

HOUSE BILL 940

C7

EMERGENCY BILL
ENROLLED BILL

(11r2168)

— *Ways and Means / Budget and Taxation* —

Introduced by **The Speaker**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

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

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

Speaker.

CHAPTER _____

1 AN ACT concerning

2 **Gaming – Regulation of Fantasy Gaming Competitions and Implementation of**
3 **Sports Wagering – *Supplementary Appropriation***

4 FOR the purpose of requiring certain fantasy competition operators to register with the
5 State Lottery and Gaming Control Commission under certain circumstances;
6 authorizing the State Lottery and Gaming Control Commission to impose a certain
7 fee for the registration of a fantasy competition operator; requiring a fantasy
8 competition operator to pay ~~certain fees and~~ a certain percentage of the proceeds
9 from fantasy competitions to the State Lottery and Gaming Control Commission;
10 requiring the State Lottery and Gaming Control Commission to distribute the
11 proceeds from fantasy competitions in a certain manner; altering the authorized uses
12 of the Problem Gambling Fund; authorizing certain license holders to accept wagers
13 on certain sporting events from certain individuals and by certain methods at certain
14 locations; requiring the State Lottery and Gaming Control Commission to regulate
15 sports wagering in the State; requiring the State Lottery and Gaming Control

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.



1 Commission to consider the use of certain technology to carry out certain duties;
2 requiring certain persons to apply to the State Lottery and Gaming Control
3 Commission for certain licenses; requiring certain fees for the issuance and renewal
4 of certain licenses; providing for the terms of certain licenses; providing that certain
5 applicants and licensees are subject to certain minority business participation goals;
6 authorizing the State Lottery and Gaming Control Commission to provide waivers
7 or exemptions from certain licensing requirements under certain circumstances;
8 requiring applicants for certain licenses to pay certain fees set by the State Lottery
9 and Gaming Control Commission; providing for the distribution of certain licensing
10 fees collected by the State Lottery and Gaming Control Commission; providing that
11 certain applicants and licensees have a certain responsibility; requiring certain
12 applicants and licensees to provide certain information, assistance, and cooperation;
13 requiring applicants and licensees to establish certain qualification criteria,
14 including the existence of a certain labor peace agreement; establishing certain
15 procedures and requirements for the issuance of certain licenses; authorizing a
16 holder of a certain sports wagering license to sell or transfer ownership of the license
17 under certain circumstances; authorizing the State Lottery and Gaming Control
18 Commission to grant or deny certain licenses; authorizing the State Lottery and
19 Gaming Control Commission to deny, suspend, or revoke a license and reprimand or
20 fine a licensee under certain circumstances; authorizing the State Lottery and
21 Gaming Control Commission to impose a certain penalty under certain
22 circumstances; authorizing certain sports wagering licensees to enter into certain
23 agreements for the operation of online sports wagering; providing that an individual
24 may register for online sports wagering either in person or online; prohibiting certain
25 individuals from making a wager and certain sports wagering licensees from
26 accepting a wager from certain individuals; requiring certain sports wagering
27 licensees to establish certain procedures, provide certain safeguards, and report
28 certain information to the State Lottery and Gaming Control Commission;
29 authorizing the State Lottery and Gaming Control Commission to prohibit certain
30 types or forms of wagering or certain individuals from wagering at the request of
31 certain interested parties under certain circumstances; requiring the State Lottery
32 and Gaming Control Commission to respond to certain requests from certain
33 interested parties by a certain time; providing for the accounting and distribution of
34 certain sports wagering proceeds and certain unclaimed winning wagers; requiring
35 the State Lottery and Gaming Control Commission to adopt certain regulations;
36 requiring the State Lottery and Gaming Control Commission to report annually to
37 the Governor and the General Assembly on certain matters on or before a certain
38 date; requiring the State Lottery and Gaming Control Commission to report to the
39 General Assembly, on or before a certain date, on certain information concerning
40 certain license holders, certain market saturation information, and whether the
41 number of certain licenses should be increased in order to meet a demand for sports
42 wagering in the State; requiring the State Lottery and Gaming Control Commission,
43 before submitting a certain report, to provide the Legislative Policy Committee at least
44 a certain number of days to comment on the report; establishing a Sports Wagering
45 Application Review Commission, its membership, and certain eligibility
46 requirements for membership; providing for certain reimbursements and staffing;
47 authorizing the Sports Wagering Application Review Commission to award ~~not more~~

~~than a certain number of certain sports wagering licenses; requiring the State Lottery and Gaming Control Commission and the Sports Wagering Application Review Commission, in consultation with certain entities, to evaluate a certain study of the sports wagering industry, make a certain determination relating to certain business participation in the sports wagering industry, evaluate certain race-neutral programs and other methods, *consider certain matters*, and adopt certain regulations; requiring the Sports Wagering Application Review Commission, in a certain manner, to seek to achieve racial, ethnic, and gender diversity when awarding certain licenses and to conduct certain outreach to certain small, minority, and women business owners and entrepreneurs for certain purposes; providing for the termination of the Sports Wagering Application Review Commission; authorizing the Governor to reconstitute the Sports Wagering Application Review Commission under certain circumstances; *establishing the Small, Minority-Owned, and Women-Owned Business Sports Wagering Assistance Fund as a special, nonlapsing fund; specifying the purpose of the Fund; requiring the Department of Commerce to administer the Fund; requiring the State Treasurer to hold the Fund and the Comptroller to account for the Fund; specifying the contents of the Fund; specifying the purpose for which the Fund may be used; providing for the investment of money in and expenditures from the Fund; repealing a certain limitation on the holder of a video lottery operation license for Worcester County or certain other persons to build or convert certain lodging facilities on or within a certain distance of the facility;* requiring a certain certification agency, in consultation with the Office of the Attorney General and the Governor's Office of Small, Minority, and Women Business Affairs, to initiate a certain analysis; requiring a certain certification agency to submit a certain report to the Legislative Policy Committee on or before a certain date; *requiring the Governor to include certain appropriations in the annual budget bill for a certain fiscal year; making this Act a supplementary appropriation to fund certain education-related programs; providing that the appropriation provided under this Act shall have priority over any other appropriation from the additional revenues resulting from this Act that are credited to a certain fund for a certain fiscal year; making the provisions of this Act severable; making this Act an emergency measure;* declaring the intent of the General Assembly; making conforming changes; defining certain terms; and generally relating to wagering on fantasy competitions and sporting events.~~

35 BY renumbering

36 Article – State Government
 37 Section 9–1D–01(b) and 9–1D–01(c), respectively
 38 to be Section 9–1D–02 and 9–1D–05, respectively
 39 Annotated Code of Maryland
 40 (2014 Replacement Volume and 2020 Supplement)

41 BY repealing and reenacting, without amendments,

42 Article – Education
 43 Section ~~5–219(b)~~ *5–206(b)*
 44 Annotated Code of Maryland
 45 (2018 Replacement Volume and 2020 Supplement)

1 *(As enacted by Chapter 36 of the Acts of the General Assembly of 2021)*

2 BY repealing and reenacting, with amendments,

3 Article – Education

4 Section ~~5-219(f)~~ 5-206(f)

5 Annotated Code of Maryland

6 (2018 Replacement Volume and 2020 Supplement)

7 *(As enacted by Chapters 36, 37, and 38 of the Acts of the General Assembly of 2021)*

8 BY repealing and reenacting, without amendments,

9 Article – State Government

10 Section 9-1A-01(a) and (k)

11 Annotated Code of Maryland

12 (2014 Replacement Volume and 2020 Supplement)

13 BY repealing and reenacting, with amendments,

14 Article – State Government

15 Section 9-1A-03, 9-1A-33(b), ~~9-1A-36(h)(3)~~, and 9-1D-01(a)

16 Annotated Code of Maryland

17 (2014 Replacement Volume and 2020 Supplement)

18 BY repealing and reenacting, with amendments,

19 Article – State Government

20 Section 9-1D-02 and 9-1D-05

21 Annotated Code of Maryland

22 (2014 Replacement Volume and 2020 Supplement)

23 (As enacted by Section 1 of this Act)

24 BY adding to

25 Article – State Government

26 Section 9-1D-03 and 9-1D-04; and 9-1E-01 through ~~9-1E-15~~ 9-1E-16 to be under

27 the new subtitle “Subtitle 1E. Sports Wagering”

28 Annotated Code of Maryland

29 (2014 Replacement Volume and 2020 Supplement)

30 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

31 That Section(s) 9-1D-01(b) and 9-1D-01(c), respectively, of Article – State Government of

32 the Annotated Code of Maryland be renumbered to be Section(s) 9-1D-02 and 9-1D-05,

33 respectively.

34 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read

35 as follows:

36 **Article – Education**

37 ~~5-219.~~ 5-206.

1 (b) There is The Blueprint for Maryland's Future Fund.

2 (f) The Fund consists of:

3 (1) Revenue distributed to the Fund under **TITLE 9, SUBTITLES 1D AND**
 4 **1E OF THE STATE GOVERNMENT ARTICLE AND §§ ~~2-605.1~~ 2-4A-02, 2-605.1, 2-1302.1,**
 5 and 2-1303 of the Tax – General Article;

6 (2) Money appropriated in the State budget for the Fund; and

7 (3) Any other money from any other source accepted for the benefit of the
 8 Fund.

9 Article – State Government

10 9-1A-01.

11 (a) In this subtitle the following words have the meanings indicated.

12 (k) “Commission” means the State Lottery and Gaming Control Commission.

13 9-1A-03.

14 (a) Except as provided in subsection (b) of this section, any additional forms or
 15 expansion of commercial gaming other than as expressly provided in this subtitle **AND**
 16 **SUBTITLE 1E OF THIS TITLE** are prohibited.

17 (b) This subtitle, including the authority provided to the Commission under this
 18 subtitle, does not apply to:

19 (1) lotteries conducted under Subtitle 1 of this title;

20 (2) wagering on horse racing conducted under Title 11 of the Business
 21 Regulation Article;

22 (3) the operation of slot machines as provided under Titles 12 and 13 of the
 23 Criminal Law Article; or

24 (4) other gaming conducted under Titles 12 and 13 of the Criminal Law
 25 Article.

26 9-1A-33.

27 (b) (1) (i) There is a Problem Gambling Fund in the Maryland Department
 28 of Health.

1 (ii) The purpose of the Fund is primarily to provide funding for
2 problem gambling treatment and prevention programs, including:

- 3 1. inpatient and residential services;
- 4 2. outpatient services;
- 5 3. intensive outpatient services;
- 6 4. continuing care services;
- 7 5. educational services;
- 8 6. services for victims of domestic violence; and
- 9 7. other preventive or rehabilitative services or treatment.

10 (2) The Problem Gambling Fund is a special, nonlapsing fund that is not
11 subject to § 7–302 of the State Finance and Procurement Article.

12 (3) Money in the Problem Gambling Fund shall be invested and reinvested
13 by the Treasurer, and interest and earnings shall accrue to the Fund.

14 (4) Except as provided in paragraph (5) of this subsection, expenditures
15 from the Problem Gambling Fund shall be made only by the Maryland Department of
16 Health to:

17 (i) establish a 24–hour hotline for compulsive and problem gamblers
18 and to provide counseling and other support services for compulsive and problem gamblers;

19 (ii) establish an outreach program for compulsive and problem
20 gamblers, including individuals who requested placement on the voluntary exclusion list
21 established by the Commission under § 9–1A–24 of this subtitle, for the purpose of
22 participating in problem gambling treatment and prevention programs; **[and]**

23 (iii) develop and implement free or reduced cost problem gambling
24 treatment and prevention programs, including the programs established under Title 19,
25 Subtitle 8 of the Health – General Article; **AND**

26 **(IV) DEVELOP AND IMPLEMENT FREE OR REDUCED COST**
27 **PROBLEM GAMBLING TREATMENT AND PREVENTION PROGRAMS TARGETED AT**
28 **INDIVIDUALS WITH PROBLEM GAMBLING ISSUES RELATED TO SPORTS WAGERING,**
29 **PARTICIPATION IN FANTASY COMPETITIONS, AND OTHER FORMS OF WAGERING,**
30 **WHETHER LEGAL OR ILLEGAL, CONDUCTED IN THE STATE OR THROUGH ONLINE**
31 **MEANS.**

1 (5) After satisfying the requirements of paragraph (4) of this subsection,
2 any unspent funds in the Problem Gambling Fund may be expended by the Maryland
3 Department of Health on drug and other addiction treatment services.

4 (6) Expenditures from the Problem Gambling Fund shall be made in
5 accordance with an appropriation approved by the General Assembly in the annual State
6 budget or by the budget amendment procedure provided for in § 7–209 of the State Finance
7 and Procurement Article.

8 9–1A–36.

9 (h) (3) (i) With respect to a video lottery operation license awarded to a
10 location under paragraph (1)(iv) of this subsection, the holder of the video lottery operation
11 license or any other person with a direct or indirect legal or financial interest in the Ocean
12 Downs racetrack or video lottery facility may not[:

13 1. build any type of hotel, motel, or other public lodging
14 accommodation on or within 10 miles of the property owned by the holder of the license on
15 which a video lottery facility is operated;

16 2. convert an existing facility on or within 10 miles of the
17 property described in item 1 of this subparagraph into any type of hotel, motel, or other
18 public lodging accommodation; or

19 3. build or operate a conference center or convention center,
20 amusement park, amusement rides, arcade, or miniature golf course on or within 10 miles
21 of the property [described in item 1 of this subparagraph] OWNED BY THE HOLDER OF THE
22 LICENSE ON WHICH A VIDEO LOTTERY FACILITY IS OPERATED.

23 (ii) The prohibitions under subparagraph (i) of this paragraph apply
24 to any subsequent holder of a video lottery operation license awarded under paragraph
25 (1)(iv) of this subsection.

26 9–1D–01.

27 (a) In this [section, “fantasy”] **SUBTITLE THE FOLLOWING WORDS HAVE THE**
28 **MEANINGS INDICATED.**

29 **(B) “COMMISSION” HAS THE MEANING STATED IN § 9–1A–01 OF THIS TITLE.**

30 **(C) “ENTRY FEE” MEANS CASH OR CASH EQUIVALENTS THAT A FANTASY**
31 **COMPETITION PLAYER IS REQUIRED TO PAY TO A FANTASY COMPETITION**
32 **OPERATOR IN ORDER TO PARTICIPATE IN A FANTASY COMPETITION.**

33 **(D) “FANTASY competition” includes any online fantasy or simulated game or**
34 **contest such as fantasy sports, in which:**

1 (1) participants own, manage, or coach imaginary teams;

2 (2) all prizes and awards offered to winning participants are established
3 and made known to participants in advance of the game or contest;

4 (3) the winning outcome of the game or contest reflects the relative skill of
5 the participants and is determined by statistics generated by actual individuals (players or
6 teams in the case of a professional sport); and

7 (4) no winning outcome is based:

8 (i) solely on the performance of an individual athlete; or

9 (ii) on the score, point spread, or any performances of any single
10 real-world team or any combination of real-world teams.

11 (E) (1) “FANTASY COMPETITION OPERATOR” MEANS ANY PERSON THAT
12 OFFERS SERVICES IN CONNECTION WITH FANTASY COMPETITIONS TO INDIVIDUALS
13 BY MEANS OF:

14 (I) THE INTERNET;

15 (II) A SMART PHONE APPLICATION; OR

16 (III) ANY OTHER ELECTRONICS, DIGITAL MEDIA,
17 COMMUNICATION TECHNOLOGY, OR DEVICE.

18 (2) “FANTASY COMPETITION OPERATOR” INCLUDES, FOR PURPOSES
19 OF THE FEDERAL BANK SECRECY ACT OF 1970 AND ITS RELATED REGULATIONS, A
20 GAMING ESTABLISHMENT HAVING AT LEAST \$1,000,000 IN ANNUAL GROSS
21 REVENUE.

