SENATE BILL 4

C7 (5lr0497)

ENROLLED BILL

— Budget and Taxation/Ways and Means —

Introduced by **Carroll County Senators**

Read and Examined by Proofreaders:

_____

Proofreader.

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Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

_____ day of _____ at _____ o'clock, _____M.

_____

President.

CHAPTER _____

AN ACT concerning

Carroll County – Gaming Events

FOR the purpose of authorizing certain organizations in Carroll County to conduct a card game, card tournament, or casino event under certain circumstances; requiring an organization to obtain a certain permit from the Board of County Commissioners of Carroll County before conducting a card game, card tournament, or casino event; requiring an organization that seeks a permit to meet certain requirements; specifying that a card game, card tournament, or casino event may be managed and operated by certain organizations; prohibiting an operator of a card game, card tournament, or casino event from receiving certain compensation; requiring a certain volunteer or player in a card game, card tournament, or casino event 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 event; specifying that a permit is not transferable; requiring that proceeds from a card game, card tournament, or casino event be used for certain

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.

Italics indicate opposite chamber/conference committee amendments.

purposes and may not be used for other purposes; specifying a certain exception; specifying that the operation of a card game, card tournament, or casino event may not occur after a certain time on Sunday; authorizing a permit holder under this Act to charge only a preset entrance fee; requiring participants in a card game, card tournament, or casino event 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 Carroll County Sheriff's Office~~ *and certain information about winners of prizes to the Board of County Commissioners for Carroll County* 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
(2012 Replacement Volume and 2014 Supplement)

BY adding to
Article – Criminal Law
Section 13–906.1
Annotated Code of Maryland
(2012 Replacement Volume and 2014 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**]** **EVENT**.

(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 EVENT" INCLUDES THE PLAY OF CARD GAMES, DICE GAMES, AND ROULETTE.

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

(B) BEFORE AN ORGANIZATION MAY CONDUCT A CARD GAME, CARD TOURNAMENT, OR CASINO EVENT, THE ORGANIZATION SHALL OBTAIN A PERMIT FROM THE ~~COUNTY COMMISSIONERS~~ *BOARD OF COUNTY 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 EVENT 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) (I) AN OPERATOR OF A CARD GAME, CARD TOURNAMENT, OR CASINO EVENT MAY NOT RECEIVE COMPENSATION.

(II) TO VOLUNTEER AS AN OPERATOR OF~~, OR TO PARTICIPATE AS A PLAYER IN,~~ A CARD GAME, CARD TOURNAMENT, OR CASINO EVENT, AN INDIVIDUAL SHALL BE AT LEAST 18 YEARS OLD.

(III) TO PARTICIPATE IN A CARD GAME, CARD TOURNAMENT, OR CASINO EVENT, AN INDIVIDUAL SHALL BE AT LEAST 21 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 EVENT MAY NOT LAST LONGER THAN 24 CONSECUTIVE HOURS.

(F) A PERMIT IS NOT TRANSFERABLE.

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

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

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

(2) ON APPROVAL OF THE ~~COUNTY COMMISSIONERS~~ *BOARD OF COUNTY COMMISSIONERS FOR CARROLL COUNTY*, PROCEEDS MAY BE USED TO BENEFIT A FAMILY WITH MEDICAL NEEDS.

(H) A PERMIT MAY NOT AUTHORIZE THE OPERATION OF A CARD GAME, CARD TOURNAMENT, OR CASINO EVENT 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 EVENT.

(2) PARTICIPANTS IN A CARD GAME, CARD TOURNAMENT, OR CASINO EVENT 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 EVENT.

(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 EXCHANGE TOKENS USED IN WAGERING FOR:

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

(2) MONEY; OR

(3) 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) ~~(1)~~ WITHIN 60 DAYS AFTER HOLDING A CARD GAME, CARD TOURNAMENT, OR CASINO EVENT, THE ORGANIZATION THAT IS THE PERMIT HOLDER SHALL SUBMIT TO THE ~~CARROLL COUNTY SHERIFF'S OFFICE~~ *BOARD OF COUNTY COMMISSIONERS FOR CARROLL COUNTY:*

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

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

~~(2) THE CARROLL COUNTY SHERIFF'S OFFICE SHALL FORWARD THE FINANCIAL REPORTS TO THE STATE LOTTERY AND GAMING CONTROL AGENCY.~~

(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~~ *OF* 5 YEARS.

(M) THE ~~COUNTY COMMISSIONERS~~ *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 EVENT 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, 2015.

Approved:

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Governor.

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President of the Senate.

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Speaker of the House of Delegates.