HOUSE BILL 1092

C7 4lr0564
HB 454/13 – W&M

By: **Howard County Delegation**
Introduced and read first time: February 6, 2014
Assigned to: Ways and Means

A BILL ENTITLED

AN ACT concerning

Howard County – Casino Events – Authorized

Ho. Co. 03–14

FOR the purpose of authorizing certain organizations to hold certain casino events in Howard County at certain intervals of time; requiring an organization to obtain a permit from the Howard County Department of Inspections, Licenses, and Permits before operating a casino event; requiring the Howard County Executive to forward a recommendation to the Howard County Council concerning the fee to be charged for a permit; requiring the County Council to adopt by resolution the amount of the permit fee; specifying the types of organizations eligible to conduct a casino event; requiring a permit holder for a casino event to ensure that certain standards are met; prohibiting a permit holder from offering cumulative money prizes in excess of a certain amount; specifying certain prohibited acts and reporting requirements for a permit holder for a casino event; requiring the Department to adopt certain regulations governing casino events; altering in Howard County the application of certain general provisions of law governing gaming in the State; establishing certain exceptions to prohibitions against conducting a casino event or operating or awarding prizes using certain gaming devices; defining a certain term; and generally relating to casino events in Howard County.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 13–1601, 13–1603, and 13–1604
Annotated Code of Maryland
(2012 Replacement Volume and 2013 Supplement)

BY adding to
Article – Criminal Law
Section 13–1602.1

EXPLANATION: **CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.**
[Brackets**]** indicate matter deleted from existing law.

Annotated Code of Maryland
(2012 Replacement Volume and 2013 Supplement)

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

Article – Criminal Law

13–1601.

(a) This subtitle applies only in Howard County.

(b) (1) Except as provided in paragraph (2) of this subsection, Subtitle 2 of this title applies in Howard County.

(2) Subtitle 2 of this title does not apply to bingo regulated under § 13–1602 of this subtitle **OR A CASINO EVENT REGULATED UNDER § 13–1602.1 OF THIS SUBTITLE**.

13–1602.1.

(A) IN THIS SECTION, "DEPARTMENT" MEANS THE HOWARD COUNTY DEPARTMENT OF INSPECTIONS, LICENSES, AND PERMITS.

(B) (1) BEFORE AN ORGANIZATION LISTED IN SUBSECTION (D) OF THIS SECTION MAY OPERATE A CASINO EVENT, THE ORGANIZATION SHALL OBTAIN A PERMIT FROM THE DEPARTMENT.

(2) (I) ON THE RECOMMENDATION OF THE DEPARTMENT, THE COUNTY EXECUTIVE SHALL FORWARD TO THE COUNTY COUNCIL A RECOMMENDATION FOR THE FEE TO BE CHARGED FOR A PERMIT UNDER THIS SECTION.

(II) THE COUNTY COUNCIL SHALL ADOPT BY RESOLUTION THE AMOUNT OF THE PERMIT FEE.

(C) SUBJECT TO SUBSECTIONS (D) AND (E) OF THIS SECTION, AN ORGANIZATION MAY CONDUCT:

(1) ONE CASINO EVENT THAT INCLUDES A CARD GAME DURING EACH CALENDAR MONTH; AND

(2) ONE CASINO EVENT THAT INCLUDES ROULETTE DURING EACH CALENDAR YEAR.

(D) TO CONDUCT A CASINO EVENT UNDER SUBSECTION (C) OF THIS SECTION, AN ORGANIZATION SHALL BE A BONA FIDE:

(1) VOLUNTEER FIRE COMPANY; OR

(2) WAR VETERANS' ORGANIZATION.