22 ~~(2)~~ (3) “FANTASY COMPETITION OPERATOR” DOES NOT INCLUDE
23 AN INDIVIDUAL WHO:

24 (I) ORGANIZES A FANTASY COMPETITION IN WHICH THE
25 INDIVIDUAL ALSO PARTICIPATES; AND

26 (II) RECEIVES NO COMPENSATION FOR ORGANIZING THE
27 FANTASY COMPETITION; ~~AND~~

28 ~~(III) IS NOT AFFILIATED WITH A FANTASY COMPETITION~~
29 ~~OPERATOR.~~

1 (F) "FANTASY COMPETITION PLAYER" MEANS AN INDIVIDUAL WHO
 2 PARTICIPATES IN A FANTASY COMPETITION OFFERED BY A FANTASY COMPETITION
 3 OPERATOR.

4 (G) "LOCATION PERCENTAGE" MEANS, FOR A FANTASY COMPETITION, THE
 5 PERCENTAGE, ROUNDED TO THE NEAREST ONE-TENTH OF A PERCENT, OF THE
 6 TOTAL ENTRY FEES COLLECTED BY A FANTASY COMPETITION OPERATOR FROM
 7 FANTASY COMPETITION PLAYERS IN THE STATE DIVIDED BY THE TOTAL ENTRY FEES
 8 COLLECTED FROM ALL FANTASY COMPETITION PLAYERS, REGARDLESS OF THE
 9 PLAYERS' LOCATIONS, OF THE FANTASY CONTESTS.

10 ~~(G)~~ (H) "PROCEEDS" MEANS, FOR A FANTASY COMPETITION, THE
 11 AMOUNT OF ENTRY FEES COLLECTED BY A FANTASY COMPETITION OPERATOR FROM
 12 ALL FANTASY COMPETITION PLAYERS ENTERING THE FANTASY COMPETITION, LESS
 13 WINNINGS PAID TO FANTASY COMPETITION PLAYERS, MULTIPLIED BY THE
 14 ~~RESIDENT~~ LOCATION PERCENTAGE.

15 ~~(H)~~ ~~"RESIDENT PERCENTAGE" MEANS, FOR A FANTASY COMPETITION, THE~~
 16 ~~PERCENTAGE, ROUNDED TO THE NEAREST ONE HUNDREDTH OF A PERCENT, OF THE~~
 17 ~~TOTAL ENTRY FEES COLLECTED BY A FANTASY COMPETITION OPERATOR FROM~~
 18 ~~STATE RESIDENTS DIVIDED BY THE TOTAL ENTRY FEES COLLECTED FROM ALL~~
 19 ~~PLAYERS, REGARDLESS OF THE PLAYERS' LOCATIONS, OF THE FANTASY CONTESTS.~~

20 9-1D-02.

21 [(1)] (A) Notwithstanding the provisions of Title 12 of the Criminal Law
 22 Article or any other title, and except as provided under [paragraph (2)] SUBSECTION (B)
 23 of this [subsection] SECTION, the prohibitions against betting, wagering, and gambling do
 24 not apply to participation in a fantasy competition.

25 [(2)] (B) A person may not operate a kiosk or machine that offers fantasy
 26 competition to the public in a place of business physically located in the State.

27 9-1D-03.

28 (A) A FANTASY COMPETITION OPERATOR SHALL REGISTER WITH THE
 29 COMMISSION ~~AND PAY AN INITIAL REGISTRATION FEE OF \$50,000~~ BEFORE THE
 30 FANTASY COMPETITION OPERATOR MAY OFFER A FANTASY COMPETITION OR
 31 SERVICES IN CONNECTION WITH A FANTASY COMPETITION IN THE STATE.

32 (B) ~~(1)~~ UNLESS A REGISTRATION IS RENEWED FOR A 1-YEAR TERM, THE
 33 REGISTRATION EXPIRES 1 YEAR FROM THE ~~PAYMENT OF THE INITIAL REGISTRATION~~
 34 ~~FEE OR A REGISTRATION RENEWAL FEE~~ INITIAL DATE OF REGISTRATION.

1 ~~(2) BEFORE A REGISTRATION EXPIRES, THE REGISTRATION MAY BE~~
 2 ~~RENEWED FOR 1 YEAR, IF THE FANTASY COMPETITION OPERATOR PAYS A~~
 3 ~~REGISTRATION RENEWAL FEE OF \$50,000.~~

4 (C) THE COMMISSION MAY IMPOSE A FEE FOR THE REGISTRATION OF A
 5 FANTASY COMPETITION OPERATOR IN ACCORDANCE WITH THIS SECTION.

6 9-1D-04.

7 (A) A FANTASY COMPETITION OPERATOR SHALL RETAIN 85% OF THE
 8 PROCEEDS AND PAY THE REMAINDER TO THE COMMISSION.

9 (B) THE COMMISSION SHALL DISTRIBUTE THE PROCEEDS PAID UNDER
 10 SUBSECTION (A) OF THIS SECTION TO THE BLUEPRINT FOR MARYLAND'S FUTURE
 11 FUND ESTABLISHED UNDER ~~§ 5-219~~ § 5-206 OF THE EDUCATION ARTICLE.

12 9-1D-05.

13 (A) The [State Lottery and Gaming Control] Commission [may] SHALL adopt
 14 regulations to carry out the provisions of this [section] SUBTITLE.

15 (B) THE REGULATIONS ADOPTED UNDER THIS SECTION MAY INCLUDE
 16 REQUIREMENTS FOR THE ESTABLISHMENT OF A VOLUNTARY EXCLUSION LIST.

17 SUBTITLE 1E. SPORTS WAGERING.

18 9-1E-01.

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

21 (B) "COMMISSION" HAS THE MEANING STATED IN § 9-1A-01 OF THIS TITLE.

22 (C) "GAMING ESTABLISHMENT" MEANS, FOR PURPOSES OF THE FEDERAL
 23 BANK SECRECY ACT OF 1970 AND ITS RELATED REGULATIONS, A SPORTS
 24 WAGERING LICENSEE HAVING AT LEAST \$1,000,000 IN ANNUAL GROSS REVENUE.

25 ~~(C)~~ (D) ~~(1)~~ "HORSE RACING LICENSEE" MEANS‡

26 ~~(1)~~ THE HOLDER OF A LICENSE ISSUED BY THE STATE RACING
 27 COMMISSION UNDER TITLE 11, SUBTITLE 5 OF THE BUSINESS REGULATION
 28 ARTICLE, INCLUDING, IN THE CASE OF A SUBSIDIARY OF THE MARYLAND STATE
 29 FAIR AND AGRICULTURAL SOCIETY, INC., A SUBSIDIARY OF THE LICENSE HOLDER;
 30 AND

~~(H) THE HOLDER OF A PERMIT ISSUED UNDER TITLE 11, SUBTITLE 8, PART III OF THE BUSINESS REGULATION ARTICLE TO HOLD SATELLITE SIMULCAST BETTING IN CHARLES COUNTY TO HOLD RACING IN ANNE ARUNDEL COUNTY.~~

~~(2) "HORSE RACING LICENSEE" DOES NOT INCLUDE THE HOLDER OF A LICENSE ISSUED UNDER § 11-526 OF THE BUSINESS REGULATION ARTICLE.~~

~~(D)~~ (E) "MOBILE SPORTS WAGERING LICENSEE" MEANS A SPORTS WAGERING LICENSEE WHO IS AUTHORIZED TO CONDUCT AND OPERATE ONLINE SPORTS WAGERING.

~~(E)~~ (F) "ONLINE SPORTS WAGERING" MEANS SPORTS WAGERING THROUGH AN ONLINE GAMING SYSTEM:

(1) ON A COMPUTER, A MOBILE DEVICE, OR ANY OTHER INTERACTIVE DEVICE; AND

(2) THAT IS ACCEPTED BY A SPORTS WAGERING LICENSEE OR AN ONLINE SPORTS WAGERING OPERATOR.

~~(F)~~ (G) "ONLINE SPORTS WAGERING OPERATOR" MEANS AN ENTITY REGISTERED WITH A STATE TO DO BUSINESS WITHIN A JURISDICTION OF THE UNITED STATES THAT HOLDS A LICENSE ISSUED BY THE COMMISSION UNDER THIS SUBTITLE TO OPERATE ONLINE SPORTS WAGERING ON BEHALF OF A SPORTS WAGERING LICENSEE.

~~(G)~~ (H) "PROCEEDS" MEANS THE AMOUNT OF MONEY WAGERED ON A SPORTING EVENT THAT IS NOT RETURNED TO SUCCESSFUL BETTORS BUT IS OTHERWISE ALLOCATED UNDER THIS SUBTITLE, INCLUDING THE CASH EQUIVALENTS OF ANY MERCHANDISE OR THING OF VALUE AWARDED AS A PRIZE TO SUCCESSFUL BETTORS, LESS:

(1) THE AMOUNT RETURNED TO SUCCESSFUL BETTORS;

(2) THE CASH EQUIVALENTS OF ANY MERCHANDISE OR THING OF VALUE AWARDED AS A PRIZE TO SUCCESSFUL BETTORS;

~~(1)~~ (3) FREE BETS AND PROMOTIONAL CREDITS REDEEMED BY BETTORS; AND

~~(2)~~ (4) ALL EXCISE TAXES PAID BY A SPORTS WAGERING LICENSEE PURSUANT TO IN ACCORDANCE WITH FEDERAL LAW.

1 ~~(H)~~ (I) (1) “SPORTING EVENT” MEANS:

2 (I) A PROFESSIONAL SPORTS OR ATHLETIC EVENT;

3 (II) A COLLEGIATE SPORTS OR ATHLETIC EVENT;

4 (III) AN OLYMPIC OR INTERNATIONAL SPORTS OR ATHLETIC
5 EVENT;

6 (IV) AN ELECTRONIC SPORTS OR VIDEO GAME COMPETITION IN
7 WHICH EACH PARTICIPANT IS AT LEAST 18 YEARS OLD;

8 (V) A MOTOR RACE EVENT SANCTIONED BY A MOTOR RACING
9 GOVERNING ENTITY;

10 (VI) EXCEPT AS OTHERWISE PROHIBITED UNDER TITLE 11 OF
11 THE BUSINESS REGULATION ARTICLE OR THE FEDERAL INTERSTATE HORSE
12 RACING ACT, A HORSE RACE, HELD IN OR OUT OF THE STATE, IF CONSENTED TO AND
13 APPROVED BY:

14 1. THE HORSE RACING LICENSEE OF THE APPLICABLE
15 BREED;

16 2. THE ORGANIZATION REPRESENTING THE MAJORITY
17 OF THE OWNERS AND TRAINERS OF THE APPLICABLE BREED IN THE STATE;

18 3. THE ORGANIZATION REPRESENTING THE MAJORITY
19 OF THE APPLICABLE BREEDERS IN THE STATE; AND

20 4. THE STATE RACING COMMISSION; ~~OR~~

21 (VII) ANY PORTION OF A SPORTING EVENT, INCLUDING THE
22 INDIVIDUAL PERFORMANCE STATISTICS OF ATHLETES OR COMPETITORS IN A
23 SPORTING EVENT; OR

24 (VIII) AN AWARD EVENT OR COMPETITION OF NATIONAL OR
25 INTERNATIONAL PROMINENCE IF EXPRESSLY AUTHORIZED BY THE COMMISSION.

26 (2) “SPORTING EVENT” DOES NOT INCLUDE:

27 (I) A HIGH SCHOOL SPORTS OR ATHLETIC EVENT; OR

1 (II) A FANTASY COMPETITION REGULATED UNDER SUBTITLE
2 1D OF THIS TITLE.

3 ~~(I)~~ (J) "SPORTS WAGERING" MEANS THE BUSINESS OF ACCEPTING
4 WAGERS ON ANY SPORTING EVENT BY ANY SYSTEM OR METHOD OF WAGERING,
5 INCLUDING SINGLE-GAME BETS, TEASER BETS, PARLAYS, OVER-UNDER,
6 MONEYLINE, POOLS, EXCHANGE WAGERING, IN-GAME WAGERING, IN-PLAY BETS,
7 PROPOSITION BETS, AND STRAIGHT BETS.

8 ~~(J)~~ (K) (1) "SPORTS WAGERING FACILITY LICENSEE" MEANS A SPORTS
9 WAGERING LICENSEE WHO IS AUTHORIZED TO CONDUCT AND OPERATE SPORTS
10 WAGERING AT THE SPORTS WAGERING FACILITY OWNED, LEASED, OR OCCUPIED BY
11 THE SPORTS WAGERING LICENSEE.

12 (2) "SPORTS WAGERING FACILITY LICENSEE" INCLUDES THE
13 HOLDER OF A CLASS A A-1, A-2, B-1, OR B-2 SPORTS WAGERING FACILITY LICENSE
14 OR A CLASS B SPORTS WAGERING FACILITY LICENSE ISSUED UNDER § 9-1E-06 OF
15 THIS SUBTITLE.

16 ~~(K)~~ (L) "SPORTS WAGERING LICENSE" MEANS A LICENSE ISSUED BY THE
17 COMMISSION UNDER THIS SUBTITLE THAT AUTHORIZES THE HOLDER TO ACCEPT
18 WAGERS ON SPORTING EVENTS.

19 ~~(L)~~ (M) "SPORTS WAGERING LICENSEE" MEANS THE HOLDER OF A
20 SPORTS WAGERING LICENSE.

21 ~~(M)~~ (N) "VIDEO LOTTERY FACILITY" HAS THE MEANING STATED IN §
22 9-1A-01 OF THIS TITLE.

23 ~~(N)~~ (O) "VIDEO LOTTERY OPERATION LICENSE" HAS THE MEANING
24 STATED IN § 9-1A-01 OF THIS TITLE.

25 ~~(O)~~ (P) "VIDEO LOTTERY OPERATOR" HAS THE MEANING STATED IN §
26 9-1A-01 OF THIS TITLE.
27 9-1E-02.

28 IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT THIS SUBTITLE IS TO BE
29 IMPLEMENTED IN A MANNER THAT, TO THE EXTENT PERMITTED BY STATE AND
30 FEDERAL LAW, MAXIMIZES THE ABILITY OF MINORITIES, WOMEN, AND MINORITY
31 AND WOMEN-OWNED BUSINESSES TO PARTICIPATE IN THE SPORTS WAGERING
32 INDUSTRY, INCLUDING THROUGH THE OWNERSHIP OF ENTITIES LICENSED TO
33 CONDUCT SPORTS WAGERING UNDER THIS SUBTITLE.

1 **9-1E-03.**

2 (A) (1) UNLESS THE CONTEXT REQUIRES OTHERWISE, THE
3 REQUIREMENTS UNDER §§ 9-1A-04, 9-1A-06, 9-1A-07, 9-1A-08, 9-1A-12,
4 9-1A-14, 9-1A-18, 9-1A-19, 9-1A-20, AND 9-1A-25 OF THIS TITLE APPLY TO THE
5 AUTHORITY, DUTIES, AND RESPONSIBILITIES OF THE COMMISSION, A SPORTS
6 WAGERING LICENSEE, AND AN EMPLOYEE OR A CONTRACTOR OF A SPORTS
7 WAGERING LICENSEE UNDER THIS SUBTITLE.

8 (2) THE COMMISSION SHALL CONSIDER THE USE OF TECHNOLOGY,
9 REMOTE SURVEILLANCE, AND OTHER SIMILAR MEASURES TO CARRY OUT ITS DUTIES
10 UNDER THIS SUBSECTION AND § 9-1E-04 OF THIS SUBTITLE.

11 (B) THIS SUBTITLE AUTHORIZES A SPORTS WAGERING LICENSEE TO
12 CONDUCT AND OPERATE SPORTS WAGERING IN THE STATE AS PROVIDED IN THIS
13 SUBTITLE.

