

HOUSE BILL 253

C7, L2
HB 461/12 – W&M

3lr1903
CF 3lr2065

By: **Washington County Delegation**

Introduced and read first time: January 23, 2013

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Washington County – Amusement Devices**

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 another consideration of value; and
6 generally relating to the operation and regulation of amusement devices in
7 Washington County.

8 BY repealing and reenacting, with amendments,
9 Article 24 – Political Subdivisions – Miscellaneous Provisions
10 Section 11–202
11 Annotated Code of Maryland
12 (2011 Replacement Volume 2012 Supplement)

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

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

16 11–202.

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

18 (I) **BILLIARD** tables [and coin–operated games in Washington
19 County.

20 (2) “Coin–operated game” means a]; **OR**

21 (II) **A** game activated by coins [or], tokens [including:], **OR**
22 **OTHER OBJECTS OR CONSIDERATION OF VALUE.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(2) “AMUSEMENT DEVICE” INCLUDES:**

- 2 (i) A video game;
- 3 (ii) An electronic game;
- 4 (iii) A claw machine;
- 5 (iv) A bowling game;
- 6 (v) A shuffleboard game;
- 7 (vi) A pool table;
- 8 (vii) A pinball machine;
- 9 (viii) A target machine;
- 10 (ix) A baseball machine; and
- 11 (x) Any other similar device.

12 (3) “Amusement device” does not include a bona fide vending machine
13 in which amusement features are not incorporated.

14 (b) (1) A person, company, partnership, or any other incorporated or
15 unincorporated organization shall be licensed under this section before the person,
16 company, partnership, or any other incorporated or unincorporated organization may
17 operate an amusement device in Washington County.

18 (2) An applicant for an amusement device operator license shall
19 annually:

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

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

23 (3) The application for an amusement device operator license shall
24 contain:

25 (i) The name of the applicant;

26 (ii) The address of the applicant;

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

3 (iv) Any other information that the County Commissioners
4 require.

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

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

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

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

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

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

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

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

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

24 (2) A person who violates subsection (c) of this section is guilty of a
25 misdemeanor, and on conviction is subject to a fine not exceeding \$500, or
26 imprisonment not exceeding 6 months, or both.

27 (3) Upon conviction, the county may institute proceedings to forfeit
28 any amusement device which was operated in derogation of this section. The Circuit
29 Court of Washington County shall have jurisdiction to hear and determine any such
30 forfeiture proceeding.

31 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
32 July 1, 2013.