(E) (1) A PERMIT HOLDER FOR A CASINO EVENT THAT INCLUDES A CARD GAME OR ROULETTE SHALL ENSURE THAT:

(I) AN INDIVIDUAL OR GROUP OF INDIVIDUALS DOES NOT BENEFIT FINANCIALLY FROM THE HOLDING OF THE CASINO EVENT;

(II) AN INDIVIDUAL OR GROUP OF INDIVIDUALS DOES NOT RECEIVE ANY OF THE PROCEEDS OF THE CASINO EVENT FOR PERSONAL USE OR BENEFIT;

(III) THE CASINO EVENT IS MANAGED PERSONALLY BY THE MEMBERS OF THE PERMIT HOLDER;

(IV) A PARENT, A SUBSIDIARY, OR AN AFFILIATE OF THE ORGANIZATION SPONSORING THE EVENT HAS NOT SPONSORED A CASINO EVENT WITHIN THE CALENDAR MONTH OR CALENDAR YEAR, AS APPROPRIATE; AND

(V) THE CASINO EVENT IS CONDUCTED BETWEEN 4 P.M. AND 1 A.M.

(2) A PERSON THAT HOLDS A CASINO EVENT THAT INCLUDES A CARD GAME OR ROULETTE MAY NOT:

(I) OFFER OR AWARD CUMULATIVE MONEY PRIZES IN EXCESS OF $5,000 AT THE EVENT;

(II) ALLOW A PLAYER TO BET MORE THAN $10 IN TOKENS IN ANY ONE GAME WITHIN THE CALENDAR MONTH OR CALENDAR YEAR, AS APPROPRIATE;

(III) EXCHANGE TOKENS USED IN WAGERING FOR AN ITEM OF MERCHANDISE THAT IS WORTH MORE THAN $1,000; OR

(IV) EXCHANGE MERCHANDISE THAT WAS RECEIVED FOR TOKENS THAT WERE USED IN WAGERING FOR:

1. MONEY; OR

2. AN ITEM OF MERCHANDISE HAVING A VALUE THAT IS DIFFERENT FROM THE FAIR RETAIL MARKET VALUE OF THE ITEM OF MERCHANDISE THAT WAS RECEIVED FOR THE TOKENS.

(3) (I) WITHIN 60 DAYS AFTER HOLDING A CASINO EVENT THAT INCLUDES A CARD GAME OR ROULETTE, THE HOLDER OF THE PERMIT FOR THE EVENT SHALL SUBMIT TO THE DEPARTMENT A FINANCIAL REPORT THAT LISTS THE RECEIPTS AND EXPENDITURES FOR THE CASINO EVENT.

(II) BEFORE THE PERMIT HOLDER SUBMITS THE REPORT TO THE DEPARTMENT, THE PERMIT HOLDER SHALL SUBMIT THE REPORT TO THE COUNTY POLICE DEPARTMENT FOR REVIEW.

(F) (1) THE DEPARTMENT SHALL ADOPT REGULATIONS TO GOVERN:

(I) THE ISSUANCE OF A PERMIT TO CONDUCT A CASINO EVENT; AND

(II) THE CONDUCT AND MANAGEMENT OF A CASINO EVENT IN A MANNER DESIGNED TO PREVENT FRAUD AND PROTECT THE PUBLIC.

(2) THE REGULATIONS SHALL REQUIRE THAT A SEPARATE PERMIT BE ISSUED FOR EACH CASINO EVENT TO BE CONDUCTED.

13–1603.

A qualified organization under Subtitle 2 of this title may award prizes in money or merchandise using:

(1) a paddle wheel;

(2) a wheel of fortune;

(3) a chance book;

(4) bingo; or

(5) any other gaming device **[**except**]** **OTHER THAN**:

(i) a card game **OR ROULETTE, EXCEPT AS PROVIDED IN § 13–1602.1 OF THIS SUBTITLE**; **OR**

(ii) a dice game**[**; or

(iii) roulette**]**.

13–1604.

Notwithstanding Subtitle 2 of this title **AND EXCEPT AS PROVIDED IN § 13–1602.1 OF THIS SUBTITLE**, a person may not conduct a casino night or operate any of the following gaming devices:

(1) a card game;

(2) a dice game; or

(3) roulette.

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