

# HOUSE BILL 487

E1

3lr2019

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By: **Delegate Niemann**

Introduced and read first time: January 30, 2013

Assigned to: Ways and Means

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## A BILL ENTITLED

1 AN ACT concerning

2 **Crimes – Gaming and Lottery Devices and Slot Machines – Penalties**

3 FOR the purpose of increasing certain penalties for violations relating to gaming  
4 devices, lottery devices, lotteries, and slot machines; and generally relating to  
5 gaming devices, lottery devices, lotteries, and slot machines.

6 BY repealing and reenacting, with amendments,  
7 Article – Criminal Law  
8 Section 12–104, 12–203 through 12–205, and 12–302  
9 Annotated Code of Maryland  
10 (2012 Replacement Volume and 2012 Supplement)

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

13 **Article – Criminal Law**

14 12–104.

15 (a) A person may not:

16 (1) keep a gaming device, or all or a part of a building, vessel, or place,  
17 on land or water within the State for the purpose of gambling;

18 (2) own, rent, or occupy all or a part of a building, vessel, or place and  
19 knowingly allow a gaming device to be kept in the building, vessel, or place;

20 (3) lease or rent all or a part of a building, vessel, or place to be used  
21 for the purpose of gambling;

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (4) deal at a gaming device or in a building, vessel, or place for  
2 gambling;

3 (5) manage a gaming device or a building, vessel, or place for  
4 gambling; or

5 (6) have an interest in a gaming device or the profits of a gaming  
6 device.

7 (b) A person who violates this section is guilty of a misdemeanor and on  
8 conviction is subject to imprisonment for not less than 6 months and not exceeding [1  
9 year] **3 YEARS** or a fine not exceeding [~~\$500~~] **\$3,000** or both.

10 12–203.

11 (a) A person may not:

12 (1) hold a lottery in this State; or

13 (2) sell a lottery device in the State for a lottery drawn in this State or  
14 elsewhere.

15 (b) A person who violates this section is guilty of a misdemeanor and on  
16 conviction shall be sentenced to imprisonment for not less than 3 months and not  
17 exceeding [12 months] **3 YEARS** or a fine of not less than \$200 and not exceeding  
18 [~~\$1,000~~] **\$3,000** or both for each violation.

19 (c) In addition to the penalty provided under subsection (b) of this section, a  
20 person who gives money or any other thing to purchase or obtain a lottery device, for  
21 each lottery device purchased or obtained, may recover \$50 from:

22 (1) the person to whom the money or other thing was given; or

23 (2) any person who aided or abetted that person.

24 12–204.

25 (a) A person may not:

26 (1) keep a house, office, or other place for the purpose of selling or  
27 bartering a lottery device in violation of § 12–203 of this subtitle; or

28 (2) allow a house or office that the person owns to be used for the  
29 purpose of selling or bartering a lottery device in violation of § 12–203 of this subtitle.

1 (b) A person who knows that the person's house or office is being used for the  
2 purpose of selling or bartering a lottery device in violation of § 12-203 of this subtitle  
3 is deemed to be allowing the house or office to be used for those purposes.

4 (c) A person who violates this section is guilty of a misdemeanor and on  
5 conviction is subject to imprisonment not exceeding [1 year] **3 YEARS** or a fine not  
6 exceeding [\$1,000] **\$3,000** or both.

7 12-205.

8 (a) This section does not apply to a person who possesses:

9 (1) an item that is prohibited under this section that was obtained to  
10 procure or furnish evidence of a violation of this subtitle; or

11 (2) a lottery ticket or slip issued by this State or another government.

12 (b) A person may not:

13 (1) bring a lottery device into the State; or

14 (2) possess a book, list, slip, or record of:

15 (i) the numbers drawn in a lottery in this State or another state  
16 or country;

17 (ii) a lottery device; or

18 (iii) money received or to be received from the sale of a lottery  
19 device.

20 (c) A person who violates this section is guilty of a misdemeanor and on  
21 conviction is subject to imprisonment not exceeding [1 year] **3 YEARS** or a fine not  
22 exceeding [\$1,000] **\$3,000** or both.

23 12-302.

24 (a) Except as allowed under §§ 12-304 through 12-306 of this subtitle, a  
25 person may not locate, possess, keep, or operate a slot machine in the State as an  
26 owner, lessor, lessee, licensor, licensee, or in any other capacity.

27 (b) A person who violates this section is guilty of a misdemeanor and on  
28 conviction is subject to imprisonment not exceeding [1 year] **3 YEARS** or a fine of  
29 [\$1,000] **\$3,000** or both for each violation.

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