

HOUSE BILL 1231

C7

4lr3048

By: **Delegate Stukes**

Introduced and read first time: February 7, 2014

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Baltimore City – Charitable Gaming Events – Nonprofit Organizations**

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

20 BY repealing and reenacting, without amendments,
21 Article – Criminal Law
22 Section 13–501(a) and (b) and 13–502
23 Annotated Code of Maryland
24 (2012 Replacement Volume and 2013 Supplement)

25 BY adding to
26 Article – Criminal Law
27 Section 13–505.1
28 Annotated Code of Maryland
29 (2012 Replacement Volume and 2013 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

3 **Article – Criminal Law**

4 13–501.

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

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

7 13–502.

8 This subtitle applies only in Baltimore City.

9 **13–505.1.**

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

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

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

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

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

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

19 **(IV) A VETERANS’ HOSPITAL;**

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

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

23 **(B) (1) (I) A NONPROFIT ORGANIZATION SHALL BE ISSUED A**
24 **PERMIT BY THE COMMISSIONER BEFORE THE NONPROFIT ORGANIZATION MAY**
25 **CONDUCT A CHARITABLE GAMING EVENT.**

1 **(II) A PERSON WHO WORKS AS AN OPERATOR OF THE**
2 **CHARITABLE GAMING EVENT SHALL BE NAMED ON THE PERMIT WITH THE**
3 **NONPROFIT ORGANIZATION.**

4 **(2) BEFORE THE COMMISSIONER MAY ISSUE A PERMIT FOR A**
5 **CHARITABLE GAMING EVENT, THE COMMISSIONER SHALL REVIEW THE**
6 **CHARACTER OF THE NONPROFIT ORGANIZATION APPLYING FOR THE PERMIT TO**
7 **ASCERTAIN THAT THE ORGANIZATION MEETS THE REQUIREMENTS OF THIS**
8 **SUBTITLE.**

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

12 **(C) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS**
13 **SUBSECTION, A NONPROFIT ORGANIZATION CONDUCTING A CHARITABLE**
14 **GAMING EVENT MAY NOT ALLOW AN INDIVIDUAL OR A GROUP OF INDIVIDUALS**
15 **TO:**

16 **(I) BENEFIT FINANCIALLY FROM THE CHARITABLE GAMING**
17 **EVENT; OR**

18 **(II) RECEIVE ANY OF THE PROCEEDS OF THE CHARITABLE**
19 **GAMING EVENT FOR PERSONAL USE OR BENEFIT.**

20 **(2) A NONPROFIT ORGANIZATION MAY PAY THE COST OF GOODS**
21 **AND OTHER SERVICES ESSENTIAL TO THE OPERATION OF THE CHARITABLE**
22 **GAMING EVENT.**

23 **(D) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, A**
24 **NONPROFIT ORGANIZATION MAY NOT CONDUCT MORE THAN THREE**
25 **CHARITABLE GAMING EVENTS IN A CALENDAR YEAR.**

26 **(2) WITHIN 60 DAYS AFTER HOLDING A CHARITABLE GAMING**
27 **EVENT, THE NONPROFIT ORGANIZATION SHALL SUBMIT TO THE COMMISSIONER**
28 **AND TO THE STATE COMPTROLLER A REPORT THAT LISTS THE RECEIPTS AND**
29 **EXPENSES FOR THE CHARITABLE GAMING EVENT TO DETERMINE THE AMOUNT**
30 **OF THE ADMISSIONS AND AMUSEMENT TAX THAT IS DUE.**

31 **(E) THE NONPROFIT ORGANIZATION THAT HOLDS A CHARITABLE**
32 **GAMING EVENT MAY NOT:**

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

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

5 **(F) THE COMMISSIONER SHALL ADOPT REGULATIONS FOR:**

6 **(1) THE ISSUANCE OF A PERMIT FOR A CHARITABLE GAMING**
7 **EVENT; AND**

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

10 **(G) A PERSON WHO KNOWINGLY CONDUCTS OR ATTEMPTS TO CONDUCT**
11 **A CHARITABLE GAMING EVENT IN VIOLATION OF THIS SECTION IS GUILTY OF A**
12 **MISDEMEANOR AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT**
13 **EXCEEDING 1 YEAR OR A FINE NOT EXCEEDING \$1,000 OR BOTH.**

14 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
15 October 1, 2014.