
4 **A REPORT THAT LISTS THE RECEIPTS AND EXPENSES FOR THE CHARITABLE**
5 **GAMING EVENT TO DETERMINE THE AMOUNT OF THE ADMISSION AND**
6 **AMUSEMENT TAX THAT IS DUE.**

7 **(F) THE FOR-PROFIT ORGANIZATION AND THE PARTNER**
8 **ORGANIZATION THAT HOLD A CHARITABLE GAMING EVENT MAY NOT:**

9 **(1) OFFER OR AWARD A MONEY PRIZE OF MORE THAN \$500 TO A**
10 **PLAYER OF A CARD GAME, DICE GAME, OR ROULETTE; OR**

11 **(2) OFFER OR AWARD MERCHANDISE OF NOT MORE THAN \$1,000**
12 **TO A PLAYER OF A CARD GAME, DICE GAME, OR ROULETTE.**

13 **(G) THE COMMISSIONER SHALL ADOPT REGULATIONS FOR:**

14 **(1) THE ISSUANCE OF A PERMIT FOR A CHARITABLE GAMING**
15 **EVENT; AND**

16 **(2) THE CONDUCT AND MANAGEMENT OF A CHARITABLE GAMING**
17 **EVENT TO PREVENT FRAUD AND TO PROTECT THE PUBLIC.**

18 **(H) A PERSON WHO KNOWINGLY CONDUCTS OR ATTEMPTS TO CONDUCT**
19 **A CHARITABLE GAMING EVENT IN VIOLATION OF THIS SECTION IS GUILTY OF A**
20 **MISDEMEANOR AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT**
21 **EXCEEDING 1 YEAR OR A FINE NOT EXCEEDING \$1,000 OR BOTH.**

22 **SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect**
23 **October 1, 2012.**