14 (C) A SPORTS WAGERING LICENSEE:

15 (1) SHALL:

16 (I) COMPLY WITH ALL STATE AND FEDERAL DATA SECURITY
17 LAWS; AND

18 (II) MAINTAIN ALL SPORTS WAGERING DATA SECURELY FOR AT
19 LEAST 5 YEARS; AND

20 (2) MAY NOT:

21 (I) SHARE ANY PERSONALLY IDENTIFIABLE INFORMATION
22 WITH ANY THIRD PARTIES WITHOUT PERMISSION, EXCEPT AS NEEDED TO OPERATE
23 SPORTS WAGERING AND ADMINISTER THE LICENSEE'S OBLIGATIONS UNDER THIS
24 SUBTITLE;

25 (II) TARGET ADVERTISING TO INDIVIDUALS WHO ARE
26 PROHIBITED FROM PARTICIPATING IN SPORTS WAGERING AND OTHER AT-RISK
27 INDIVIDUALS; OR

28 (III) ENGAGE IN ANY FALSE OR DECEPTIVE ADVERTISING.

29 (D) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, A
30 SPORTS WAGERING FACILITY IS SUBJECT TO LOCAL ZONING LAWS.

1 **(2) THE USE OF A FACILITY FOR SPORTS WAGERING IS NOT REQUIRED**
2 **TO BE SUBMITTED TO OR APPROVED BY ANY COUNTY OR MUNICIPAL ZONING BOARD,**
3 **AUTHORITY, OR UNIT IF THE FACILITY IS PROPERLY ZONED AND OPERATING AS OF**
4 **THE EFFECTIVE DATE OF THIS ACT FOR THE FOLLOWING ACTIVITIES:**

5 **(I) OPERATION OF A VIDEO LOTTERY FACILITY;**

6 **(II) PARI-MUTUEL BETTING ON HORSE RACING; OR**

7 **(III) OPERATION OF ELECTRONIC BINGO OR ELECTRONIC TIP JAR**
8 **MACHINES.**

9 **9-1E-04.**

10 **(A) EXCEPT AS OTHERWISE PROVIDED IN THIS SUBTITLE, THE COMMISSION**
11 **SHALL REGULATE SPORTS WAGERING AND THE CONDUCT OF SPORTS WAGERING TO**
12 **THE SAME EXTENT THAT THE COMMISSION REGULATES THE OPERATION OF VIDEO**
13 **LOTTERY TERMINALS AND TABLE GAMES UNDER SUBTITLE 1A OF THIS TITLE.**

14 **(B) IN ACCORDANCE WITH THIS SUBTITLE, THE COMMISSION SHALL ADOPT**
15 **REGULATIONS THAT ESTABLISH:**

16 **(1) SUBJECT TO § ~~9-1E-15(H)~~ 9-1E-15 OF THIS SUBTITLE, THE FORM**
17 **AND CONTENT OF AN APPLICATION FOR ANY LICENSE REQUIRED UNDER THIS**
18 **SUBTITLE;**

19 **(2) THE METHODS, PROCEDURES, AND FORM FOR DELIVERY OF**
20 **INFORMATION FROM AN APPLICANT OR A LICENSEE CONCERNING ANY PERSON'S**
21 **FAMILY, HABITS, CHARACTER, ASSOCIATES, CRIMINAL RECORD, BUSINESS**
22 **ACTIVITIES, AND FINANCIAL AFFAIRS;**

23 **(3) THE PROCEDURES FOR THE FINGERPRINTING OF AN APPLICANT**
24 **FOR ANY LICENSE REQUIRED UNDER THIS SUBTITLE OR OTHER METHODS OF**
25 **IDENTIFICATION THAT MAY BE NECESSARY IN THE JUDGMENT OF THE COMMISSION**
26 **TO ACCOMPLISH EFFECTIVE ENFORCEMENT OF THE PROVISIONS OF THIS SUBTITLE;**

27 **(4) THE GROUNDS AND PROCEDURES FOR REPRIMANDS OF**
28 **LICENSEES OR THE REVOCATION OR SUSPENSION OF LICENSES ISSUED UNDER THIS**
29 **SUBTITLE;**

30 **(5) THE MANNER AND METHOD OF COLLECTION OF TAXES, FEES, AND**
31 **CIVIL PENALTIES;**

1 **(6) STANDARDS, PROCEDURES, AND RULES THAT GOVERN THE**
2 **CONDUCT OF SPORTS WAGERING, INCLUDING:**

3 **(I) THE APPROVAL PROCESS FOR SELF-SERVICE KIOSKS,**
4 **DEVICES, OR MACHINES, SECURITY MEASURES FOR THE KIOSKS, DEVICES, OR**
5 **MACHINES, THE AMOUNT OF WAGERS AUTHORIZED ON THE KIOSKS, DEVICES, OR**
6 **MACHINES, AND ANY OTHER MATTER RELATING TO A SELF-SERVICE KIOSK, DEVICE,**
7 **OR MACHINE NECESSARY TO CARRY OUT THE PROVISIONS OF THIS SUBTITLE;**

8 **(II) THE TYPES OF WAGERS ON SPORTING EVENTS THAT MAY BE**
9 **ACCEPTED BY A SPORTS WAGERING LICENSEE AND PROHIBITED WAGERS, SUCH AS**
10 **WAGERS ON INJURIES, PENALTIES, *THE OUTCOME OF PLAYER DISCIPLINARY***
11 **RULINGS, REPLAY REVIEWS, AND OTHER TYPES OR FORMS OF WAGERING THAT ARE**
12 **CONTRARY TO PUBLIC POLICY OR UNFAIR TO BETTORS;**

13 **(III) THE TYPES AND VALUES OF PROMOTIONAL ITEMS THAT MAY**
14 **BE GIVEN AWAY TO ENCOURAGE SPORTS WAGERING;**

15 **(IV) THE MANNER IN WHICH WAGERS ARE RECEIVED, AND**
16 **PAYOUTS ARE REMITTED, ~~AND POINT SPREADS, LINES, AND ODDS ARE DETERMINED;~~**

17 **(V) THE MAXIMUM WAGERS THAT MAY BE ACCEPTED BY A**
18 **SPORTS WAGERING LICENSEE ~~OR ONLINE SPORTS WAGERING OPERATOR~~ FROM A**
19 **SINGLE BETTOR ON A SINGLE SPORTING EVENT;**

20 **(VI) THE AMOUNT OF CASH RESERVES OR OTHER FINANCIAL**
21 **SECURITY TO BE MAINTAINED BY SPORTS WAGERING LICENSEES TO COVER**
22 **WINNING WAGERS;**

23 **(VII) ACCEPTABLE FORMS OF PAYMENT AND ADVANCE DEPOSIT**
24 **METHODS BY BETTORS;**

25 **(VIII) MINIMUM UNIFORM STANDARDS OF ACCOUNTANCY**
26 **METHODS, PROCEDURES, AND FORMS AS ARE NECESSARY TO ENSURE**
27 **CONSISTENCY, COMPARABILITY, AND EFFECTIVE DISCLOSURE OF ALL FINANCIAL**
28 **INFORMATION, INCLUDING PERCENTAGES OF PROFIT;**

29 **(IX) PERIODIC FINANCIAL REPORTS AND THE FORM OF THE**
30 **REPORTS, INCLUDING AN ANNUAL AUDIT PREPARED BY A CERTIFIED PUBLIC**
31 **ACCOUNTANT LICENSED TO DO BUSINESS IN THE STATE IN ACCORDANCE WITH THE**
32 **STATEMENT ON STANDARDS FOR ATTESTATION ENGAGEMENTS AND GENERALLY**
33 **ACCEPTED ACCOUNTING PRINCIPLES;**

1 (X) REQUIRING LICENSEES UNDER THIS SUBTITLE TO
2 DEMONSTRATE AND MAINTAIN FINANCIAL VIABILITY; ~~AND~~

3 (XI) ENSURING THAT SPORTS WAGERING IS CONDUCTED
4 LEGALLY; ~~AND~~

5 (XII) REQUIRING LICENSEES TO PROMINENTLY PUBLISH
6 COMPLAINT PROCEDURES; AND

7 (XIII) ESTABLISHING A LIST OF INDIVIDUALS WHO ARE TO BE
8 MANDATORILY EXCLUDED OR EJECTED BY A SPORTS WAGERING LICENSEE FROM ANY
9 FACILITY OR WEBSITE OPERATED BY A SPORTS WAGERING LICENSEE; AND

10 (7) ANY OTHER REGULATION NECESSARY TO CARRY OUT THE
11 PROVISIONS OF THIS SUBTITLE.

12 ~~(c) (1) THE COMMISSION, IN CONSULTATION WITH THE CERTIFICATION~~
13 ~~AGENCY AS DEFINED IN § 14-301 OF THE STATE FINANCE AND PROCUREMENT~~
14 ~~ARTICLE, THE GOVERNOR'S OFFICE OF SMALL, MINORITY, AND WOMEN BUSINESS~~
15 ~~AFFAIRS, AND THE OFFICE OF THE ATTORNEY GENERAL, SHALL:~~

16 ~~(i) EVALUATE A STUDY OF THE SPORTS WAGERING INDUSTRY~~
17 ~~AND MARKET TO DETERMINE WHETHER THERE IS A COMPELLING INTEREST TO~~
18 ~~IMPLEMENT REMEDIAL MEASURES, IN ADDITION TO THE APPLICATION OF THE~~
19 ~~STATE MINORITY BUSINESS ENTERPRISE PROGRAM UNDER TITLE 14, SUBTITLE 3~~
20 ~~OF THE STATE FINANCE AND PROCUREMENT ARTICLE OR A SIMILAR PROGRAM, TO~~
21 ~~ASSIST MINORITIES AND WOMEN IN THE SPORTS WAGERING INDUSTRY;~~

22 ~~(ii) EVALUATE RACE NEUTRAL PROGRAMS OR OTHER~~
23 ~~METHODS THAT MAY BE USED TO ADDRESS THE NEEDS OF MINORITY AND WOMEN~~
24 ~~APPLICANTS AND MINORITY AND WOMEN OWNED BUSINESSES SEEKING TO~~
25 ~~PARTICIPATE IN THE SPORTS WAGERING INDUSTRY; AND~~

26 ~~(iii) ADOPT REGULATIONS TO IMPLEMENT REMEDIAL~~
27 ~~MEASURES, IF NECESSARY AND TO THE EXTENT PERMITTED BY STATE AND FEDERAL~~
28 ~~LAW, BASED ON THE FINDINGS OF THE STUDY EVALUATED UNDER ITEM (i) OF THIS~~
29 ~~PARAGRAPH.~~

30 ~~(2) THE COMMISSION MAY REPORT TO THE GENERAL ASSEMBLY, IN~~
31 ~~ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE, ANY~~
32 ~~INFORMATION THAT THE COMMISSION DETERMINES IS NECESSARY TO CONSIDER,~~
33 ~~DEVELOP, OR IMPLEMENT ANY REMEDIAL MEASURES REQUIRED UNDER THIS~~
34 ~~SECTION.~~

1 **9-1E-05.**

2 (A) THE FOLLOWING PERSONS SHALL BE LICENSED UNDER THIS SUBTITLE:

3 (1) A PERSON THAT OPERATES SPORTS WAGERING;

4 (2) A PERSON THAT OPERATES SPORTS WAGERING ON BEHALF OF A
5 SPORTS WAGERING LICENSEE, INCLUDING AN ONLINE SPORTS WAGERING
6 OPERATOR;

7 (3) A PERSON NOT LICENSED UNDER ITEM (1) OR (2) OF THIS
8 SUBSECTION THAT MANAGES, OPERATES, SUPPLIES, PROVIDES SECURITY FOR, OR
9 PROVIDES SERVICE, MAINTENANCE, OR REPAIRS FOR SPORTS WAGERING
10 EQUIPMENT AND DEVICES; AND

11 (4) AN INDIVIDUAL DIRECTLY EMPLOYED IN THE OPERATION OF
12 SPORTS WAGERING BY A SPORTS WAGERING LICENSEE IF THE INDIVIDUAL DOES
13 NOT OTHERWISE HOLD A VALID LICENSE UNDER SUBTITLE 1A OF THIS TITLE.

14 (B) THE COMMISSION MAY BY REGULATION REQUIRE A PERSON THAT
15 CONTRACTS WITH A LICENSEE AND THE PERSON'S EMPLOYEES TO OBTAIN A
16 LICENSE UNDER THIS SUBTITLE IF THE COMMISSION DETERMINES THAT THE
17 LICENSING REQUIREMENTS ARE NECESSARY IN ORDER TO PROTECT THE PUBLIC
18 INTEREST AND ACCOMPLISH THE POLICIES ESTABLISHED BY THIS SUBTITLE.

19 (C) (1) FOR ALL LICENSES REQUIRED UNDER THIS SUBTITLE, IF AN
20 APPLICANT HOLDS A VALID LICENSE IN THIS STATE OR ANOTHER STATE AND THE
21 COMMISSION DETERMINES THAT THE LICENSING STANDARDS OF THE ~~OTHER STATE~~
22 ISSUING AGENCY ARE COMPREHENSIVE AND THOROUGH AND PROVIDE SIMILAR AND
23 ADEQUATE SAFEGUARDS TO THOSE PROVIDED IN THIS SUBTITLE, THE COMMISSION
24 MAY:

25 ~~(1)~~ (I) WAIVE SOME OR ALL OF THE REQUIREMENTS OF THIS
26 SUBTITLE; AND

27 ~~(2)~~ (II) ISSUE A LICENSE TO THAT APPLICANT.

28 (2) EXCEPT AS PROVIDED UNDER THIS SUBTITLE OR IN REGULATION,
29 THE COMMISSION MAY NOT WAIVE A REQUIREMENT UNDER PARAGRAPH (1) OF THIS
30 SUBSECTION THAT RELATES TO:

31 (I) MINORITY BUSINESS ENTERPRISE PARTICIPATION GOALS
32 AND PROCEDURES ESTABLISHED UNDER § 9-1E-07(B) OF THIS SUBTITLE; OR

1 (II) A REQUIREMENT OF THE SPORTS WAGERING APPLICATION
 2 REVIEW COMMISSION UNDER § 9-1E-15 OF THIS SUBTITLE.

3 (D) (1) ~~ON~~ EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS
 4 SUBSECTION, ON THE REQUEST OF AN APPLICANT, THE COMMISSION MAY GRANT AN
 5 EXEMPTION OR A WAIVER OF A LICENSING REQUIREMENT OR GROUNDS FOR DENIAL
 6 OF A LICENSE IF THE COMMISSION DETERMINES THAT THE REQUIREMENT OR
 7 GROUNDS FOR DENIAL OF A LICENSE AS APPLIED TO THE APPLICANT ARE NOT
 8 NECESSARY TO PROTECT THE PUBLIC INTEREST OR ACCOMPLISH THE POLICIES
 9 ESTABLISHED BY THIS SUBTITLE.

10 (2) ON GRANTING TO AN APPLICANT AN EXEMPTION OR A WAIVER
 11 UNDER THIS SUBSECTION, OR AT ANY TIME AFTER AN EXEMPTION OR A WAIVER HAS
 12 BEEN GRANTED, THE COMMISSION MAY:

13 (I) LIMIT OR PLACE RESTRICTIONS ON THE EXEMPTION OR
 14 WAIVER AS THE COMMISSION CONSIDERS NECESSARY IN THE PUBLIC INTEREST;
 15 AND

16 (II) REQUIRE THE PERSON THAT IS GRANTED THE EXEMPTION
 17 OR WAIVER TO COOPERATE WITH THE COMMISSION AND TO PROVIDE THE
 18 COMMISSION WITH ANY ADDITIONAL INFORMATION REQUIRED BY THE
 19 COMMISSION AS A CONDITION OF THE WAIVER OR EXEMPTION.

