

HOUSE BILL 274

C7

5lr0747
CF SB 510

By: **Frederick County Delegation**

Introduced and read first time: February 4, 2015

Assigned to: Ways and Means

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 19, 2015

CHAPTER _____

1 AN ACT concerning

2 **Frederick County – Gaming Events**

3 FOR the purpose of authorizing certain organizations in Frederick County to conduct a card
4 game, card tournament, or casino event under certain circumstances; requiring an
5 organization to obtain a permit from the County Department of Permits and
6 Inspections before conducting a card game, card tournament, or casino event;
7 requiring an organization that seeks a permit to meet certain requirements;
8 specifying that a card game, card tournament, or casino event may be managed and
9 organized by certain organizations; requiring an individual who participates in or
10 ~~helps operate~~ volunteers as an operator of a card game, card tournament, or casino
11 event to be of a certain age; specifying that a permit holder may receive a certain
12 maximum number of permits in a calendar year; providing a certain time limit on a
13 card game, card tournament, or casino event; specifying that a permit is not
14 transferable; requiring that proceeds from a card game, card tournament, or casino
15 event be used for certain purposes and may not be used for certain other purposes
16 subject to a certain exception; specifying that the operation of a card game, card
17 tournament, or casino event 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 event to use tokens and not
20 cash for wagering under certain circumstances; prohibiting a permit holder from
21 exchanging tokens under certain circumstances; requiring a permit holder to submit
22 a financial report and certain information about winners of certain prizes to the
23 County Department of Permits and Inspections under certain circumstances;
24 requiring the Department to forward a certain report and certain information to the
25 State Lottery and Gaming Control Commission; authorizing the County Executive

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 and County Council to adopt certain regulations; providing a certain penalty;
2 defining certain terms; and generally relating to gaming in Frederick County.

3 BY adding to

4 Article – Criminal Law

5 Section 13–1304.1

6 Annotated Code of Maryland

7 (2012 Replacement Volume and 2014 Supplement)

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

10 **Article – Criminal Law**

11 **13–1304.1.**

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

14 (2) “CASINO EVENT” INCLUDES THE PLAY OF CARD GAMES, DICE
15 GAMES, AND ROULETTE.

16 (3) “PERMIT” MEANS A PERMIT TO CONDUCT A CARD GAME, CARD
17 TOURNAMENT, OR CASINO EVENT.

18 (B) BEFORE AN ORGANIZATION MAY CONDUCT A CARD GAME, CARD
19 TOURNAMENT, OR CASINO EVENT, THE ORGANIZATION SHALL OBTAIN A PERMIT
20 FROM THE COUNTY DEPARTMENT OF PERMITS AND INSPECTIONS.

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

22 (1) AMATEUR ATHLETIC ORGANIZATION;

23 (2) CHARITABLE ORGANIZATION;

24 (3) CIVIC ORGANIZATION;

25 (4) FRATERNAL ORGANIZATION;

26 (5) HOSPITAL;

27 (6) RELIGIOUS ORGANIZATION;

28 (7) VOLUNTEER FIRE COMPANY; OR

1 **(8) WAR VETERANS' ORGANIZATION.**

2 **(D) (1) A CARD GAME, CARD TOURNAMENT, OR CASINO EVENT MAY BE:**

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

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

8 **(2) (I) AN OPERATOR OF A CARD GAME, CARD TOURNAMENT, OR**
9 **CASINO EVENT MAY NOT RECEIVE COMPENSATION.**

10 **(II) TO VOLUNTEER AS AN OPERATOR OF A CARD GAME, CARD**
11 **TOURNAMENT, OR CASINO EVENT, AN INDIVIDUAL SHALL BE AT LEAST 18 YEARS**
12 **OLD.**

13 **(III) TO PARTICIPATE IN ~~OR HELP OPERATE~~ A CARD GAME, CARD**
14 **TOURNAMENT, OR CASINO EVENT, AN INDIVIDUAL SHALL BE AT LEAST 21 YEARS**
15 **OLD.**

