

# SENATE BILL 443

C7  
SB 195/14 – B&T

5lr1303

---

By: **Senators Norman and Jennings**  
Introduced and read first time: February 6, 2015  
Assigned to: Budget and Taxation

---

## A BILL ENTITLED

1 AN ACT concerning

2 **Harford County – Charitable Gaming**

3 FOR the purpose of creating in Harford County a permit to be issued by the Sheriff of  
4 Harford County that authorizes certain nonprofit organizations to conduct a gaming  
5 contest in Harford County; specifying certain requirements that organizations must  
6 meet to be issued a permit; specifying a certain maximum number of gaming contests  
7 an organization may hold in a year and the location and hours for conducting a  
8 gaming contest; authorizing certain games to be conducted at a gaming contest under  
9 certain circumstances; specifying the maximum bet a single individual may place on  
10 a game; specifying that alcoholic beverages may be served or sold under certain  
11 conditions; prohibiting profits or proceeds from being paid to certain persons under  
12 certain circumstances; authorizing certain organizations to use certain proceeds for  
13 certain purposes after certain costs are deducted; requiring the holder of a permit to  
14 meet certain financial reporting requirements; authorizing the sheriff to refuse to  
15 issue a permit under certain conditions; requiring the sheriff to adopt certain  
16 regulations; providing a certain penalty; defining a certain term; and generally  
17 relating to gaming contests in Harford County.

18 BY renumbering

19 Article – Criminal Law  
20 Section 13–1512  
21 to be Section 13–1513  
22 Annotated Code of Maryland  
23 (2012 Replacement Volume and 2014 Supplement)

24 BY adding to

25 Article – Criminal Law  
26 Section 13–1512  
27 Annotated Code of Maryland  
28 (2012 Replacement Volume and 2014 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 MARYLAND,  
2 That Section(s) 13–1512 of Article – Criminal Law of the Annotated Code of Maryland be  
3 renumbered to be Section(s) 13–1513.

4 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read  
5 as follows:

6 **Article – Criminal Law**

7 **13–1512.**

8 (A) IN THIS SECTION, “GAMING CONTEST” MEANS AN EVENT THAT  
9 INVOLVES A CARD GAME, A DICE GAME, OR ROULETTE.

10 (B) AN ORGANIZATION SHALL BE ISSUED A PERMIT FROM THE SHERIFF OF  
11 HARFORD COUNTY BEFORE THE ORGANIZATION MAY CONDUCT A GAMING CONTEST  
12 IN HARFORD COUNTY.

13 (C) AN ORGANIZATION IS ELIGIBLE TO BE ISSUED A PERMIT IF THE  
14 ORGANIZATION QUALIFIES AS A NONPROFIT ORGANIZATION UNDER § 501(C)(3) OR  
15 (19) OF THE INTERNAL REVENUE CODE AND HAS BEEN LOCATED IN THE COUNTY  
16 FOR AT LEAST 3 YEARS BEFORE APPLYING FOR THE PERMIT.

17 (D) TO BE ISSUED A PERMIT, AN ORGANIZATION SHALL:

18 (1) SUBMIT AN APPLICATION TO THE SHERIFF ON A FORM THAT THE  
19 SHERIFF REQUIRES;

20 (2) STATE ON THE APPLICATION FORM THE PURPOSE FOR WHICH THE  
21 PROCEEDS OF THE GAMING CONTEST WILL BE USED; AND

22 (3) PAY THE PERMIT FEE THAT THE SHERIFF DETERMINES.

23 (E) (1) (I) A HOLDER OF A PERMIT MAY NOT CONDUCT MORE THAN  
24 FOUR GAMING CONTESTS IN A CALENDAR YEAR.

25 (II) A PERMIT IS NOT TRANSFERABLE.

26 (2) A GAMING CONTEST MAY BE HELD ONLY:

27 (I) BETWEEN 4 P.M. AND 1 A.M. THE FOLLOWING DAY; AND

28 (II) IN A STRUCTURE OR AT A LOCATION THAT IS OWNED OR  
29 LEASED BY THE HOLDER OF THE PERMIT.