20 (3) EXCEPT AS PROVIDED UNDER THIS SUBTITLE OR IN REGULATION,
 21 THE COMMISSION MAY NOT GRANT AN EXEMPTION OR A WAIVER OF A LICENSING
 22 REQUIREMENT ADOPTED BY THE SPORTS WAGERING APPLICATION REVIEW
 23 COMMISSION IN ACCORDANCE WITH § 9-1E-15(H)(2) OF THIS SUBTITLE TO
 24 IMPLEMENT REMEDIAL MEASURES BASED ON THE FINDINGS OF A STUDY OF THE
 25 SPORTS WAGERING INDUSTRY AND MARKET.

26 9-1E-06.

27 (A) (1) ~~THE~~ ON AN AWARD OF A LICENSE BY THE SPORTS WAGERING
 28 APPLICATION REVIEW COMMISSION ESTABLISHED UNDER § 9-1E-15 OF THIS
 29 SUBTITLE ~~MAY~~, THE COMMISSION SHALL:

30 (I) ISSUE A CLASS ~~A~~ A-1 SPORTS WAGERING FACILITY LICENSE
 31 TO AN APPLICANT THAT MEETS THE REQUIREMENTS FOR LICENSURE UNDER THIS
 32 SUBTITLE WHO IS:

33 1. A VIDEO LOTTERY OPERATOR WITH MORE THAN 1,000
 34 VIDEO LOTTERY TERMINALS ~~OR~~; OR

~~2. A HORSE RACING LICENSEE; OR~~

~~2. A. THE OWNER, OR THE DESIGNEE OF THE OWNER, OF A STADIUM IN PRINCE GEORGE'S COUNTY THAT IS PRIMARILY USED FOR PROFESSIONAL FOOTBALL (NFL);~~

~~B. THE OWNER, OR THE DESIGNEE OF THE OWNER, OF A PROFESSIONAL FOOTBALL (NFL) FRANCHISE THAT IS A LESSEE OF A STADIUM IN BALTIMORE CITY; OR~~

~~C. THE OWNER, OR THE DESIGNEE OF THE OWNER, OF A PROFESSIONAL MAJOR LEAGUE BASEBALL FRANCHISE THAT IS A LESSEE OF A STADIUM IN BALTIMORE CITY;~~

~~(H) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, ISSUE NOT MORE THAN FIVE 10 CLASS B SPORTS WAGERING FACILITY LICENSES TO ANY APPLICANT WHO MEETS THE REQUIREMENTS FOR LICENSURE UNDER THIS SUBTITLE; AND~~

~~(H) ISSUE NOT MORE THAN 10 15 MOBILE SPORTS WAGERING LICENSES TO ANY APPLICANT WHO MEETS THE REQUIREMENTS FOR LICENSURE UNDER THIS SUBTITLE;~~

~~D. THE OWNER, OR THE DESIGNEE OF THE OWNER, OF A PROFESSIONAL HOCKEY LEAGUE (NHL) FRANCHISE, THAT IS A LESSEE OF A STADIUM IN THE STATE;~~

~~E. THE OWNER, OR THE DESIGNEE OF THE OWNER, OF A PROFESSIONAL BASKETBALL ASSOCIATION (NBA) FRANCHISE, THAT IS A LESSEE OF A STADIUM IN THE STATE; OR~~

~~F. THE OWNER, OR THE DESIGNEE OF THE OWNER, OF A PROFESSIONAL SOCCER LEAGUE (MLS) FRANCHISE, THAT IS A LESSEE OF A STADIUM IN THE STATE;~~

~~(II) ISSUE A CLASS A-2 SPORTS WAGERING FACILITY LICENSE TO AN APPLICANT THAT MEETS THE REQUIREMENTS FOR LICENSURE UNDER THIS SUBTITLE WHO IS:~~

~~1. A VIDEO LOTTERY OPERATOR WITH 1,000 OR FEWER VIDEO LOTTERY TERMINALS; OR~~

~~2. A HORSE RACING LICENSEE;~~

1 (III) SUBJECT TO PARAGRAPHS (2) AND (3) OF THIS SUBSECTION,
 2 ISSUE A CLASS B-1 SPORTS WAGERING FACILITY LICENSE TO ANY APPLICANT WHO
 3 MEETS THE REQUIREMENTS FOR LICENSURE UNDER THIS SUBTITLE AND WHO IS NOT
 4 ELIGIBLE FOR A CLASS B-2 SPORTS WAGERING FACILITY LICENSE;

5 (IV) SUBJECT TO PARAGRAPHS (2) AND (3) OF THIS SUBSECTION,
 6 ISSUE A CLASS B-2 SPORTS WAGERING FACILITY LICENSE TO ANY APPLICANT WHO
 7 IS A PERSON WITH LESS THAN:

8 1. 25 FULL-TIME EQUIVALENT EMPLOYEES; OR

9 2. \$3,000,000 IN ANNUAL GROSS RECEIPTS; AND

10 (V) ISSUE NOT MORE THAN 60 MOBILE SPORTS WAGERING
 11 LICENSES TO ANY APPLICANT WHO MEETS THE REQUIREMENTS FOR LICENSURE
 12 UNDER THIS SUBTITLE.

13 (2) (I) THE COMMISSION SHALL ISSUE A CLASS B-1 OR CLASS
 14 B-2 SPORTS WAGERING FACILITY LICENSE TO AN APPLICANT THAT MEETS THE
 15 REQUIREMENTS FOR LICENSURE UNDER THIS SUBTITLE WHO IS:

16 1. THE HOLDER OF A LICENSE ISSUED BY THE STATE
 17 RACING COMMISSION UNDER § 11-524 OF THE BUSINESS REGULATION ARTICLE,
 18 INCLUDING A SUBSIDIARY OF THE LICENSE HOLDER;

19 2. A PERSON WHO IS THE OWNER OR LESSEE OF A
 20 FACILITY APPROVED FOR SATELLITE SIMULCAST BETTING BEFORE JANUARY 1,
 21 2021, UNLESS THE SATELLITE SIMULCAST FACILITY IS LOCATED AT A VIDEO
 22 LOTTERY FACILITY OR A RACETRACK; AND

23 3. A PERSON WHO HOLDS A COMMERCIAL BINGO
 24 LICENSE, IF THE FACILITY AT WHICH THE PERSON OPERATES COMMERCIAL BINGO
 25 WAS PERMITTED TO OPERATE AT LEAST 200 ELECTRONIC BINGO MACHINES OR
 26 ELECTRONIC TIP JAR MACHINES ON JANUARY 1, 2021.

27 (II) IN ADDITION TO THE CLASS B-1 AND B-2 SPORTS
 28 WAGERING FACILITY LICENSES ISSUED IN ACCORDANCE WITH SUBPARAGRAPH (I) OF
 29 THIS PARAGRAPH, THE COMMISSION MAY ISSUE NOT MORE THAN 30 CLASS B-1 AND
 30 CLASS B-2 SPORTS WAGERING FACILITY LICENSES UNDER PARAGRAPH (1) OF THIS
 31 SUBSECTION.

32 ~~(2)~~ (3) THE SPORTS WAGERING APPLICATION REVIEW
 33 COMMISSION ESTABLISHED UNDER § 9-1E-15 OF THIS SUBTITLE MAY NOT ~~ISSUE~~

1 AWARD A CLASS ~~B~~ B-1 OR B-2 SPORTS WAGERING FACILITY LICENSE TO AN
 2 APPLICANT:

3 (I) WHO IS ELIGIBLE TO APPLY FOR A CLASS ~~A~~ A-1 OR A-2
 4 SPORTS WAGERING FACILITY LICENSE UNDER PARAGRAPH (1) OF THIS
 5 SUBSECTION;

6 (II) WHO HOLDS A CLASS ~~A~~ A-1 OR A-2 SPORTS WAGERING
 7 FACILITY LICENSE; OR

8 (III) WHOSE SPORTS WAGERING FACILITY WILL BE LOCATED:

9 1. WITHIN A 15-MILE RADIUS OF A CLASS ~~A~~ A-1 OR A-2
 10 SPORTS WAGERING FACILITY LOCATED IN ALLEGANY COUNTY, CECIL COUNTY, OR
 11 WORCESTER COUNTY; OR

12 2. WITHIN A ~~10-MILE~~ 1.5-MILE RADIUS OF ~~ANY~~ A CLASS
 13 ~~A~~ A-1 OR A-2 SPORTS WAGERING FACILITY LOCATED IN A COUNTY NOT DESCRIBED
 14 UNDER ITEM 1 OF THIS ITEM OR ANY OTHER CLASS ~~B~~ B-1 OR B-2 SPORTS
 15 WAGERING FACILITY.

16 ~~(3) (4)~~ (4) A FOR-PROFIT ENTITY, NONPROFIT ORGANIZATION, OR
 17 PUBLIC-PRIVATE PARTNERSHIP OPERATING AT THE RACING LOCATION DESCRIBED
 18 UNDER TITLE 11, SUBTITLE 7 OF THE BUSINESS REGULATION ARTICLE LOCATED
 19 ON LANDS OWNED BY THE DEPARTMENT OF NATURAL RESOURCES MAY APPLY FOR
 20 A CLASS ~~B~~ B-1 OR B-2 SPORTS WAGERING FACILITY LICENSE.

21 (5) IF AN APPLICANT DESIGNATES AN ENTITY TO HOLD THE LICENSE
 22 UNDER PARAGRAPH (1)(I)2 OF THIS SUBSECTION, THE DESIGNEE SHALL BE
 23 CONSIDERED THE APPLICANT AND SUBJECT TO THE REQUIREMENTS OF THE
 24 APPLICATION PROCESS.

25 ~~(3) (4) (6)~~ (6) AN IN ADDITION TO ANY OTHER PERSON, AN APPLICANT
 26 FOR OR HOLDER OF A CLASS ~~A~~ A-1, A-2, B-1, OR B-2 SPORTS WAGERING FACILITY
 27 LICENSE OR A CLASS ~~B~~ SPORTS WAGERING FACILITY LICENSE MAY APPLY FOR A
 28 MOBILE SPORTS WAGERING LICENSE UNDER THIS SUBSECTION.

29 (B) AN APPLICANT FOR A SPORTS WAGERING LICENSE SHALL PAY TO THE
 30 COMMISSION AN APPLICATION FEE OF:

31 (1) ~~\$250,000~~ \$2,000,000 FOR A CLASS ~~A~~ A-1 SPORTS WAGERING
 32 FACILITY LICENSE;

1 (2) \$1,000,000 FOR A CLASS A-2 SPORTS WAGERING FACILITY
2 LICENSE;

3 ~~(2)~~ (3) ~~\$50,000~~ \$250,000 FOR A CLASS ~~B~~ B-1 SPORTS WAGERING
4 FACILITY LICENSE; ~~AND~~

5 (4) \$50,000 FOR A CLASS B-2 SPORTS WAGERING FACILITY LICENSE;
6 AND

7 ~~(3)~~ (5) \$500,000 FOR A MOBILE SPORTS WAGERING LICENSE.

8 ~~(C) THE HOLDER OF A SPORTS WAGERING LICENSE SHALL PAY TO THE~~
9 ~~COMMISSION AN ANNUAL LICENSE FEE OF:~~

10 ~~(1) \$50,000 FOR A CLASS A SPORTS WAGERING FACILITY LICENSE;~~

11 ~~(2) \$10,000 FOR A CLASS B SPORTS WAGERING FACILITY LICENSE;~~
12 ~~AND~~

13 ~~(3) \$100,000 FOR A MOBILE SPORTS WAGERING LICENSE.~~

14 ~~(D)~~ (C) (1) THE TERM OF A SPORTS WAGERING LICENSE UNDER THIS
15 SECTION IS 5 YEARS.

16 (2) ON APPLICATION BY THE SPORTS WAGERING LICENSEE AND
17 PAYMENT OF THE LICENSE RENEWAL FEE UNDER PARAGRAPH (3) OF THIS
18 SUBSECTION, THE COMMISSION ~~MAY~~ SHALL RENEW FOR 5 YEARS A SPORTS
19 WAGERING LICENSE IF THE LICENSEE COMPLIES WITH ALL STATUTORY AND
20 REGULATORY REQUIREMENTS.

21 (3) THE LICENSE RENEWAL FEE IS EQUAL TO 1% OF THE LICENSEE'S
22 AVERAGE ANNUAL ~~GROSS SPORTS WAGERING REVENUES~~ PROCEEDS FROM SPORTS
23 WAGERING FOR THE PRECEDING 5-YEAR 3-YEAR PERIOD LESS ANY PROCEEDS
24 REMITTED BY THE LICENSEE IN ACCORDANCE WITH § 9-1E-12 OF THIS SUBTITLE.

25 ~~(E)~~ (D) (1) A SPORTS WAGERING LICENSEE MAY NOT BEGIN
26 ACCEPTING WAGERS ON SPORTING EVENTS UNTIL THE APPLICATION FEE UNDER
27 SUBSECTION (B) OF THIS SECTION IS PAID IN FULL AND THE APPLICANT
28 REIMBURSES THE COMMISSION FOR EXPENSES RELATED TO PERFORMING
29 BACKGROUND INVESTIGATIONS.

30 (2) THE APPLICATION FEE UNDER SUBSECTION (B) OF THIS SECTION
31 IS NONREFUNDABLE.

1 ~~9-1E-07.~~

2 (A) AN APPLICANT FOR A LICENSE UNDER THIS SUBTITLE SHALL SUBMIT TO
3 THE COMMISSION ~~AN APPLICATION, ON OR BEFORE THE DATE SET BY THE~~
4 ~~COMMISSION:~~

5 (1) AN APPLICATION IN THE FORM THAT THE COMMISSION
6 REQUIRES; AND

7 (2) IF THE APPLICANT IS APPLYING FOR A SPORTS WAGERING
8 LICENSE, AN AFFIDAVIT ATTESTING TO:

9 (I) THE NUMBER OF MINORITY AND WOMEN OWNERS OF THE
10 APPLICANT;

11 (II) THE OWNERSHIP INTEREST OF ANY MINORITY AND WOMEN
12 OWNERS OF THE APPLICANT;

13 (III) THE NUMBER OF MINORITY AND WOMEN EMPLOYEES OF
14 THE APPLICANT; AND

15 (IV) THE NUMBER OF CURRENT CONTRACTS THE APPLICANT HAS
16 WITH MINORITY- AND WOMEN-OWNED SUBCONTRACTORS; AND

17 (V) ANY OTHER INFORMATION CONSIDERED NECESSARY BY
18 THE COMMISSION OR THE SPORTS WAGERING APPLICATION REVIEW COMMISSION
19 ESTABLISHED UNDER § 9-1E-15 OF THIS SUBTITLE.

20 ~~(2) ON OR BEFORE THE DATE SET BY THE COMMISSION.~~

21 ~~(B) (1) A SPORTS WAGERING LICENSEE IS SUBJECT TO:~~

22 ~~(I) THE MINORITY BUSINESS PARTICIPATION GOAL~~
23 ~~ESTABLISHED FOR A UNIT BY THE SPECIAL SECRETARY FOR THE OFFICE OF SMALL,~~
24 ~~MINORITY, AND WOMEN BUSINESS AFFAIRS UNDER § 14-302(A)(1)(II) OF THE~~
25 ~~STATE FINANCE AND PROCUREMENT ARTICLE; AND~~

26 ~~(II) ANY OTHER CORRESPONDING PROVISIONS OF LAW UNDER~~
27 ~~TITLE 14, SUBTITLE 3 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.~~

28 ~~(2) THE MINORITY BUSINESS PARTICIPATION GOAL APPLIES TO:~~

29 ~~(I) CONSTRUCTION RELATED TO SPORTS WAGERING; AND~~

1 ~~(H) PROCUREMENT RELATED TO THE OPERATION OF SPORTS~~
2 ~~WAGERING, INCLUDING PROCUREMENT OF EQUIPMENT AND ONGOING SERVICES.~~

3 (B) (1) THE FINDINGS AND EVIDENCE RELIED ON BY THE GENERAL
4 ASSEMBLY FOR THE CONTINUATION OF THE MINORITY BUSINESS ENTERPRISE
5 PROGRAM UNDER TITLE 14, SUBTITLE 3 OF THE STATE FINANCE AND
6 PROCUREMENT ARTICLE ARE INCORPORATED IN THIS SUBSECTION.