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

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

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

21 **(G) (1) PROCEEDS FROM A CARD GAME, CARD TOURNAMENT, OR CASINO**
22 **EVENT CONDUCTED UNDER THIS SECTION:**

23 **(I) SHALL BE USED TO BENEFIT A CHARITY OR TO FURTHER**
24 **THE PURPOSE OF THE PERMIT HOLDER; AND**

25 **(II) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS**
26 **SUBSECTION, MAY NOT ~~BENEFIT FINANCIALLY OR BE USED FOR THE~~ BE USED FOR**
27 **THE FINANCIAL BENEFIT OR PERSONAL USE OF AN INDIVIDUAL OR A GROUP OF**
28 **INDIVIDUALS.**

29 **(2) ON APPROVAL OF THE COUNTY EXECUTIVE OR DESIGNEE OF THE**
30 **COUNTY EXECUTIVE, PROCEEDS MAY BE USED TO BENEFIT A FAMILY WITH MEDICAL**
31 **NEEDS.**

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

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

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

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

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

14 (J) AN ORGANIZATION THAT IS THE PERMIT HOLDER MAY NOT EXCHANGE
15 TOKENS USED FOR WAGERING FOR:

16 (1) AN ITEM OF MERCHANDISE THAT IS WORTH MORE THAN \$10,000;

17 (2) MONEY; OR

18 (3) AN ITEM OF MERCHANDISE HAVING A VALUE THAT IS DIFFERENT
19 FROM THE FAIR MARKET RETAIL VALUE OF THE ITEM OF MERCHANDISE THAT WAS
20 RECEIVED FOR THE TOKENS.

21 (K) (1) WITHIN 60 DAYS AFTER HOLDING A CARD GAME, CARD
22 TOURNAMENT, OR CASINO EVENT, THE ORGANIZATION THAT IS THE PERMIT
23 HOLDER SHALL SUBMIT TO THE COUNTY DEPARTMENT OF PERMITS AND
24 INSPECTIONS:

25 (I) A FINANCIAL REPORT THAT LISTS THE RECEIPTS AND
26 EXPENDITURES FOR THE CARD GAME, CARD TOURNAMENT, OR CASINO EVENT; AND

27 (II) THE NAME, ADDRESS, AND SOCIAL SECURITY NUMBER OF A
28 PARTICIPANT THAT IS DECLARED THE WINNER AT A CARD GAME, CARD
29 TOURNAMENT, OR CASINO EVENT OF A PRIZE FOR WHICH THE ISSUANCE OF
30 INTERNAL REVENUE SERVICE FORM W-2G OR A SUBSTANTIALLY EQUIVALENT
31 FORM IS REQUIRED.

1 **(2) THE COUNTY DEPARTMENT OF PERMITS AND INSPECTIONS**
2 **SHALL FORWARD THE FINANCIAL REPORTS AND INFORMATION REQUIRED UNDER**
3 **PARAGRAPH (1) OF THIS SUBSECTION TO THE STATE LOTTERY AND GAMING**
4 **CONTROL COMMISSION.**

5 **(L) AN ORGANIZATION THAT IS FOUND TO HAVE VIOLATED THIS SECTION IS**
6 **INELIGIBLE TO RECEIVE A PERMIT UNDER THIS SECTION FOR A PERIOD ~~NOT~~**
7 **~~EXCEEDING OF 5 YEARS.~~**

8 **(M) THE COUNTY EXECUTIVE MAY ADOPT REGULATIONS TO CARRY OUT**
9 **THIS SECTION, INCLUDING REGULATIONS TO GOVERN:**

10 **(1) THE ISSUING OF PERMITS; AND**

11 ~~**(2) PERMIT FEES; AND**~~

12 ~~**(3)**~~ **(2) THE CONDUCT AND MANAGEMENT OF A CARD GAME, CARD**
13 **TOURNAMENT, OR CASINO EVENT IN A MANNER TO PREVENT FRAUD AND PROTECT**
14 **THE PUBLIC.**

15 **(N) THE COUNTY COUNCIL MAY ADOPT REGULATIONS TO GOVERN PERMIT**
16 **FEES UNDER THIS SECTION.**

17 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
18 October 1, 2015.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.