1           **(3) A SEPARATE PERMIT IS REQUIRED FOR EACH GAMING CONTEST.**

2           **(4) (I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH,**  
3 **BINGO, INSTANT BINGO, A RAFFLE, A PADDLE WHEEL, OR A 50/50 RAFFLE MAY BE**  
4 **INCLUDED IN THE GAMES CONDUCTED AT A GAMING CONTEST.**

5                   **(II) A GAMING CONTEST MAY NOT CONSIST EXCLUSIVELY OF A**  
6 **GAME SPECIFIED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH.**

7           **(F) (1) THE MAXIMUM BET A SINGLE INDIVIDUAL MAY PLACE ON ANY**  
8 **GAME CONDUCTED DURING A GAMING CONTEST IS \$10.**

9           **(2) A HOLDER OF A PERMIT MAY SERVE OR SELL ALCOHOLIC**  
10 **BEVERAGES AT A GAMING CONTEST ONLY IF THE HOLDER IS ISSUED THE PROPER**  
11 **LICENSE BY THE HARFORD COUNTY LIQUOR CONTROL BOARD.**

12           **(3) THE HOLDER OF A PERMIT MAY AWARD PRIZES OF MONEY OR**  
13 **MERCHANDISE.**

14           **(G) AN ORGANIZATION MAY RENT OR PURCHASE NECESSARY EQUIPMENT**  
15 **AND SUPPLIES TO CONDUCT A GAMING CONTEST BUT MAY NOT ENTER INTO A LEASE**  
16 **OR OTHER AGREEMENT TO SHARE PROFITS FROM THE GAMING CONTEST.**

17           **(H) (1) A GAMING CONTEST SHALL BE MANAGED AND OPERATED**  
18 **PERSONALLY BY MEMBERS OF THE ORGANIZATION CONDUCTING THE GAMING**  
19 **CONTEST WITHOUT THE ASSISTANCE OF ANY OUTSIDE WORKER, INCLUDING A PAID**  
20 **OR PROFESSIONAL CASINO OPERATOR, MANAGER, OR SUPPLIER OF EQUIPMENT.**

21                   **(2) A MEMBER OF THE ORGANIZATION MAY NOT RECEIVE OR BE PAID**  
22 **ANY OF THE PROCEEDS FROM THE GAMING CONTEST FOR PERSONAL USE OR**  
23 **BENEFIT.**

24           **(3) A PERSON MAY NOT RECEIVE A SALARY, A COMMISSION, OR**  
25 **COMPENSATION OF ANY KIND FOR MANAGING THE GAMING CONTEST OR OPERATING**  
26 **A GAME PLAYED IN THE GAMING CONTEST.**

27           **(4) A PERSON OTHER THAN THE HOLDER OF THE PERMIT MAY NOT**  
28 **RECEIVE OR BE PAID ANY PROCEEDS.**

29           **(I) AFTER COSTS INCURRED IN CONDUCTING A GAMING CONTEST ARE**  
30 **DEDUCTED, PROCEEDS FROM A GAMING CONTEST MAY BE USED ONLY FOR THE**  
31 **PURPOSES OF THE ORGANIZATION.**

1           **(J) (1) WITHIN 30 DAYS AFTER A GAMING CONTEST, THE HOLDER OF THE**  
2 **PERMIT SHALL SUBMIT TO THE SHERIFF A FINANCIAL REPORT THAT LISTS ALL OF**  
3 **THE RECEIPTS AND EXPENDITURES FOR THE GAMING CONTEST.**

4           **(2) THE REPORT SHALL CONTAIN A FULL ACCOUNTING OF THE**  
5 **PROCEEDS AND EXPENSES OF THE GAMING CONTEST.**

6           **(3) THE SHERIFF OR THE OFFICE OF THE HARFORD COUNTY STATE'S**  
7 **ATTORNEY MAY REQUIRE THE HOLDER OF THE PERMIT TO PRODUCE ALL**  
8 **FINANCIAL RECORDS OF THE GAMING CONTEST.**

9           **(4) THE HOLDER OF THE PERMIT SHALL KEEP ALL FINANCIAL**  
10 **RECORDS OF THE GAMING CONTEST FOR AT LEAST 2 YEARS AFTER THE GAMING**  
11 **CONTEST.**

12           **(5) THE SHERIFF MAY REFUSE TO ISSUE A PERMIT TO AN APPLICANT**  
13 **WHO HAS FAILED TO FILE A REQUIRED REPORT FROM A PREVIOUS GAMING CONTEST**  
14 **OR IS LATE IN FILING FEDERAL OR STATE TAX RETURNS.**

15           **(6) IF REQUESTED BY THE SHERIFF, THE HOLDER OF THE PERMIT**  
16 **SHALL PAY ALL FINANCIAL AUDIT COSTS.**

17           **(K) THE SHERIFF SHALL ADOPT REGULATIONS TO CARRY OUT THIS**  
18 **SECTION.**

19           **(L) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A MISDEMEANOR**  
20 **AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 1 YEAR OR A**  
21 **FINE NOT EXCEEDING \$1,000 OR BOTH.**

22           SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
23 1, 2015.