7 (2) TO THE EXTENT PRACTICABLE AND AUTHORIZED BY THE UNITED
8 STATES CONSTITUTION, A SPORTS WAGERING LICENSEE SHALL COMPLY WITH THE
9 STATE'S MINORITY BUSINESS ENTERPRISE PROGRAM.

10 (3) (I) ON OR BEFORE 6 MONTHS AFTER THE ISSUANCE OF A
11 SPORTS WAGERING LICENSE UNDER THIS SUBTITLE, THE GOVERNOR'S OFFICE OF
12 SMALL, MINORITY, AND WOMEN BUSINESS AFFAIRS, IN CONSULTATION WITH THE
13 OFFICE OF THE ATTORNEY GENERAL AND THE SPORTS WAGERING LICENSEE,
14 SHALL ESTABLISH A CLEAR PLAN FOR SETTING REASONABLE AND APPROPRIATE
15 MINORITY BUSINESS ENTERPRISE PARTICIPATION GOALS AND PROCEDURES FOR
16 THE PROCUREMENT OF GOODS AND SERVICES RELATED TO SPORTS WAGERING,
17 INCLUDING PROCUREMENT OF CONSTRUCTION, EQUIPMENT, AND ONGOING
18 SERVICES.

19 (II) TO THE EXTENT PRACTICABLE, THE GOALS AND
20 PROCEDURES SPECIFIED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH SHALL BE
21 BASED ON THE REQUIREMENTS OF TITLE 14, SUBTITLE 3 OF THE STATE FINANCE
22 AND PROCUREMENT ARTICLE AND THE REGULATIONS IMPLEMENTING THAT
23 SUBTITLE.

24 ~~(3)~~ (4) ON OR AFTER JULY 1, 2024, THE PROVISIONS OF THIS
25 SUBSECTION AND ANY REGULATIONS ADOPTED UNDER THIS SUBSECTION SHALL BE
26 OF NO EFFECT AND MAY NOT BE ENFORCED.

27 (C) (1) THIS SUBSECTION DOES NOT APPLY TO THE APPLICATION OR
28 LICENSE RENEWAL FEES FOR A SPORTS WAGERING LICENSE REQUIRED UNDER §
29 9-1E-06 OF THIS SUBTITLE.

30 (2) (I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE
31 COMMISSION SHALL ADOPT REGULATIONS THAT ESTABLISH AN APPLICATION FEE
32 AND LICENSE RENEWAL FEE FOR A LICENSE UNDER THIS SUBTITLE.

33 (II) THE APPLICATION FEE FOR AN ONLINE SPORTS WAGERING
34 OPERATOR LICENSE MAY NOT BE LESS THAN \$5,000.

1 **(3)** AN APPLICANT SHALL SUBMIT THE APPLICATION FEE WITH THE
2 APPLICATION.

3 **(4)** THE TERM OF THE LICENSE IS 5 YEARS.

4 **(D)** ON A PROPERLY APPROVED TRANSMITTAL PREPARED BY THE
5 COMMISSION, THE COMPTROLLER SHALL PAY THE FOLLOWING AMOUNTS FROM
6 THE ~~INITIAL LICENSE APPLICATION FEES, ANNUAL LICENSE FEES,~~ AND LICENSE
7 RENEWAL FEES COLLECTED BY THE COMMISSION UNDER THIS SECTION AND §
8 ~~9-1E-06~~ OF THIS SUBTITLE:

9 **(1)** AN AMOUNT TO THE STATE LOTTERY AND GAMING CONTROL
10 AGENCY NECESSARY TO REIMBURSE THE AGENCY FOR EXPENSES RELATED TO
11 ~~PERFORMING BACKGROUND INVESTIGATIONS AND OTHER ACTIVITIES RELATED TO~~
12 THE ISSUANCE AND RENEWAL OF SPORTS WAGERING LICENSES; ~~AND~~

13 **(2)** 5% OF THE FEES COLLECTED FOR EACH CLASS A-1 AND A-2
14 SPORTS WAGERING FACILITY LICENSE TO THE SMALL, MINORITY-OWNED, AND
15 WOMEN-OWNED BUSINESS SPORTS WAGERING ASSISTANCE FUND ESTABLISHED
16 UNDER § 9-1E-16 OF THIS SUBTITLE; AND

17 **(3)** THE REMAINDER TO THE BLUEPRINT FOR MARYLAND'S FUTURE
18 FUND ESTABLISHED UNDER § ~~5-219~~ 5-206 OF THE EDUCATION ARTICLE.

19 **(E)** **(1)** APPLICANTS AND LICENSEES SHALL HAVE THE AFFIRMATIVE
20 RESPONSIBILITY TO ESTABLISH BY CLEAR AND CONVINCING EVIDENCE THE
21 APPLICANT'S OR LICENSEE'S QUALIFICATIONS.

22 **(2)** APPLICANTS AND LICENSEES SHALL PROVIDE INFORMATION
23 REQUIRED BY THIS SUBTITLE AND SATISFY REQUESTS FOR INFORMATION RELATING
24 TO QUALIFICATIONS IN THE FORM SPECIFIED BY THE COMMISSION, IF APPLICABLE.

25 **(3)** **(I)** APPLICANTS AND LICENSEES SHALL:

26 1. PROVIDE ASSISTANCE OR INFORMATION REQUIRED
27 BY THE COMMISSION; AND

28 2. COOPERATE IN AN INQUIRY, AN INVESTIGATION, OR A
29 HEARING CONDUCTED BY THE COMMISSION.

30 **(II)** ON ISSUANCE OF A FORMAL REQUEST TO ANSWER OR
31 PRODUCE INFORMATION, EVIDENCE, OR TESTIMONY, IF AN APPLICANT OR A
32 LICENSEE REFUSES TO COMPLY, THE APPLICATION OR LICENSE MAY BE DENIED,
33 SUSPENDED, OR REVOKED BY THE COMMISSION.

1 (4) (I) IF THE APPLICANT IS AN INDIVIDUAL, THE APPLICANT
2 SHALL BE PHOTOGRAPHED AND FINGERPRINTED FOR IDENTIFICATION AND
3 INVESTIGATION PURPOSES.

4 (II) IF THE APPLICANT IS NOT AN INDIVIDUAL, THE
5 COMMISSION BY REGULATION MAY ESTABLISH THE CATEGORIES OF INDIVIDUALS
6 WHO SHALL BE PHOTOGRAPHED AND FINGERPRINTED FOR IDENTIFICATION AND
7 INVESTIGATION PURPOSES.

8 (5) (I) APPLICANTS AND LICENSEES SHALL INFORM THE
9 COMMISSION OF AN ACT OR OMISSION THAT THE PERSON KNOWS OR SHOULD KNOW
10 CONSTITUTES A VIOLATION OF THIS SUBTITLE OR THE REGULATIONS ADOPTED
11 UNDER THIS SUBTITLE.

12 (II) APPLICANTS AND LICENSEES MAY NOT DISCRIMINATE
13 AGAINST A PERSON WHO IN GOOD FAITH INFORMS THE COMMISSION OF AN ACT OR
14 OMISSION THAT THE PERSON BELIEVES CONSTITUTES A VIOLATION OF THIS
15 SUBTITLE OR THE REGULATIONS ADOPTED UNDER THIS SUBTITLE.

16 (6) APPLICANTS AND LICENSEES SHALL PRODUCE INFORMATION,
17 DOCUMENTATION, AND ASSURANCES TO ESTABLISH THE FOLLOWING
18 QUALIFICATION CRITERIA BY CLEAR AND CONVINCING EVIDENCE:

19 (I) THE FINANCIAL STABILITY, INTEGRITY, AND
20 RESPONSIBILITY OF THE APPLICANT OR LICENSEE;

21 (II) THE INTEGRITY OF ANY FINANCIAL BACKERS, INVESTORS,
22 MORTGAGEES, BONDHOLDERS, AND HOLDERS OF OTHER EVIDENCES OF
23 INDEBTEDNESS THAT BEAR A RELATION TO THE APPLICATION;

24 (III) THE APPLICANT'S OR LICENSEE'S GOOD CHARACTER,
25 HONESTY, AND INTEGRITY;

26 (IV) SUFFICIENT BUSINESS ABILITY AND EXPERIENCE OF THE
27 APPLICANT OR LICENSEE; AND

28 (V) THAT:

29 1. UNLESS THE APPLICANT OR LICENSEE ALREADY HAS
30 A COLLECTIVE BARGAINING AGREEMENT, THE APPLICANT OR LICENSEE HAS
31 ENTERED INTO A LABOR PEACE AGREEMENT WITH EACH LABOR ORGANIZATION
32 THAT IS ACTIVELY ENGAGED IN REPRESENTING OR ATTEMPTING TO REPRESENT
33 SPORTS WAGERING INDUSTRY WORKERS IN THE STATE;

1 **2. THE LABOR PEACE AGREEMENT IS VALID AND**
2 **ENFORCEABLE UNDER 29 U.S.C. § 158;**

3 **3. THE LABOR PEACE AGREEMENT PROTECTS THE**
4 **STATE'S REVENUES BY PROHIBITING THE LABOR ORGANIZATION AND ITS MEMBERS**
5 **FROM ENGAGING IN PICKETING, WORK STOPPAGES, BOYCOTTS, AND ANY OTHER**
6 **ECONOMIC INTERFERENCE WITH THE OPERATION OF SPORTS WAGERING WITHIN**
7 **THE FIRST 5 YEARS OF THE EFFECTIVE DATE OF A SPORTS WAGERING LICENSE; AND**

8 **4. THE LABOR PEACE AGREEMENT APPLIES TO ALL**
9 **OPERATIONS CONDUCTED BY THE APPLICANT OR LICENSEE AT A FACILITY OR**
10 **LOCATION WHERE SPORTS WAGERING IS CONDUCTED.**

11 **(F) (1) ON THE FILING OF AN APPLICATION FOR ANY LICENSE REQUIRED**
12 **UNDER THIS SUBTITLE AND ANY SUPPLEMENTAL INFORMATION REQUIRED BY THE**
13 **COMMISSION, THE COMMISSION SHALL CONDUCT A BACKGROUND INVESTIGATION**
14 **ON THE QUALIFICATIONS OF THE APPLICANT AND ANY PERSON WHO IS REQUIRED**
15 **TO BE QUALIFIED UNDER THIS SUBTITLE AS A CONDITION OF A LICENSE.**

16 **(2) THE COMMISSION MAY REFER AN APPLICATION FOR A LICENSE**
17 **TO AN APPROVED VENDOR UNDER § 9-1A-20 OF THIS TITLE TO CONDUCT THE**
18 **BACKGROUND INVESTIGATION FOR THE COMMISSION.**

19 **(G) (1) AFTER RECEIVING THE RESULTS OF THE BACKGROUND**
20 **INVESTIGATION, THE COMMISSION MAY EITHER GRANT A LICENSE TO AN**
21 **APPLICANT WHOM THE COMMISSION DETERMINES TO BE QUALIFIED OR DENY THE**
22 **LICENSE TO AN APPLICANT WHOM THE COMMISSION DETERMINES TO BE NOT**
23 **QUALIFIED OR DISQUALIFIED.**

24 **(2) IF AN APPLICATION FOR A LICENSE IS DENIED, THE COMMISSION**
25 **SHALL PREPARE AND FILE AN ORDER DENYING THE LICENSE WITH A STATEMENT OF**
26 **THE REASONS FOR THE DENIAL, INCLUDING THE SPECIFIC FINDINGS OF FACT.**

27 **(H) (1) AN INDIVIDUAL MAY NOT KNOWINGLY GIVE FALSE INFORMATION**
28 **OR MAKE A MATERIAL MISSTATEMENT IN AN APPLICATION REQUIRED FOR ANY**
29 **LICENSE UNDER THIS SUBTITLE OR IN ANY SUPPLEMENTAL INFORMATION**
30 **REQUIRED BY THE COMMISSION.**

31 **(2) AN INDIVIDUAL WHO VIOLATES THIS SECTION IS GUILTY OF A**
32 **MISDEMEANOR AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT**
33 **EXCEEDING 3 YEARS OR A FINE NOT EXCEEDING \$5,000 OR BOTH.**

1 **(1) (1) THE HOLDER OF A CLASS B-1 OR B-2 SPORTS WAGERING**
2 **FACILITY LICENSE OR A MOBILE SPORTS WAGERING LICENSE MAY ONLY SELL OR**
3 **TRANSFER OWNERSHIP OF THE LICENSE IF THE LICENSEE WAS ACTIVELY ENGAGED**
4 **IN OPERATING SPORTS WAGERING IN THE STATE FOR AT LEAST 3 YEARS**
5 **IMMEDIATELY PRECEDING THE SALE OR TRANSFER OF THE OWNERSHIP OF THE**
6 **LICENSE.**

7 **(2) NOTHING IN PARAGRAPH (1) OF THIS SUBSECTION MAY BE**
8 **CONSTRUED TO LIMIT THE ABILITY OF THE COMMISSION TO ENFORCE THIS**
9 **SUBTITLE.**

10 **9-1E-08.**

11 **(A) THE COMMISSION MAY DENY A LICENSE TO AN APPLICANT FOR A**
12 **LICENSE UNDER § 9-1E-05 OF THIS SUBTITLE, REPRIMAND OR FINE A LICENSEE, OR**
13 **SUSPEND OR REVOKE A LICENSE FOR A VIOLATION OF:**

14 **(1) THIS SUBTITLE;**

15 **(2) A REGULATION ADOPTED UNDER THIS SUBTITLE; OR**

16 **(3) A CONDITION THAT THE COMMISSION SETS.**

17 **(B) FOR EACH VIOLATION SPECIFIED IN SUBSECTION (A) OF THIS SECTION,**
18 **THE COMMISSION MAY IMPOSE A PENALTY NOT EXCEEDING \$5,000.**

19 **(C) EACH DAY THAT A PERSON IS IN VIOLATION UNDER THIS SECTION**
20 **SHALL BE CONSIDERED A SEPARATE VIOLATION.**

21 **(D) TO DETERMINE THE AMOUNT OF THE PENALTY IMPOSED UNDER**
22 **SUBSECTION (B) OF THIS SECTION, THE COMMISSION SHALL CONSIDER:**

23 **(1) THE SERIOUSNESS OF THE VIOLATION;**

24 **(2) THE HARM CAUSED BY THE VIOLATION; AND**

25 **(3) THE GOOD FAITH OR LACK OF GOOD FAITH OF THE PERSON WHO**
26 **COMMITTED THE VIOLATION.**

27 **(E) EXCEPT AS OTHERWISE PROVIDED IN THIS SUBTITLE, NOTHING**
28 **CONTAINED IN THIS SUBTITLE ABROGATES OR LIMITS THE CRIMINAL LAWS OF THE**
29 **STATE OR LIMITS THE AUTHORITY OF THE GENERAL ASSEMBLY TO ENACT**
30 **STATUTES ESTABLISHING CRIMINAL OFFENSES AND PENALTIES RELATING TO**
31 **SPORTS WAGERING OPERATIONS.**

1 **9-1E-09.**

2 (A) A SPORTS WAGERING FACILITY LICENSEE MAY ACCEPT WAGERS ON
3 SPORTING EVENTS THAT ARE MADE:

