

# SENATE BILL 622

L2, C7

2lr2440  
CF HB 461

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By: **Senators Shank, Edwards, and Young**

Introduced and read first time: February 3, 2012

Assigned to: Budget and Taxation

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Committee Report: Favorable

Senate action: Adopted

Read second time: March 21, 2012

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Washington County – Amusement Devices – Tip Jars**

3 FOR the purpose of altering the definition of “amusement device” as it relates to the  
4 operation and regulation of amusement devices in Washington County to  
5 include a game activated by an object or other consideration of value; altering  
6 the definition of “gross profits” as it relates to the operation of a tip jar in  
7 Washington County to require the deduction of the cost of a gaming sticker; and  
8 generally relating to the operation and regulation of amusement devices and tip  
9 jars in Washington County.

10 BY repealing and reenacting, with amendments,  
11 Article 24 – Political Subdivisions – Miscellaneous Provisions  
12 Section 11–202  
13 Annotated Code of Maryland  
14 (2011 Replacement Volume)

15 BY repealing and reenacting, with amendments,  
16 Article – Criminal Law  
17 Section 13–2435  
18 Annotated Code of Maryland  
19 (2009 Replacement Volume and 2011 Supplement)

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

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1                   **Article 24 – Political Subdivisions – Miscellaneous Provisions**

2   11–202.

3           (a)   (1)   In this section, “amusement device” means [billiard]:

4                               **(I)   BILLIARD** tables [and coin–operated games in Washington  
5   County.6                   (2)   “Coin–operated game” means a]; **OR**7                               **(II)   A** game activated by coins [or], tokens [including:], **OR**  
8   **OTHER OBJECTS OR CONSIDERATION OF VALUE.**9                   **(2)   “AMUSEMENT DEVICE” INCLUDES:**

10                               (i)   A video game;

11                               (ii)   An electronic game;

12                               (iii)   A claw machine;

13                               (iv)   A bowling game;

14                               (v)   A shuffleboard game;

15                               (vi)   A pool table;

16                               (vii)   A pinball machine;

17                               (viii)   A target machine;

18                               (ix)   A baseball machine; and

19                               (x)   Any other similar device.

20                   (3)   “Amusement device” does not include a bona fide vending machine  
21   in which amusement features are not incorporated.22           (b)   (1)   A person, company, partnership, or any other incorporated or  
23   unincorporated organization shall be licensed under this section before the person,  
24   company, partnership, or any other incorporated or unincorporated organization may  
25   operate an amusement device in Washington County.26                   (2)   An applicant for an amusement device operator license shall  
27   annually:

1 (i) Submit an application to the County Commissioners of  
2 Washington County on the form that the County Commissioners require; and

3 (ii) Pay a fee of \$25 annually.

4 (3) The application for an amusement device operator license shall  
5 contain:

6 (i) The name of the applicant;

7 (ii) The address of the applicant;

8 (iii) The names and addresses of all locations where amusement  
9 machines are to be operated by the applicant; and

10 (iv) Any other information that the County Commissioners  
11 require.

12 (4) (i) Each amusement device operator license expires on June 30  
13 each year and may be renewed each year on or before July 1.

14 (ii) Before the license expires, the licensee periodically may  
15 renew it for an additional 1 year term.

16 (c) (1) Before a person who keeps, owns, or maintains an amusement  
17 device allows the operation of the machine by the public in Washington County, the  
18 person shall obtain a permit.

19 (2) An applicant for an amusement device permit shall:

20 (i) Submit an application for each location where the machines  
21 are to be operated to the County Commissioners of Washington County on the form  
22 that the County Commissioners require; and

23 (ii) Pay a fee of \$100 per machine for each permit.

24 (3) Each amusement device operator permit expires on June 30 each  
25 year and may be renewed each year on or before July 1.

26 (d) If an amusement device is on display for sale, the County Commissioners  
27 may waive any fee otherwise required under this section.

28 (e) (1) A person who violates subsection (b) of this section is guilty of a  
29 misdemeanor, and on conviction is subject to a fine not exceeding \$5,000 or  
30 imprisonment not exceeding 6 months, or both.



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) After the reimbursement under subsection (c)(2) of this section, each year  
9 the gaming commission shall distribute:

10           (1) 50% of the money deposited in the fund to the Washington County  
11 Volunteer Fire and Rescue Association; and

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

15           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
16 July 1, 2012.

Approved:

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Governor.

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President of the Senate.

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Speaker of the House of Delegates.