SENATE BILL 37

C7 4lr0731
SB 430/13 – B&T (PRE–FILED) CF 4lr1149

By: **Carroll County Senators**
Requested: October 25, 2013
Introduced and read first time: January 8, 2014
Assigned to: Budget and Taxation

A BILL ENTITLED

AN ACT concerning

Carroll County – Gaming

FOR the purpose of authorizing certain organizations in Carroll County to conduct a card game, card tournament, or casino night under certain circumstances; requiring an organization to obtain a permit from the Board of License Commissioners before conducting a card game, card tournament, or casino night; requiring an organization that seeks a permit to meet certain requirements; specifying that a card game, card tournament, or casino night may be managed and organized by certain organizations; requiring an individual who participates in or helps operate a card game, card tournament, or casino night to be of a certain age; specifying that a permit holder may receive a certain maximum number of permits in a calendar year; providing a certain time limit on a card game, card tournament, or casino night; specifying that a permit is not transferable; requiring that proceeds from a card game, card tournament, or casino night be used for certain purposes and may not be used for other purposes; specifying that the operation of a card game, card tournament, or casino night may not occur during a certain time; authorizing a permit holder under this Act to charge only a preset entrance fee; requiring participants in a card game, card tournament, or casino night to use tokens and not cash for wagering under certain circumstances; prohibiting a permit holder from exchanging tokens under certain circumstances; requiring a permit holder to submit a financial report to the Sheriff's Office under certain circumstances; authorizing the Board of County Commissioners to adopt certain regulations; providing a certain penalty; defining certain terms; and generally relating to gaming in Carroll County.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 13–906
Annotated Code of Maryland

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

(2012 Replacement Volume and 2013 Supplement)

BY adding to
Article – Criminal Law
Section 13–906.1
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

13–906.

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

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

(2) A senior center site council may not:

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

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

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

13–906.1.

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

(2) "CASINO NIGHT" INCLUDES THE PLAY OF CARD GAMES, DICE GAMES, AND ROULETTE.

(3) "PERMIT" MEANS A PERMIT TO CONDUCT A CARD GAME, CARD TOURNAMENT, OR CASINO NIGHT.

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

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

(1) AMATEUR ATHLETIC ORGANIZATION;

(2) CHARITABLE ORGANIZATION;

(3) CIVIC ORGANIZATION;

(4) FRATERNAL ORGANIZATION;

(5) HOSPITAL;

(6) RELIGIOUS ORGANIZATION;

(7) VOLUNTEER FIRE COMPANY; OR

(8) WAR VETERANS' ORGANIZATION.

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

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

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

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

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

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

(F) A PERMIT IS NOT TRANSFERABLE.

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

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

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

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

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

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

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

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

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

(1) EXCHANGE TOKENS USED FOR WAGERING FOR AN ITEM OF MERCHANDISE THAT IS WORTH MORE THAN $10,000; OR

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

(K) WITHIN 60 DAYS AFTER HOLDING A CARD GAME, CARD TOURNAMENT, OR CASINO NIGHT, THE ORGANIZATION THAT IS THE PERMIT HOLDER SHALL SUBMIT TO THE CARROLL COUNTY SHERIFF'S OFFICE A

FINANCIAL REPORT THAT LISTS THE RECEIPTS AND EXPENDITURES FOR THE CARD GAME, CARD TOURNAMENT, OR CASINO NIGHT.

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

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

(1) THE ISSUING OF PERMITS;

(2) PERMIT FEES; AND

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

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