4 (1) BY AN INDIVIDUAL PHYSICALLY PRESENT:

5 (I) ~~IN~~ AT A VIDEO LOTTERY FACILITY, IF THE SPORTS
6 WAGERING LICENSEE IS A VIDEO LOTTERY OPERATOR;

7 (II) AT PIMLICO RACE COURSE, ON LIVE RACING DAYS OR DAYS
8 ON WHICH AN EVENT WITH AN ANTICIPATED ATTENDANCE OF AT LEAST 2,000
9 INDIVIDUALS IS HELD, OR A RACE TRACK LOCATED AT LAUREL PARK ~~OR IN~~
10 ~~TIMONIUM,~~ IF THE SPORTS WAGERING LICENSEE IS A HORSE RACING LICENSEE
11 UNDER TITLE 11, SUBTITLE 5, PART II OF THE BUSINESS REGULATION ARTICLE;

12 ~~(III) AT THE MARYLAND STATE FAIRGROUNDS IN TIMONIUM, IF~~
13 ~~THE SPORTS WAGERING LICENSEE IS A HORSE RACING LICENSEE UNDER TITLE 11,~~
14 ~~SUBTITLE 5, PART III OF THE BUSINESS REGULATION ARTICLE;~~

15 ~~(IV) AT A FACILITY IDENTIFIED IN THE PERMIT ISSUED UNDER~~
16 ~~TITLE 11, SUBTITLE 8, PART III OF THE BUSINESS REGULATION ARTICLE TO HOLD~~
17 ~~SATELLITE SIMULCAST BETTING IN CHARLES COUNTY, IF THE SPORTS WAGERING~~
18 ~~LICENSEE IS A HORSE RACING LICENSEE;~~

19 ~~(V) (III) SUBJECT TO SUBSECTION (D) OF THIS SECTION, AT A~~
20 ~~STADIUM PRIMARILY USED FOR PROFESSIONAL FOOTBALL OR (NFL),~~
21 ~~PROFESSIONAL MAJOR LEAGUE BASEBALL, PROFESSIONAL HOCKEY (NHL),~~
22 ~~PROFESSIONAL BASKETBALL (NBA), OR PROFESSIONAL SOCCER (MLS), IF THE~~
23 ~~SPORTS WAGERING LICENSEE IS THE OWNER OR A LESSEE OR THE DESIGNEE OF THE~~
24 ~~OWNER OR LESSEE OF THE STADIUM; OR~~

25 ~~(IV) AT THE MARYLAND STATE FAIRGROUNDS IN TIMONIUM, IF~~
26 ~~THE SPORTS WAGERING LICENSEE IS THE HOLDER OF A LICENSE ISSUED BY THE~~
27 ~~STATE RACING COMMISSION UNDER § 11-524 OF THE BUSINESS REGULATION~~
28 ~~ARTICLE, OR A SUBSIDIARY OF THE LICENSE HOLDER;~~

29 ~~(V) AT A SATELLITE SIMULCAST FACILITY, IF THE SPORTS~~
30 ~~WAGERING LICENSEE IS THE OWNER OR LESSEE OF A SATELLITE SIMULCAST~~
31 ~~FACILITY DESCRIBED UNDER § 9-1E-06(A)(2) OF THIS SUBTITLE;~~

32 ~~(VI) AT A COMMERCIAL BINGO FACILITY WITH AT LEAST 200~~
33 ~~ELECTRONIC BINGO MACHINES OR ELECTRONIC TIP JAR MACHINES, IF THE SPORTS~~

1 WAGERING LICENSEE IS A COMMERCIAL BINGO OPERATOR DESCRIBED UNDER §
 2 9-1E-06(A)(2) OF THIS SUBTITLE; OR

3 ~~(III) (VI) (VII)~~ SUBJECT TO SUBSECTION (E) OF THIS SECTION,
 4 AT THE FACILITY IDENTIFIED IN THE APPLICATION APPROVED BY THE SPORTS
 5 WAGERING APPLICATION REVIEW COMMISSION, IF THE SPORTS WAGERING
 6 LICENSEE IS A HOLDER OF A CLASS ~~B~~ B-1 OR B-2 SPORTS WAGERING FACILITY
 7 LICENSE; OR

8 ~~(IV) SUBJECT TO SUBSECTION (D) OF THIS SECTION, AT A~~
 9 ~~STADIUM PRIMARILY USED FOR PROFESSIONAL FOOTBALL OR PROFESSIONAL~~
 10 ~~BASEBALL IF THE SPORTS WAGERING LICENSEE IS THE OPERATOR OF A VIDEO~~
 11 ~~LOTTERY FACILITY LOCATED IN THE SAME COUNTY AS THE STADIUM; OR~~

12 (2) ON A SELF-SERVICE KIOSK, DEVICE, OR MACHINE, APPROVED BY
 13 THE COMMISSION, LOCATED IN A FACILITY OR AT A LOCATION IDENTIFIED UNDER
 14 ITEM (1) OF THIS SUBSECTION.

15 (B) A MOBILE SPORTS WAGERING LICENSEE MAY ACCEPT WAGERS ON
 16 SPORTING EVENTS THAT ARE MADE THROUGH ONLINE SPORTS WAGERING BY AN
 17 INDIVIDUAL PHYSICALLY LOCATED IN THE STATE.

18 (C) TO PARTICIPATE IN ONLINE SPORTS WAGERING UNDER THIS SECTION,
 19 AN INDIVIDUAL SHALL REGISTER:

20 (1) ~~IF THE MOBILE SPORTS WAGERING LICENSEE IS ALSO A SPORTS~~
 21 ~~WAGERING FACILITY LICENSEE, IN PERSON AT A FACILITY OR LOCATION IDENTIFIED~~
 22 ~~UNDER SUBSECTION (A)(1) OF THIS SECTION; OR~~

23 (2) ONLINE USING A WEBSITE OR MOBILE APPLICATION APPROVED
 24 BY THE COMMISSION.

25 ~~(D) A SPORTS WAGERING LICENSEE AUTHORIZED TO ACCEPT IN PERSON~~
 26 ~~WAGERS AT A STADIUM UNDER SUBSECTION (A)(1)(IV) (A)(1)(V) OF THIS SECTION:~~

27 ~~(1) MAY ACCEPT WAGERS AT THE STADIUM ONLY IN TICKETED AREAS~~
 28 ~~AND ONLY ON LIVE GAME DAYS AND DAYS ON WHICH AN EVENT WITH AN~~
 29 ~~ANTICIPATED ATTENDANCE OF AT LEAST 10,000 INDIVIDUALS IS HELD; AND~~

30 ~~(2) SHALL OWN OR LEASE THE SPORTS WAGERING EQUIPMENT AT~~
 31 ~~THE STADIUM AND SHALL, WITH ITS EMPLOYEES, OPERATE THE EQUIPMENT.~~

32 (D) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, A SPORTS
 33 WAGERING FACILITY LICENSEE MAY CONTRACT WITH ANY OTHER SPORTS WAGERING

1 FACILITY LICENSEE TO PROVIDE SPORTS WAGERING SERVICES ON BEHALF OF THE
2 LICENSEE AT A LOCATION WHERE THE LICENSEE IS AUTHORIZED TO ACCEPT WAGERS
3 ON SPORTING EVENTS.

4 (2) IF A SPORTS WAGERING LICENSEE AUTHORIZED TO ACCEPT
5 WAGERS AT A STADIUM UNDER SUBSECTION (A)(1)(III) OF THIS SECTION CONTRACTS
6 WITH A VIDEO LOTTERY OPERATOR, OR AN AFFILIATE OR A SUBSIDIARY OF THAT
7 VIDEO LOTTERY OPERATOR, TO PROVIDE SPORTS WAGERING SERVICES AT THE
8 STADIUM, THE LICENSEE MAY CONTRACT ONLY WITH A VIDEO LOTTERY OPERATOR,
9 OR AN AFFILIATE OR A SUBSIDIARY OF THAT VIDEO LOTTERY OPERATOR, THAT
10 OPERATES A VIDEO LOTTERY FACILITY LOCATED IN THE SAME COUNTY AS THE
11 STADIUM.

12 (E) A SPORTS WAGERING FACILITY LICENSEE AUTHORIZED TO ACCEPT
13 IN-PERSON WAGERS AT THE RACING LOCATION DESCRIBED UNDER TITLE 11,
14 SUBTITLE 7 OF THE BUSINESS REGULATION ARTICLE LOCATED ON LANDS OWNED
15 BY THE DEPARTMENT OF NATURAL RESOURCES MAY ONLY ACCEPT WAGERS IN THE
16 SPECIAL EVENT ZONE.

17 9-1E-10.

18 (A) (1) A MOBILE SPORTS WAGERING LICENSEE:

19 (I) MAY CONDUCT AND OPERATE ONLINE SPORTS WAGERING;
20 OR

21 (II) SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION AND
22 SUBSECTION (B) OF THIS SECTION, MAY ENTER INTO A CONTRACT WITH AN ONLINE
23 SPORTS WAGERING OPERATOR TO CONDUCT ONLINE SPORTS WAGERING ON ITS
24 BEHALF.

25 (2) A PERSON OTHER THAN THE MOBILE SPORTS WAGERING
26 LICENSEE MAY NOT CONDUCT ONLINE SPORTS WAGERING, EXCEPT FOR TESTING
27 PURPOSES, UNTIL THE PERSON RECEIVES FROM THE COMMISSION AN ONLINE
28 SPORTS WAGERING LICENSE.

29 (3) (I) A MOBILE SPORTS WAGERING LICENSEE MAY NOT
30 CONTRACT WITH MORE THAN ONE ONLINE SPORTS WAGERING OPERATOR TO
31 CONDUCT ONLINE SPORTS WAGERING ON THE LICENSEE'S BEHALF.

32 (II) ALL MOBILE SPORTS WAGERING LICENSEES THAT ARE
33 RELATED ENTITIES ARE TREATED AS A SINGLE MOBILE SPORTS WAGERING
34 LICENSEE FOR PURPOSES OF THE LIMITATION UNDER SUBPARAGRAPH (I) OF THIS
35 PARAGRAPH.

1 **(B) (1) THE DUTIES AND RESPONSIBILITIES OF AN ONLINE SPORTS**
2 **WAGERING OPERATOR MAY NOT BE ASSIGNED, DELEGATED, SUBCONTRACTED, OR**
3 **TRANSFERRED TO A THIRD PARTY WITHOUT THE PRIOR APPROVAL OF THE**
4 **COMMISSION.**

5 **(2) A THIRD PARTY MUST BE LICENSED AS AN ONLINE SPORTS**
6 **WAGERING OPERATOR BEFORE OFFERING ONLINE SPORTS WAGERING.**

7 **(C) AN ONLINE SPORTS WAGERING OPERATOR MAY CONDUCT ONLINE**
8 **SPORTS WAGERING ON BEHALF OF MORE THAN ONE MOBILE SPORTS WAGERING**
9 **LICENSEE.**

10 **9-1E-11.**

11 **(A) AN INDIVIDUAL MAY NOT WAGER ON A SPORTING EVENT AND A SPORTS**
12 **WAGERING LICENSEE MAY NOT ACCEPT A WAGER FROM AN INDIVIDUAL ON A**
13 **SPORTING EVENT IF THE INDIVIDUAL:**

14 **(1) IS UNDER THE AGE OF 21 YEARS;**

15 **(2) IS NOT PHYSICALLY PRESENT IN THE STATE;**

16 **(3) IS AN ATHLETE, A COACH, A REFEREE, OR A DIRECTOR OR AN**
17 **EMPLOYEE OF A SPORTS GOVERNING ENTITY OR ANY OF ITS MEMBER TEAMS;**

18 **(4) IS THE DIRECT OR INDIRECT LEGAL OR BENEFICIAL OWNER OF**
19 **10% OR MORE OF A SPORTS GOVERNING ENTITY OR ANY OF ITS MEMBER TEAMS IF**
20 **ANY MEMBER TEAM OF THAT SPORTS GOVERNING ENTITY PARTICIPATES IN THE**
21 **SPORTING EVENT;**

22 **(5) HAS ACCESS TO CERTAIN TYPES OF EXCLUSIVE INFORMATION ON**
23 **ANY SPORTING EVENT OVERSEEN BY THAT INDIVIDUAL'S SPORTS GOVERNING**
24 **ENTITY;**

25 **(6) HOLDS A POSITION OF AUTHORITY OR INFLUENCE SUFFICIENT TO**
26 **EXERT INFLUENCE OVER THE PARTICIPANTS IN A SPORTING EVENT, INCLUDING**
27 **COACHES, MANAGERS, HANDLERS, OR ATHLETIC TRAINERS;**

28 **(7) IS IDENTIFIED ON A MANDATORY OR VOLUNTARY SPORTS**
29 **WAGERING EXCLUSION LIST MAINTAINED BY THE COMMISSION;**

30 **(8) IS THE OPERATOR, DIRECTOR, OFFICER, OWNER, OR EMPLOYEE**
31 **OF THE SPORTS WAGERING LICENSEE OR ONLINE SPORTS WAGERING OPERATOR OR**

1 ANY RELATIVE OF THE LICENSEE OR OPERATOR LIVING IN THE SAME HOUSEHOLD
2 AS THE LICENSEE OR OPERATOR;

3 (9) HAS ACCESS TO NONPUBLIC CONFIDENTIAL INFORMATION HELD
4 BY THE SPORTS WAGERING LICENSEE OR ONLINE SPORTS WAGERING OPERATOR; OR

5 (10) IS A CATEGORY OF INDIVIDUALS PROHIBITED BY THE
6 COMMISSION UNDER SUBSECTION (E) OF THIS SECTION FROM WAGERING ON A
7 SPORTING EVENT.

8 (B) FOR ONLINE SPORTS WAGERING, A MOBILE SPORTS WAGERING
9 LICENSEE SHALL:

10 (1) HAVE IN PLACE TECHNICAL AND OPERATIONAL MEASURES TO
11 PREVENT ACCESS BY INDIVIDUALS WHO ARE UNDERAGE OR PHYSICALLY LOCATED
12 OUTSIDE THE STATE, INCLUDING:

13 (I) AGE VERIFICATION PROCEDURES, WHICH MAY REQUIRE
14 THE USE OF A REPUTABLE INDEPENDENT THIRD PARTY THAT IS IN THE BUSINESS
15 OF VERIFYING AN INDIVIDUAL'S PERSONALLY IDENTIFIABLE INFORMATION; AND

16 (II) THE USE OF GEOLOCATION TECHNOLOGY TO VERIFY A
17 BETTOR'S GEOGRAPHIC LOCATION;

18 (2) INCLUDE ON ITS ONLINE SPORTS WAGERING WEBSITE A
19 DESCRIPTION OF THE POSSIBLE REPERCUSSIONS FOR AN UNDERAGE OR
20 OUT-OF-STATE BETTOR, WHICH MAY INCLUDE IMMEDIATE STOPPAGE OF PLAY,
21 ACCOUNT CLOSURE, AND FORFEITURE AND CONFISCATION OF WINNINGS; AND

22 (3) ESTABLISH PROCEDURES TO PREVENT PROHIBITED INDIVIDUALS
23 FROM WAGERING ON SPORTING EVENTS.

