

Chapter 595

**(Senate Bill 941)**

AN ACT concerning

**Worcester County – Family Entertainment Centers – Amusement Gaming Licenses**

FOR the purpose of altering the definition of slot machine to exclude certain machines; authorizing the State Lottery and Gaming Control Commission to issue a certain amusement gaming license to certain family entertainment centers in a certain county; authorizing certain family entertainment centers to apply for a certain license if certain requirements are satisfied; authorizing a family entertainment center that holds a certain license to operate certain skills–based devices that award certain prizes; requiring the Commission to determine the value of certain prizes that may be awarded; prohibiting a family entertainment center from exchanging certain merchandise for money; authorizing the Commission to determine that a certain device at a family entertainment center is an illegal gaming device and require that the device be removed; prohibiting a family entertainment center from transferring a certain license to a certain location; defining certain terms; and generally relating to amusement gaming licenses.

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 12–301(3)  
Annotated Code of Maryland  
(2012 Replacement Volume and 2015 Supplement)

BY adding to  
Article – State Government  
Section 9–1B–01 and 9–1B–02 to be under the new subtitle “Subtitle 1B. Amusement Gaming Licenses”  
Annotated Code of Maryland  
(2014 Replacement Volume and 2015 Supplement)

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

**Article – Criminal Law**

12–301.

In this subtitle:

- (3) “slot machine” does not include a machine, apparatus, or device that:

- (i) awards the user only free additional games or plays;
- (ii) awards the user only noncash merchandise or noncash prizes of minimal value;
- (iii) dispenses paper pull tab tip jar tickets or paper pull tab instant bingo tickets that must be opened manually by the user provided that the machine, apparatus, or device does not:
  1. read the tickets electronically;
  2. alert the user to a winning or losing ticket; or
  3. tabulate a player's winnings and losses;
- (iv)
  1. is a handheld device that displays only facsimiles of bingo cards that an individual uses to mark and monitor contemporaneously to a live call of bingo numbers called on the premises by an individual where the user is operating the machine;
  2. does not permit a user to play more than 54 bingo cards at the same time;
  3. does not randomly generate any numbers; and
  4. is not part of an integrated system;
- (v) is used by the State Lottery and Gaming Control Commission under Title 9 of the State Government Article;
- (vi) if legislation takes effect authorizing the operation of video lottery terminals, is a video lottery terminal as defined in and licensed under that legislation; [or]
- (vii) is a skills-based amusement device that awards prizes of minimal value approved by the State Lottery and Gaming Control Commission through regulation; **OR**

**(VIII) IS A SKILLS-BASED DEVICE THAT AWARDS NONCASH MERCHANDISE AND IS LOCATED AT A FAMILY ENTERTAINMENT CENTER IN WORCESTER COUNTY LICENSED UNDER § 9-1B-02 OF THE STATE GOVERNMENT ARTICLE.**

### Article – State Government

#### SUBTITLE 1B. AMUSEMENT GAMING LICENSES.

**9-1B-01.**

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

(B) “COMMISSION” MEANS THE STATE LOTTERY AND GAMING CONTROL COMMISSION.

(C) (1) “FAMILY ENTERTAINMENT CENTER” MEANS A LOCATION WITH A STREET ADDRESS:

(I) WHERE A PERSON OR LEGAL ENTITY OFFERS LICENSED AMUSEMENT, MERCHANDISE, REDEMPTION, OR SKILLS-BASED DEVICES FOR OPERATION OR PLAY TO INDIVIDUALS OF ALL AGES; AND

(II) THAT PAYS:

1. STATE AND LOCAL PROPERTY TAX;
2. SALES AND USE TAX; AND
3. ADMISSIONS AND AMUSEMENT TAX.

(2) “FAMILY ENTERTAINMENT CENTER” DOES NOT INCLUDE:

(I) A LOCATION WITHOUT A STREET ADDRESS;

(II) THE COMMON AREA OF A COMMERCIAL BUILDING OR FACILITY; OR

(III) A LOCATION THAT IS OPERATED PRIMARILY AS A MOVIE THEATER, BOWLING ALLEY, SKATING RINK, OR ANY OTHER SIMILAR ESTABLISHMENT THAT DISPLAYS OR OPERATES AMUSEMENT DEVICES ONLY DURING THE HOURS THAT THE ESTABLISHMENT MAKES ITS PRIMARY SERVICE OR ACTIVITY AVAILABLE TO THE PUBLIC.

**9-1B-02.**

(A) THIS SECTION APPLIES ONLY IN WORCESTER COUNTY.

**(B) THE COMMISSION MAY ISSUE AN AMUSEMENT GAMING LICENSE TO A FAMILY ENTERTAINMENT CENTER THAT SATISFIES THE REQUIREMENTS OF THIS SECTION.**

**(C) A FAMILY ENTERTAINMENT CENTER MAY APPLY TO THE COMMISSION FOR A LICENSE UNDER THIS SECTION IF THE FAMILY ENTERTAINMENT CENTER:**

**(1) IS LOCATED IN A BUILDING THAT IS OWNED, LEASED, OR OCCUPIED BY THE FAMILY ENTERTAINMENT CENTER FOR THE PRIMARY PURPOSE OF PROVIDING AMUSEMENT DEVICES TO THE PUBLIC;**

**(2) RECEIVES A MAJORITY OF THE GROSS RECEIPTS FROM AMUSEMENT, MERCHANDISE, REDEMPTION, OR SKILLS-BASED DEVICES;**

**(3) MARKETS ITS BUSINESS TO FAMILIES WITH CHILDREN;**

**(4) OFFERS AMUSEMENT DEVICES, ARCADE GAMES, CRANE GAMES, VIDEO GAMES, INTERACTIVE AND SPORTING GAMES, AMUSEMENT RIDES, MINIATURE GOLF, AND BOWLING; AND**

**(5) IS IN CONTINUOUS OPERATION IN THE SAME GEOGRAPHIC LOCATION SINCE 1975.**

**(D) (1) A FAMILY ENTERTAINMENT CENTER THAT HOLDS AN AMUSEMENT GAMING LICENSE ISSUED UNDER THIS SECTION MAY OPERATE:**

**(I) SKILLS-BASED DEVICES THAT AWARD NONCASH PRIZES OF MINIMAL VALUE; AND**

**(II) UP TO 10 SKILLS-BASED DEVICES THAT AWARD NONCASH PRIZES WITH A MINIMAL WHOLESALE VALUE THAT DOES NOT EXCEED \$599.**

**(2) THE COMMISSION SHALL DETERMINE THE VALUE OF THE NONCASH PRIZES THAT MAY BE AWARDED BY A SKILLS-BASED DEVICE UNDER PARAGRAPH (1)(I) OF THIS SUBSECTION.**

**(E) A FAMILY ENTERTAINMENT CENTER MAY NOT EXCHANGE MERCHANDISE FOR MONEY.**

**(F) THE COMMISSION MAY DETERMINE THAT A DEVICE AT A FAMILY ENTERTAINMENT CENTER IS AN ILLEGAL GAMING DEVICE AND ORDER THE DEVICE TO BE REMOVED FROM THE FAMILY ENTERTAINMENT CENTER.**

**(G) A FAMILY ENTERTAINMENT CENTER THAT HOLDS AN AMUSEMENT GAMING LICENSE ISSUED UNDER THIS SECTION MAY NOT TRANSFER THE LICENSE TO ANOTHER GEOGRAPHIC LOCATION.**

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June 1, 2016.

**Approved by the Governor, May 19, 2016.**