

HOUSE BILL 158

C7
HB 310/13 – W&M

4r1149
CF SB 37

By: **Carroll County Delegation**

Introduced and read first time: January 15, 2014

Assigned to: Ways and Means

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 11, 2014

CHAPTER _____

1 AN ACT concerning

2 **Carroll County – Gaming**

3 FOR the purpose of authorizing certain organizations in Carroll County to conduct a
4 card game, card tournament, or casino night under certain circumstances;
5 requiring an organization to obtain a permit from the Board of License
6 Commissioners before conducting a card game, card tournament, or casino
7 night; requiring an organization that seeks a permit to meet certain
8 requirements; specifying that a card game, card tournament, or casino night
9 may be managed and organized by certain organizations; requiring an
10 individual who participates in or helps operate a card game, card tournament,
11 or casino night to be of a certain age; specifying that a permit holder may
12 receive a certain maximum number of permits in a calendar year; providing a
13 certain time limit on a card game, card tournament, or casino night; specifying
14 that a permit is not transferable; requiring that proceeds from a card game,
15 card tournament, or casino night be used for certain purposes and may not be
16 used for other purposes; specifying that the operation of a card game, card
17 tournament, or casino night may not occur during a certain time; authorizing a
18 permit holder under this Act to charge only a preset entrance fee; requiring
19 participants in a card game, card tournament, or casino night to use tokens and
20 not cash for wagering under certain circumstances; prohibiting a permit holder
21 from exchanging tokens under certain circumstances; requiring a permit holder
22 to submit a financial report to the Sheriff's Office under certain circumstances;
23 authorizing the Board of County Commissioners to adopt certain regulations;
24 providing a certain penalty; defining certain terms; making this Act contingent

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 on the taking effect of another Act; and generally relating to gaming in Carroll
2 County.

3 BY repealing and reenacting, with amendments,
4 Article – Criminal Law
5 Section 13–906
6 Annotated Code of Maryland
7 (2012 Replacement Volume and 2013 Supplement)

8 BY adding to
9 Article – Criminal Law
10 Section 13–906.1
11 Annotated Code of Maryland
12 (2012 Replacement Volume and 2013 Supplement)

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

15 **Article – Criminal Law**

16 13–906.

17 (a) Notwithstanding § 13–903 of this subtitle **AND EXCEPT AS PROVIDED**
18 **IN SUBSECTION (B) OF THIS SECTION AND § 13–906.1 OF THIS SUBTITLE**, a
19 person may not conduct a card game, dice game, roulette, or casino night [unless the
20 person is a senior center site council that conducts a card game under subsection (b) of
21 this section].

22 (b) (1) A senior center site council may conduct a card game in a senior
23 center 5 days per week, excluding Sunday.

24 (2) A senior center site council may not:

25 (i) award a prize of money exceeding \$5 to a winner in each
26 session; and

27 (ii) charge a participant more than \$1 to play one session.

28 (3) All money that remains after prizes are awarded shall be
29 distributed to the senior center site council.

30 **13–906.1.**

31 **(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE**
32 **MEANINGS INDICATED.**

1 **(2) “CASINO NIGHT” INCLUDES THE PLAY OF CARD GAMES, DICE**
2 **GAMES, AND ROULETTE.**

3 **(3) “PERMIT” MEANS A PERMIT TO CONDUCT A CARD GAME, CARD**
4 **TOURNAMENT, OR CASINO NIGHT.**

5 **(B) BEFORE AN ORGANIZATION MAY CONDUCT A CARD GAME, CARD**
6 **TOURNAMENT, OR CASINO NIGHT, THE ORGANIZATION SHALL OBTAIN A PERMIT**
7 **FROM THE BOARD OF LICENSE COMMISSIONERS FOR CARROLL COUNTY.**

8 **(C) TO QUALIFY FOR A PERMIT, AN ORGANIZATION SHALL BE A BONA**
9 **FIDE:**

10 **(1) AMATEUR ATHLETIC ORGANIZATION;**

11 **(2) CHARITABLE ORGANIZATION;**

12 **(3) CIVIC ORGANIZATION;**

13 **(4) FRATERNAL ORGANIZATION;**

14 **(5) HOSPITAL;**

15 **(6) RELIGIOUS ORGANIZATION;**

16 **(7) VOLUNTEER FIRE COMPANY; OR**

17 **(8) WAR VETERANS’ ORGANIZATION.**

18 **(D) (1) A CARD GAME, CARD TOURNAMENT, OR CASINO NIGHT MAY**
19 **BE:**

20 **(I) MANAGED AND OPERATED BY THE ORGANIZATION THAT**
21 **IS THE PERMIT HOLDER; OR**

22 **(II) MANAGED BY THE ORGANIZATION THAT IS THE PERMIT**
23 **HOLDER AND OPERATED BY ANOTHER ORGANIZATION LISTED IN SUBSECTION**
24 **(C) OF THIS SECTION.**

