

# HOUSE BILL 1484

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By: **Calvert County Delegation**

Introduced and read first time: February 9, 2018

Assigned to: Ways and Means

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## A BILL ENTITLED

1 AN ACT concerning

2 **Calvert County – Class NB Instant Bingo License**

3 FOR the purpose of authorizing the County Commissioners of Calvert County to issue a  
4 Class NB license for conducting instant bingo under certain circumstances;  
5 authorizing a certain business or fraternal organization that obtains the approval of  
6 the county commissioners to operate a certain number of instant bingo machines;  
7 setting an annual license fee for a Class NB license authorized for conducting instant  
8 bingo; prohibiting the conduct of instant bingo between certain hours on Sunday;  
9 authorizing a holder of a Class NB license authorized for conducting instant bingo to  
10 issue for one game a certain prize; and generally relating to instant bingo licenses in  
11 Calvert County.

12 BY repealing and reenacting, without amendments,  
13 Article – Criminal Law  
14 Section 12–308, 13–101(b), and 13–702(a)  
15 Annotated Code of Maryland  
16 (2012 Replacement Volume and 2017 Supplement)

17 BY repealing and reenacting, with amendments,  
18 Article – Criminal Law  
19 Section 13–705 and 13–707  
20 Annotated Code of Maryland  
21 (2012 Replacement Volume and 2017 Supplement)

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

24 **Article – Criminal Law**

25 12–308.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 Notwithstanding any other provisions of this subtitle, an entity licensed to offer  
2 instant bingo under a commercial bingo license on July 1, 2007, or by a qualified  
3 organization as defined in § 13–201 of this article on the premises of the qualified  
4 organization may continue to operate a game of instant bingo in the same manner using  
5 electronic machines, provided that:

6 (1) (i) the machines were in operation for a 1–year period ending  
7 December 31, 2007; or

8 (ii) the machines were in operation under a commercial bingo license  
9 on December 31, 2007;

10 (2) the entity does not operate more than the number of electronic  
11 machines in operation on February 28, 2008; and

12 (3) the conduct of the gaming and operation of the machines are consistent  
13 with all other provisions of this article.

14 13–101.

15 (b) A county may not issue a commercial bingo license under this title or under  
16 any public local law to an entity that was not licensed to conduct commercial bingo on or  
17 before June 30, 2008.

18 13–702.

19 (a) This subtitle applies only in Calvert County.

20 13–705.

21 (a) For purposes of this section, a game of instant bingo [conducted under a Class  
22 NG beach license] is considered to be bingo **IF IT IS CONDUCTED UNDER:**

23 **(1) A CLASS NG BEACH LICENSE; OR**

24 **(2) A CLASS NB LICENSE THAT MEETS THE REQUIREMENTS UNDER §§**  
25 **12–308 OF THIS ARTICLE AND 13–101(B) OF THIS TITLE.**

26 (b) Before a person may conduct bingo in the county, the person shall obtain a  
27 license from the county commissioners.

28 (c) Notwithstanding any other provision of this article, a person who complies  
29 with this section may conduct bingo in the county.

30 (d) (1) (i) The county commissioners may not issue a license unless the  
31 application was filed at least 30 days before the date of issuance.

1 (ii) An applicant for a license shall:

2 1. file an application on a form that the county  
3 commissioners provide; and

4 2. sign the application under oath.

5 (iii) The application shall include:

6 1. the name of the applicant;

7 2. the address of the applicant;

8 3. any trade name of the applicant;

9 4. if the applicant is a partnership, the name and address of  
10 each partner;

11 5. if the applicant is a corporation, the name and address of  
12 each officer of the corporation;

13 6. if a resident agent is required under paragraph (3) of this  
14 subsection, the name and address of the applicant's resident agent;

15 7. the name and address of any person having a financial  
16 interest in the operation of the proposed bingo; and

17 8. the signatures of all of the individuals listed in items 1  
18 through 7 of this subparagraph indicating consent to individual liability for any unlawful  
19 operation of licensed bingo.

20 (iv) 1. The county commissioners may refuse to issue a license  
21 based on the facts disclosed on an application.

22 2. Subparagraph (i) of this paragraph does not require the  
23 county commissioners to investigate an applicant's statements on the application before  
24 issuing a license.