24 (C) A SPORTS WAGERING LICENSEE SHALL:

25 (1) PROMPTLY REPORT TO THE COMMISSION:

26 (I) ANY CRIMINAL OR DISCIPLINARY PROCEEDINGS AGAINST
27 THE LICENSEE OR ITS EMPLOYEES IN CONNECTION WITH THE LICENSEE'S SPORTS
28 WAGERING OPERATION;

29 (II) ANY ABNORMAL BETTING ACTIVITY OR PATTERNS THAT
30 MAY INDICATE A CONCERN ABOUT THE INTEGRITY OF A SPORTING EVENT;

1 (III) ANY OTHER CONDUCT WITH THE POTENTIAL TO CORRUPT
2 THE OUTCOME OF A SPORTING EVENT FOR PURPOSES OF FINANCIAL GAIN,
3 INCLUDING MATCH FIXING; AND

4 (IV) ANY SUSPICIOUS OR ILLEGAL WAGERING ACTIVITIES,
5 INCLUDING THE USE OF FUNDS DERIVED FROM ILLEGAL ACTIVITY, WAGERS TO
6 CONCEAL OR LAUNDER FUNDS DERIVED FROM ILLEGAL ACTIVITY, USE OF AGENTS
7 TO PLACE WAGERS, OR USE OF FALSE IDENTIFICATION; AND

8 (2) MAINTAIN RECORDS OF SPORTS WAGERING OPERATIONS IN
9 ACCORDANCE WITH REGULATIONS ADOPTED BY THE COMMISSION.

10 (D) THE COMMISSION IS AUTHORIZED TO SHARE ANY INFORMATION UNDER
11 THIS SECTION WITH ANY LAW ENFORCEMENT AGENCY, SPORTS TEAM, SPORTS
12 GOVERNING ENTITY, OR REGULATORY AGENCY THE COMMISSION DEEMS
13 APPROPRIATE.

14 (E) (1) IN THIS SUBSECTION, "INTERESTED PARTY" MEANS:

15 (I) A SPORTS WAGERING LICENSEE;

16 (II) A PROFESSIONAL SPORTS TEAM, LEAGUE, ASSOCIATION, OR
17 GOVERNING ENTITY; OR

18 (III) AN INSTITUTION OF HIGHER EDUCATION.

19 (2) IF AN INTERESTED PARTY BELIEVES THAT A TYPE OR FORM OF
20 WAGERING OR A CATEGORY OF INDIVIDUALS WAGERING ON SPORTING EVENTS IS
21 CONTRARY TO PUBLIC POLICY, IS UNFAIR TO CONSUMERS, OR AFFECTS THE
22 INTEGRITY OF A PARTICULAR SPORT OR THE SPORTS WAGERING INDUSTRY, THE
23 INTERESTED PARTY MAY SUBMIT TO THE COMMISSION, IN WRITING, A REQUEST TO
24 PROHIBIT THE TYPE OR FORM OF SPORTS WAGERING OR THE CATEGORY OF
25 INDIVIDUALS FROM WAGERING ON SPORTING EVENTS.

26 (3) ~~THE~~ AFTER CONDUCTING A PUBLIC HEARING ON A REQUEST
27 SUBMITTED UNDER PARAGRAPH (2) OF THIS SUBSECTION, THE COMMISSION MAY
28 GRANT A THE REQUEST ~~SUBMITTED UNDER PARAGRAPH (2) OF THIS SUBSECTION~~
29 ON A SHOWING OF GOOD CAUSE BY THE INTERESTED PARTY.

30 (4) THE COMMISSION SHALL RESPOND TO A REQUEST UNDER THIS
31 SUBSECTION CONCERNING A PARTICULAR SPORTING EVENT BEFORE THE START OF
32 THE SPORTING EVENT TO THE GREATEST EXTENT FEASIBLE, OR AS SOON AS
33 PRACTICABLE.

1 9-1E-12.

2 (A) (1) THE COMMISSION SHALL ACCOUNT TO THE COMPTROLLER FOR
3 ALL OF THE REVENUE UNDER THIS SUBTITLE.

4 (2) THE PROCEEDS FROM SPORTS WAGERING, LESS THE AMOUNT
5 RETAINED BY THE LICENSEE UNDER SUBSECTION (B)(1) OF THIS SECTION, SHALL
6 BE UNDER THE CONTROL OF THE COMPTROLLER AND DISTRIBUTED AS PROVIDED
7 UNDER SUBSECTION (B) OF THIS SECTION.

8 (B) (1) (I) EXCEPT AS PROVIDED IN SUBPARAGRAPHS ~~(II) AND (III)~~
9 (II), (III), AND (IV) OF THIS PARAGRAPH, ALL PROCEEDS FROM SPORTS WAGERING
10 SHALL BE ELECTRONICALLY TRANSFERRED ~~DAILY~~ MONTHLY INTO THE STATE
11 LOTTERY FUND ESTABLISHED UNDER SUBTITLE 1 OF THIS TITLE.

12 (II) A CLASS A-1 AND A-2 SPORTS WAGERING FACILITY
13 LICENSEE SHALL RETAIN 85% OF THE PROCEEDS FROM SPORTS WAGERING
14 CONDUCTED AT THE LOCATIONS DESCRIBED IN § 9-1E-09(A) OF THIS SUBTITLE.

15 ~~(III) A MOBILE SPORTS WAGERING LICENSEE SHALL RETAIN:~~

16 ~~1. OF THE FIRST \$5,000,000 OF PROCEEDS FROM~~
17 ~~ONLINE SPORTS WAGERING RECEIVED BY THE SPORTS WAGERING LICENSEE~~
18 ~~DURING THE CALENDAR YEAR, 85% OF THE PROCEEDS; AND~~

19 ~~2. OF ANY PROCEEDS FROM ONLINE SPORTS WAGERING~~
20 ~~RECEIVED BY THE SPORTS WAGERING LICENSEE DURING THE CALENDAR YEAR~~
21 ~~EXCEEDING \$5,000,000, 82.5% OF THE PROCEEDS.~~

22 (III) A CLASS B-1 AND B-2 SPORTS WAGERING FACILITY
23 LICENSEE SHALL RETAIN 85% OF THE PROCEEDS FROM SPORTS WAGERING
24 CONDUCTED AT THE LOCATION DESCRIBED IN THE LICENSEE'S APPLICATION.

25 (IV) A MOBILE SPORTS WAGERING LICENSEE SHALL RETAIN 85%
26 OF THE PROCEEDS FROM ONLINE SPORTS WAGERING RECEIVED BY THE LICENSEE.

27 (2) ALL PROCEEDS FROM SPORTS WAGERING IN THE STATE LOTTERY
28 FUND ESTABLISHED UNDER SUBTITLE 1 OF THIS TITLE SHALL BE DISTRIBUTED ON
29 A MONTHLY BASIS, ON A PROPERLY APPROVED TRANSMITTAL PREPARED BY THE
30 COMMISSION TO THE BLUEPRINT FOR MARYLAND'S FUTURE FUND ESTABLISHED
31 UNDER § ~~5-219~~ 5-206 OF THE EDUCATION ARTICLE.

32 (C) A WINNING WAGER ON A SPORTING EVENT THAT IS NOT CLAIMED BY THE
33 WINNER WITHIN 182 DAYS AFTER THE WAGER IS WON SHALL:

1 (1) BECOME THE PROPERTY OF THE STATE; AND

2 (2) BE DISTRIBUTED TO ~~THE BLUEPRINT FOR MARYLAND'S FUTURE~~
3 ~~FUND ESTABLISHED UNDER § 5-219 OF THE EDUCATION ARTICLE~~ THE PROBLEM
4 GAMBLING FUND ESTABLISHED UNDER § 9-1A-33 OF THIS TITLE.

5 (D) IF A SPORTS WAGERING LICENSEE RETURNS TO SUCCESSFUL PLAYERS
6 MORE THAN THE AMOUNT OF MONEY WAGERED ~~ON ANY DAY IN ANY MONTH~~, THE
7 LICENSEE MAY SUBTRACT THAT AMOUNT FROM THE PROCEEDS OF UP TO ~~90~~
8 ~~FOLLOWING DAYS~~ THE THREE FOLLOWING MONTHS.

9 9-1E-13.

10 (A) ALL WAGERS ON SPORTING EVENTS AUTHORIZED UNDER THIS
11 SUBTITLE SHALL BE INITIATED, RECEIVED, AND OTHERWISE MADE WITHIN THE
12 STATE UNLESS OTHERWISE DETERMINED BY THE COMMISSION IN ACCORDANCE
13 WITH APPLICABLE FEDERAL AND STATE LAWS.

14 (B) CONSISTENT WITH THE INTENT OF THE UNITED STATES CONGRESS AS
15 ARTICULATED IN THE UNLAWFUL INTERNET GAMBLING ENFORCEMENT ACT OF
16 2006, THE INTERMEDIATE ROUTING OF ELECTRONIC DATA RELATING TO A LAWFUL
17 INTRASTATE WAGER AUTHORIZED UNDER THIS SUBTITLE MAY NOT DETERMINE THE
18 LOCATION IN WHICH THE WAGER IS INITIATED, RECEIVED, OR OTHERWISE MADE.

19 (C) NOTWITHSTANDING THE PROVISIONS OF THIS SUBTITLE, A WAGER ON A
20 SPORTING EVENT MAY BE ACCEPTED OR POOLED WITH A WAGER FROM AN
21 INDIVIDUAL WHO IS NOT PHYSICALLY PRESENT IN THE STATE IF THE COMMISSION
22 DETERMINES THAT ACCEPTING OR POOLING THE WAGER IS NOT INCONSISTENT
23 WITH FEDERAL LAW OR THE LAW OF THE JURISDICTION, INCLUDING ANY FOREIGN
24 NATION, IN WHICH THE INDIVIDUAL IS LOCATED, OR THAT SUCH WAGERING IS
25 CONDUCTED IN ACCORDANCE WITH A RECIPROCAL AGREEMENT TO WHICH THE
26 STATE IS A PARTY THAT IS NOT INCONSISTENT WITH FEDERAL LAW.

27 9-1E-14.

28 (A) ON OR BEFORE JULY 1 EACH YEAR, EACH SPORTS WAGERING LICENSEE
29 SHALL REPORT TO THE COMMISSION ON:

30 (1) THE NUMBER OF MINORITY AND WOMEN OWNERS OF THE
31 APPLICANT LICENSEE;

32 (2) THE OWNERSHIP INTEREST OF ANY MINORITY AND WOMEN
33 OWNERS OF THE APPLICANT LICENSEE;

1 **(3) THE NUMBER OF MINORITY AND WOMEN EMPLOYEES OF THE**
 2 **APPLICANT LICENSEE;**

3 **(4) THE NUMBER OF CURRENT CONTRACTS THE LICENSEE HAS WITH**
 4 **MINORITY- AND WOMEN-OWNED SUBCONTRACTORS; AND**

5 ~~**(4) (5)**~~ **ANY OTHER INFORMATION CONSIDERED NECESSARY BY**
 6 **THE COMMISSION.**

7 **(B) ON OR BEFORE DECEMBER 1 EACH YEAR, THE COMMISSION SHALL**
 8 **REPORT TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2-1257 OF THIS ARTICLE,**
 9 **TO THE GENERAL ASSEMBLY ON:**

10 **(1) THE OPERATION OF SPORTS WAGERING IN THE STATE; AND**

11 **(2) SPORTS WAGERING REVENUES FROM THE IMMEDIATELY**
 12 **PRECEDING FISCAL YEAR, INCLUDING THE HANDLE, HOLD, HOLD PERCENTAGE,**
 13 **AND PROCEEDS, BROKEN DOWN BY CATEGORIES DEFINED BY THE COMMISSION.**

14 **(C) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, ON OR BEFORE**
 15 **DECEMBER 1, 2025, THE COMMISSION SHALL REPORT TO THE GENERAL ASSEMBLY,**
 16 **IN ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE, ON THE**
 17 **RACIAL, ETHNIC, GENDER, AND GEOGRAPHIC DIVERSITY OF HOLDERS OF CLASS**
 18 **B-1 AND B-2 SPORTS WAGERING FACILITY LICENSES AND MOBILE SPORTS**
 19 **WAGERING LICENSES UNDER THIS SUBTITLE, THE LEVEL OF MARKET SATURATION**
 20 **OF SPORTS WAGERING IN THE STATE, AND WHETHER THE NUMBER OF CLASS B-1**
 21 **AND B-2 SPORTS WAGERING FACILITY LICENSES AND MOBILE SPORTS WAGERING**
 22 **LICENSES THAT MAY BE ISSUED UNDER THIS SUBTITLE SHOULD BE INCREASED IN**
 23 **ORDER TO ADDRESS THE DEMAND FOR SPORTS WAGERING IN THE STATE.**

24 **(2) BEFORE THE COMMISSION SUBMITS THE REPORT DESCRIBED**
 25 **UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE COMMISSION SHALL PROVIDE**
 26 **THE LEGISLATIVE POLICY COMMITTEE WITH AT LEAST 30 DAYS TO SUBMIT**
 27 **COMMENTS TO THE COMMISSION.**

28 **9-1E-15.**

29 **(A) THERE IS A SPORTS WAGERING APPLICATION REVIEW COMMISSION.**

30 **(B) (1) THE SPORTS WAGERING APPLICATION REVIEW COMMISSION**
 31 **CONSISTS OF THE FOLLOWING SEVEN MEMBERS:**

1 **(I) THE CHAIR OF THE COMMISSION, OR THE CHAIR'S**
2 **DESIGNEE;**

3 **(II) TWO MEMBERS APPOINTED BY THE GOVERNOR;**

4 **(III) TWO MEMBERS APPOINTED BY THE PRESIDENT OF THE**
5 **SENATE, WHO MAY NOT BE MEMBERS OF THE SENATE; AND**

6 **(IV) TWO MEMBERS APPOINTED BY THE SPEAKER OF THE**
7 **HOUSE, WHO MAY NOT BE MEMBERS OF THE HOUSE OF DELEGATES.**

8 **(2) THE MEMBERSHIP OF THE SPORTS WAGERING APPLICATION**
9 **REVIEW COMMISSION APPOINTED UNDER THIS SUBSECTION SHOULD REFLECT THE**
10 **RACE, GENDER, AND GEOGRAPHIC DIVERSITY OF THE POPULATION OF THE STATE.**

11 **(3) THE GOVERNOR SHALL DESIGNATE A CHAIR OF THE SPORTS**
12 **WAGERING APPLICATION REVIEW COMMISSION FROM AMONG THE MEMBERS**
13 **DESCRIBED UNDER PARAGRAPH (1)(I) AND (II) OF THIS SUBSECTION.**

14 **(4) THE GOVERNOR, IN CONSULTATION WITH THE PRESIDENT OF**
15 **THE SENATE AND THE SPEAKER OF THE HOUSE, MAY REMOVE A MEMBER OF THE**
16 **SPORTS WAGERING APPLICATION REVIEW COMMISSION FOR INEFFICIENCY,**
17 **MISCONDUCT IN OFFICE, OR NEGLIGENCE OF DUTY.**

18 **(C) A MEMBER OF THE SPORTS WAGERING APPLICATION REVIEW**
19 **COMMISSION:**

20 **(1) SHALL BE AT LEAST 21 YEARS OLD;**

21 **(2) SHALL BE A CITIZEN OF THE UNITED STATES;**

22 **(3) SHALL BE A RESIDENT OF THE STATE;**

23 **(4) SHALL BE KNOWLEDGEABLE AND EXPERIENCED IN FISCAL**
24 **MATTERS AND SHALL HAVE AT LEAST 10 YEARS OF SUBSTANTIAL EXPERIENCE:**

25 **(I) AS AN EXECUTIVE WITH FIDUCIARY RESPONSIBILITIES IN**
26 **CHARGE OF A LARGE ORGANIZATION OR FOUNDATION;**

27 **(II) IN AN ACADEMIC FIELD RELATING TO FINANCE OR**
28 **ECONOMICS; OR**

1 (III) AS AN ECONOMIST, A FINANCIAL ANALYST, OR AN
2 ACCOUNTANT, OR AS A PROFESSIONAL IN A SIMILAR PROFESSION RELATING TO
3 FISCAL MATTERS OR ECONOMICS;

4 (5) MAY NOT HAVE BEEN CONVICTED OF OR GRANTED PROBATION
5 BEFORE JUDGMENT FOR A SERIOUS CRIME OR A CRIME THAT INVOLVES GAMBLING
6 OR MORAL TURPITUDE;

7 (6) MAY NOT HAVE AN OFFICIAL RELATIONSHIP TO A PERSON THAT IS
8 APPLYING FOR OR HOLDS A LICENSE UNDER THIS SUBTITLE OR SUBTITLE 1D OF
9 THIS TITLE;

10 (7) MAY NOT HAVE ANY DIRECT OR INDIRECT FINANCIAL INTEREST,
11 OWNERSHIP, OR MANAGEMENT, INCLUDING HOLDING ANY STOCKS, BONDS, OR
12 OTHER SIMILAR FINANCIAL INTERESTS IN ANY GAMING ACTIVITIES, INCLUDING
13 HORSE RACING, VIDEO LOTTERY TERMINALS, FANTASY COMPETITIONS, OR
14 LOTTERY;

15 (8) MAY NOT RECEIVE OR SHARE IN, DIRECTLY OR INDIRECTLY, THE
16 RECEIPTS OR PROCEEDS OF ANY GAMING ACTIVITIES, INCLUDING HORSE RACING
17 OR LOTTERY;

18 (9) MAY NOT HAVE A BENEFICIAL INTEREST IN ANY CONTRACT FOR
19 THE MANUFACTURE OR SALE OF GAMING DEVICES, THE CONDUCT OF ANY GAMING
20 ACTIVITY, OR THE PROVISION OF ANY INDEPENDENT CONSULTING SERVICES IN
21 CONNECTION WITH ANY GAMING ESTABLISHMENT OR GAMING ACTIVITY;

22 (10) MAY NOT BE AN ELECTED OFFICIAL OF STATE OR LOCAL
23 GOVERNMENT; AND

24 (11) SHALL FILE A FINANCIAL DISCLOSURE STATEMENT WITH THE
25 STATE ETHICS COMMISSION IN ACCORDANCE WITH TITLE 15, SUBTITLE 6 OF THIS
26 ARTICLE.