25 **(2) TO PARTICIPATE IN OR HELP OPERATE A CARD GAME, CARD**
26 **TOURNAMENT, OR CASINO NIGHT, AN INDIVIDUAL SHALL BE AT LEAST ~~18~~ 21**
27 **YEARS OLD.**

28 **(E) (1) AN ORGANIZATION THAT IS THE PERMIT HOLDER MAY**
29 **RECEIVE NOT MORE THAN FOUR PERMITS IN A CALENDAR YEAR.**

1 **(2) A CARD GAME, CARD TOURNAMENT, OR CASINO NIGHT MAY**
2 **NOT LAST LONGER THAN 24 CONSECUTIVE HOURS.**

3 **(F) A PERMIT IS NOT TRANSFERABLE.**

4 **(G) PROCEEDS FROM A CARD GAME, CARD TOURNAMENT, OR CASINO**
5 **NIGHT CONDUCTED UNDER THIS SECTION:**

6 **(1) SHALL BE USED TO BENEFIT A CHARITY OR TO FURTHER THE**
7 **PURPOSE OF THE PERMIT HOLDER; AND**

8 **(2) MAY NOT BENEFIT FINANCIALLY OR BE USED FOR THE**
9 **PERSONAL USE OF AN INDIVIDUAL OR A GROUP OF INDIVIDUALS.**

10 **(H) A PERMIT MAY NOT AUTHORIZE THE OPERATION OF A CARD GAME,**
11 **CARD TOURNAMENT, OR CASINO NIGHT AFTER 1 A.M. ON SUNDAY.**

12 **(I) (1) AN ORGANIZATION THAT IS THE PERMIT HOLDER MAY**
13 **CHARGE ONLY A PRESET ENTRANCE FEE FOR A CARD GAME, CARD**
14 **TOURNAMENT, OR CASINO NIGHT.**

15 **(2) PARTICIPANTS IN A CARD GAME, CARD TOURNAMENT, OR**
16 **CASINO NIGHT SHALL RECEIVE TOKENS FOR WAGERING IN EXCHANGE FOR THE**
17 **ENTRANCE FEE.**

18 **(3) A PARTICIPANT MAY PURCHASE ADDITIONAL TOKENS, AT A**
19 **TOTAL COST NOT EXCEEDING 100% OF THE ENTRANCE FEE, DURING A CARD**
20 **GAME, CARD TOURNAMENT, OR CASINO NIGHT.**

21 **(4) AN ORGANIZATION THAT IS THE PERMIT HOLDER MAY NOT**
22 **ALLOW CASH TO BE USED FOR WAGERING.**

23 **(J) AN ORGANIZATION THAT IS THE PERMIT HOLDER MAY NOT:**

24 **(1) EXCHANGE TOKENS USED FOR WAGERING FOR AN ITEM OF**
25 **MERCHANDISE THAT IS WORTH MORE THAN ~~\$10,000~~ \$5,000; OR**

26 **(2) EXCHANGE TOKENS USED FOR WAGERING FOR MONEY OR AN**
27 **ITEM OF MERCHANDISE HAVING A VALUE THAT IS DIFFERENT FROM THE FAIR**
28 **MARKET RETAIL VALUE OF THE ITEM OF MERCHANDISE THAT WAS RECEIVED**
29 **FOR THE TOKENS.**

1 (K) WITHIN 60 DAYS AFTER HOLDING A CARD GAME, CARD
2 TOURNAMENT, OR CASINO NIGHT, THE ORGANIZATION THAT IS THE PERMIT
3 HOLDER SHALL SUBMIT TO THE CARROLL COUNTY SHERIFF'S OFFICE A
4 FINANCIAL REPORT THAT LISTS THE RECEIPTS AND EXPENDITURES FOR THE
5 CARD GAME, CARD TOURNAMENT, OR CASINO NIGHT.

6 (L) IN ADDITION TO BEING SUBJECT TO § 13-909 OF THIS SUBTITLE, AN
7 ORGANIZATION THAT IS FOUND TO HAVE VIOLATED THIS SECTION IS
8 INELIGIBLE TO RECEIVE A PERMIT UNDER THIS SECTION FOR A PERIOD NOT
9 EXCEEDING 5 YEARS.

10 (M) THE BOARD OF COUNTY COMMISSIONERS FOR CARROLL COUNTY
11 MAY ADOPT REGULATIONS TO CARRY OUT THIS SECTION, INCLUDING
12 REGULATIONS TO GOVERN:

13 (1) THE ISSUING OF PERMITS;

14 (2) PERMIT FEES; AND

15 (3) THE CONDUCT AND MANAGEMENT OF A CARD GAME, CARD
16 TOURNAMENT, OR CASINO NIGHT IN A MANNER TO PREVENT FRAUD AND
17 PROTECT THE PUBLIC.

18 ~~SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect~~
19 ~~October 1, 2014.~~

20 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
21 October 1, 2014, contingent on the taking effect of Chapter _____ (H.B. 1140) of the
22 Acts of the General Assembly of 2014, and if Chapter _____ (H.B. 1140) does not
23 become effective, this Act shall be null and void without the necessity of further action
24 by the General Assembly.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.