25 (2) Each applicant for a license shall present evidence to the county  
26 commissioners that the applicant has obtained a public liability insurance policy that:

27 (i) covers the period covered by the proposed license;

28 (ii) provides coverage for personal injury to:

29 1. any bingo patron in an amount not less than \$100,000; and



3. may be operated between May 1 and September 30;

[(v)] (VI) a Class NE beach license, for bingo that:

1. does not exceed a seating or player capacity of 1,000 individuals;

2. may be operated within the town limits of North Beach or Chesapeake Beach; and

3. may be operated between May 1 and September 30;

[(vi)] (VII) a Class NF beach license, for bingo that:

1. does not exceed a seating or player capacity of 500 individuals;

2. may be operated within the town limits of North Beach or Chesapeake Beach; and

3. may be operated throughout the year; or

[(vii)] (VIII) a Class NG beach license, for bingo that:

1. does not have a limitation on seating or player capacity;

2. may be operated within the town limits of North Beach or Chesapeake Beach; and

3. may be operated throughout the year.

**(2) A BUSINESS OR FRATERNAL ORGANIZATION WITH A CLASS NB LICENSE THAT OBTAINS THE APPROVAL OF THE COUNTY COMMISSIONERS MAY OPERATE UP TO 25 INSTANT BINGO MACHINES.**

[(2)] (3) The county commissioners shall:

(i) retain a copy of each license issued;

(ii) issue a copy of the license to the license holder; and

(iii) forward a copy of the license to the State Comptroller.

[(3)] (4) A license is not transferable.

(f) The county commissioners shall assess the following annual license fees:

1 (1) \$3,500 for a Class NA license;

2 (2) \$3,000 for a Class NB license **THAT IS NOT AUTHORIZED FOR**  
3 **CONDUCTING INSTANT BINGO;**

4 **(3) \$5,000 FOR A CLASS NB LICENSE THAT IS AUTHORIZED FOR**  
5 **CONDUCTING INSTANT BINGO;**

6 [(3)] (4) \$4,000 for a Class NC license;

7 [(4)] (5) \$500 for a Class ND beach license;

8 [(5)] (6) \$1,000 for a Class NE beach license;

9 [(6)] (7) \$3,000 for a Class NF beach license; and

10 [(7)] (8) \$5,000 for a Class NG beach license.

11 (g) (1) The county commissioners may not issue a license if the conduct of  
12 bingo would:

13 (i) unduly disturb the peace of the neighborhood in which the  
14 applicant proposes to conduct bingo;

15 (ii) create a nuisance; or

16 (iii) be detrimental to the health or welfare of the community.

17 (2) (i) The county commissioners may not issue a license to conduct  
18 bingo in a building that is not permanent and covered by a roof.

19 (ii) This paragraph does not apply to a person who is not required to  
20 obtain a license to conduct bingo.

21 (3) (i) The following licenses may not allow the conduct of bingo on  
22 Sunday:

23 1. a Class NA license;

24 2. a Class NB license **THAT IS NOT AUTHORIZED FOR**  
25 **CONDUCTING INSTANT BINGO;** or

26 3. a Class NC license.

27 (ii) The following licenses may not allow the conduct of bingo before

1 1 p.m. on Sunday:

- 2 1. a Class ND beach license;
- 3 2. a Class NE beach license; or
- 4 3. a Class NF beach license.

5 (iii) A Class NG beach license **OR A CLASS NB LICENSE THAT IS**  
6 **AUTHORIZED FOR CONDUCTING INSTANT BINGO** may not allow the conduct of bingo  
7 between 2 a.m. and 1 p.m. on Sunday.

8 13-707.

9 (a) A license holder may issue as a prize or award to the patron of licensed bingo:

- 10 (1) merchandise;
- 11 (2) money;
- 12 (3) a token or ticket redeemable for money or merchandise; or
- 13 (4) any other thing of value.

14 (b) (1) Except as provided under paragraphs (2) and (3) of this subsection, a  
15 license holder may not issue for one game a prize or award with a value exceeding \$100.

16 (2) A [holder of a Class NG beach license may issue for one game a] prize  
17 with a value exceeding \$100 **MAY BE ISSUED FOR ONE GAME BY A HOLDER OF A:**

18 **(I) CLASS NG BEACH LICENSE; OR**

19 **(II) CLASS NB LICENSE THAT IS AUTHORIZED FOR**  
20 **CONDUCTING INSTANT BINGO UNDER § 13-705 OF THIS SUBTITLE.**

21 (3) A license holder may issue once each day:

- 22 (i) a grand prize not exceeding \$1,500; and
- 23 (ii) a grand prize not exceeding \$3,000 in retail value.

24 **SECTION 2. AND BE IT FURTHER ENACTED,** That this Act shall take effect  
25 October 1, 2018.