

HOUSE BILL 1231

C7

4lr3048

By: **Delegate Stukes**

Introduced and read first time: February 7, 2014

Assigned to: Ways and Means

A BILL ENTITLED

AN ACT concerning

Baltimore City – Charitable Gaming Events – Nonprofit Organizations

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

BY repealing and reenacting, without amendments,

Article – Criminal Law

Section 13–501(a) and (b) and 13–502

Annotated Code of Maryland

(2012 Replacement Volume and 2013 Supplement)

BY adding to

Article – Criminal Law

Section 13–505.1

Annotated Code of Maryland

(2012 Replacement Volume and 2013 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

Article – Criminal Law

13-501.

- (a) In this subtitle the following words have the meanings indicated.
- (b) “Commissioner” means the Baltimore City Police Commissioner.

13-502.

This subtitle applies only in Baltimore City.

13-505.1.

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

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

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

- (I) A RELIGIOUS ORGANIZATION;**
- (II) A FRATERNAL ORGANIZATION;**
- (III) A CIVIC ORGANIZATION;**
- (IV) A VETERANS’ HOSPITAL;**
- (V) AN AMATEUR ATHLETIC ORGANIZATION IN WHICH ALL PLAYING MEMBERS ARE UNDER THE AGE OF 18 YEARS; OR**
- (VI) A CHARITABLE ORGANIZATION.**

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

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

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

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

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

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

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

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

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

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

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

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

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

(F) THE COMMISSIONER SHALL ADOPT REGULATIONS FOR:

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

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

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

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