27 (D) A MEMBER OF THE SPORTS WAGERING APPLICATION REVIEW
28 COMMISSION:

29 (1) MAY NOT RECEIVE COMPENSATION FOR SERVING ON THE SPORTS
30 WAGERING LICENSE REVIEW COMMISSION; BUT

31 (2) IS ENTITLED TO REIMBURSEMENT FOR EXPENSES UNDER THE
32 STANDARD STATE TRAVEL REGULATIONS, AS PROVIDED IN THE STATE BUDGET.

1 (E) (1) THE COMMISSION AND THE DEPARTMENT OF LEGISLATIVE
 2 SERVICES SHALL PROVIDE STAFF TO THE SPORTS WAGERING APPLICATION
 3 REVIEW COMMISSION.

4 (2) THE DEPARTMENT OF LEGISLATIVE SERVICES SHALL CONTRACT
 5 WITH AN INDEPENDENT CONSULTANT THAT HAS AT LEAST 10 YEARS OF
 6 SUBSTANTIAL EXPERIENCE IN CONSULTING ON MATTERS RELATING TO THE GAMING
 7 INDUSTRY TO ASSIST THE SPORTS WAGERING APPLICATION REVIEW COMMISSION
 8 IN THE REVIEW AND ANALYSIS OF APPLICATIONS SUBMITTED UNDER THIS SECTION.

9 (F) THE SPORTS WAGERING APPLICATION REVIEW COMMISSION:

10 (1) SHALL REVIEW APPLICATIONS FOR ~~LICENSURE~~ SPORTS
 11 WAGERING LICENSES SUBMITTED IN ACCORDANCE WITH § 9-1E-06 OF THIS
 12 SUBTITLE; ~~AND~~

13 (2) SHALL AWARD:

14 (I) A CLASS A-1 OR A-2 FACILITY LICENSE TO ANY APPLICANT
 15 THAT MEETS THE REQUIREMENTS FOR LICENSURE UNDER THIS SUBTITLE; AND

16 (II) A CLASS B-1 OR B-2 FACILITY LICENSE TO ANY APPLICANT
 17 THAT IS DESCRIBED UNDER § 9-1E-06(A)(2)(I) OF THIS SUBTITLE AND MEETS THE
 18 REQUIREMENTS FOR LICENSURE UNDER THIS SUBTITLE; AND

19 ~~(2) MAY AWARD NOT MORE THAN FIVE 10-CLASS B SPORTS WAGERING~~
 20 ~~FACILITY LICENSES AND 10-15 MOBILE SPORTS WAGERING LICENSES TO QUALIFIED~~
 21 ~~APPLICANTS, THROUGH A COMPETITIVE PROCESS CONSISTENT WITH THE PROCESS~~
 22 ~~FOR COMPETITIVE SEALED PROPOSALS UNDER TITLE 13 OF THE STATE FINANCE~~
 23 ~~AND PROCUREMENT ARTICLE.~~

24 (3) MAY NOT AWARD A CLASS B-1 OR B-2 SPORTS WAGERING
 25 FACILITY LICENSE, OTHER THAN TO AN APPLICANT DESCRIBED UNDER §
 26 9-1E-06(A)(2)(I) OF THIS SUBTITLE, OR A MOBILE SPORTS WAGERING LICENSE
 27 UNTIL AFTER THE SPORTS WAGERING APPLICATION REVIEW COMMISSION ADOPTS
 28 THE REGULATIONS REQUIRED UNDER SUBSECTION (H) OF THIS SECTION.

29 (G) NOTHING IN THIS SUBTITLE MAY BE CONSTRUED TO PREEMPT THE
 30 EXCLUSIVE AUTHORITY OF THE SPORTS WAGERING APPLICATION REVIEW
 31 COMMISSION TO AWARD SPORTS WAGERING LICENSES IN ACCORDANCE WITH THIS
 32 SUBTITLE.

33 (H) (1) THIS SUBSECTION APPLIES ONLY TO CLASS B-1 OR B-2 SPORTS
 34 WAGERING FACILITY LICENSES, OTHER THAN LICENSES ISSUED TO AN APPLICANT

1 DESCRIBED UNDER § 9-1E-06(A)(2)(I) OF THIS SUBTITLE, AND MOBILE SPORTS
 2 WAGERING LICENSES.

3 (2) SUBJECT TO PARAGRAPH ~~(2)~~ (3) OF THIS SUBSECTION, THE
 4 SPORTS WAGERING APPLICATION REVIEW COMMISSION SHALL ADOPT
 5 REGULATIONS GOVERNING THE EVALUATION OF APPLICATIONS FOR CLASS B-1 OR
 6 B-2 SPORTS WAGERING FACILITY LICENSES, OTHER THAN LICENSES ISSUED TO AN
 7 APPLICANT DESCRIBED UNDER § 9-1E-06(A)(2)(I) OF THIS SUBTITLE, AND MOBILE
 8 ~~LICENSES~~ SPORTS WAGERING LICENSES SUBMITTED IN ACCORDANCE WITH §
 9 9-1E-06 OF THIS SUBTITLE.

10 ~~(2)~~ (3) THE SPORTS WAGERING APPLICATION REVIEW
 11 COMMISSION, IN CONSULTATION WITH THE CERTIFICATION AGENCY AS DEFINED IN
 12 § 14-301 OF THE STATE FINANCE AND PROCUREMENT ARTICLE, THE GOVERNOR'S
 13 OFFICE OF SMALL, MINORITY, AND WOMEN BUSINESS AFFAIRS, AND THE OFFICE
 14 OF THE ATTORNEY GENERAL, SHALL:

15 (I) EVALUATE A STUDY OF THE SPORTS WAGERING INDUSTRY
 16 AND MARKET TO DETERMINE WHETHER THERE IS A COMPELLING INTEREST TO
 17 IMPLEMENT REMEDIAL MEASURES, IN ADDITION TO THE APPLICATION OF THE
 18 STATE MINORITY BUSINESS ENTERPRISE PROGRAM UNDER TITLE 14, SUBTITLE 3
 19 OF THE STATE FINANCE AND PROCUREMENT ARTICLE OR A SIMILAR PROGRAM, TO
 20 ASSIST MINORITIES AND WOMEN IN THE SPORTS WAGERING INDUSTRY;

21 (II) EVALUATE RACE-NEUTRAL PROGRAMS OR OTHER
 22 METHODS THAT MAY BE USED TO ADDRESS THE NEEDS OF ~~MINORITY AND WOMEN~~
 23 ~~APPLICANTS~~ MINORITIES, WOMEN, AND MINORITY AND WOMEN-OWNED
 24 BUSINESSES SEEKING TO PARTICIPATE IN THE SPORTS WAGERING INDUSTRY,
 25 INCLUDING THROUGH THE OWNERSHIP OF ENTITIES LICENSED TO CONDUCT
 26 SPORTS WAGERING UNDER THIS SUBTITLE; AND

27 (III) CONSIDER WHETHER AN APPLICANT FOR A CLASS B-1 OR
 28 B-2 SPORTS WAGERING FACILITY LICENSE INTENDS TO CONDUCT SPORTS
 29 WAGERING AT A FACILITY LOCATED IN AN OPPORTUNITY ZONE OR AN ENTERPRISE
 30 ZONE;

31 (IV) CONSIDER ALLOWING EARLY ACCESS TO THE MOBILE
 32 SPORTS WAGERING MARKET TO ENTITIES WITH A MEANINGFUL PARTNERSHIP WITH
 33 MINORITIES, WOMEN, AND MINORITY- AND WOMEN-OWNED BUSINESSES; AND

34 (V) ADOPT EMERGENCY REGULATIONS TO IMPLEMENT
 35 REMEDIAL MEASURES, IF NECESSARY AND TO THE EXTENT PERMITTED BY STATE
 36 AND FEDERAL LAW, BASED ON THE FINDINGS OF THE STUDY EVALUATED UNDER
 37 ITEM (I) OF THIS PARAGRAPH.

1 ~~(3)~~ (4) THE SPORTS WAGERING APPLICATION REVIEW
2 COMMISSION SHALL:

3 (I) TO THE EXTENT PERMITTED BY FEDERAL AND STATE LAW,
4 ACTIVELY SEEK TO ACHIEVE RACIAL, ETHNIC, AND GENDER DIVERSITY WHEN
5 AWARDING LICENSES; AND

6 (II) ENCOURAGE APPLICANTS WHO QUALIFY AS A MINORITY
7 BUSINESS ENTERPRISE, AS DEFINED IN § 14-301 OF THE STATE FINANCE AND
8 PROCUREMENT ARTICLE, OR WHO ARE SMALL, MINORITY, OR WOMEN-OWNED
9 BUSINESS ENTITIES TO APPLY FOR SPORTS WAGERING LICENSES UNDER THIS
10 SUBTITLE.

11 (I) (1) IF AN APPLICANT IS SEEKING INVESTORS IN THE ENTITY
12 APPLYING FOR A SPORTS WAGERING LICENSE, THE APPLICANT SHALL TAKE THE
13 FOLLOWING STEPS BEFORE BEING AWARDED A LICENSE BY THE SPORTS WAGERING
14 APPLICATION REVIEW COMMISSION:

15 (I) MAKE SERIOUS, GOOD-FAITH EFFORTS TO SOLICIT AND
16 INTERVIEW A REASONABLE NUMBER OF MINORITY AND WOMEN INVESTORS; AND

17 (II) AS PART OF THE APPLICATION, SUBMIT A STATEMENT THAT
18 LISTS THE NAMES AND ADDRESSES OF ALL MINORITY AND WOMEN INVESTORS
19 INTERVIEWED AND WHETHER OR NOT ANY OF THOSE INVESTORS HAVE PURCHASED
20 AN EQUITY SHARE IN THE ENTITY SUBMITTING AN APPLICATION.

21 (2) IF AN APPLICANT IS AWARDED A LICENSE BY THE SPORTS
22 WAGERING APPLICATION REVIEW COMMISSION, THE APPLICANT SHALL SIGN A
23 MEMORANDUM OF UNDERSTANDING WITH THE SPORTS WAGERING APPLICATION
24 REVIEW COMMISSION THAT REQUIRES THE AWARDEE TO AGAIN MAKE SERIOUS,
25 GOOD-FAITH EFFORTS TO INTERVIEW MINORITY AND WOMEN INVESTORS IN ANY
26 FUTURE ATTEMPTS TO RAISE VENTURE CAPITAL OR ATTRACT NEW INVESTORS TO
27 THE ENTITY AWARDED THE LICENSE.

28 (3) THE GOVERNOR'S OFFICE OF SMALL, MINORITY, AND WOMEN
29 BUSINESS AFFAIRS, IN CONSULTATION WITH THE OFFICE OF THE ATTORNEY
30 GENERAL, SHALL PROVIDE ASSISTANCE TO ALL POTENTIAL APPLICANTS AND
31 POTENTIAL MINORITY AND WOMEN INVESTORS TO SATISFY THE REQUIREMENTS
32 UNDER PARAGRAPHS (1)(I) AND (2) OF THIS SUBSECTION.

33 (J) THE SPORTS WAGERING APPLICATION REVIEW COMMISSION MAY NOT
34 AWARD A SPORTS WAGERING LICENSE TO A PERSON THAT IS NOT QUALIFIED UNDER
35 THIS SECTION OR THIS SUBTITLE.

1 **(K) (1) THE SPORTS WAGERING APPLICATION REVIEW COMMISSION**
2 **SHALL REFER TO THE STATE LOTTERY AND GAMING CONTROL COMMISSION THE**
3 **NAME AND ALL RELEVANT INFORMATION CONCERNING A PERSON THAT MAKES AN**
4 **APPLICATION UNDER THIS SECTION.**

5 **(2) ON RECEIPT OF THE INFORMATION IN PARAGRAPH (1) OF THIS**
6 **SUBSECTION, THE STATE LOTTERY AND GAMING CONTROL COMMISSION SHALL**
7 **EVALUATE WHETHER AN APPLICANT IS QUALIFIED TO HOLD A SPORTS WAGERING**
8 **LICENSE UNDER THIS SUBTITLE.**

9 **(3) ON COMPLETION OF ITS DETERMINATION, THE STATE LOTTERY**
10 **AND GAMING CONTROL COMMISSION SHALL NOTIFY THE SPORTS WAGERING**
11 **APPLICATION REVIEW COMMISSION OF ITS EVALUATION AS TO WHETHER AN**
12 **APPLICANT IS QUALIFIED TO HOLD A SPORTS WAGERING LICENSE UNDER THIS**
13 **SUBTITLE.**

14 **(L) AFTER AN AWARD OF A SPORTS WAGERING LICENSE UNDER THIS**
15 **SECTION, THE SPORTS WAGERING APPLICATION REVIEW COMMISSION SHALL**
16 **NOTIFY THE STATE LOTTERY AND GAMING CONTROL COMMISSION OF THE**
17 **SUCCESSFUL APPLICANTS.**

18 **(M) AFTER AN AWARD OF A SPORTS WAGERING LICENSE UNDER THIS**
19 **SECTION, THE STATE LOTTERY AND GAMING CONTROL COMMISSION SHALL:**

20 **(1) ISSUE THE SPORTS WAGERING LICENSE IN ACCORDANCE WITH**
21 **THE PROVISIONS OF THIS SUBTITLE; AND**

22 **(2) BE RESPONSIBLE FOR ALL MATTERS RELATING TO REGULATION**
23 **OF THE LICENSEE.**

24 **(N) (1) AN UNSUCCESSFUL APPLICANT FOR A SPORTS WAGERING**
25 **LICENSE UNDER THIS SECTION MAY SEEK, UNDER TITLE 15 OF THE STATE FINANCE**
26 **AND PROCUREMENT ARTICLE, REVIEW BY THE STATE BOARD OF CONTRACT**
27 **APPEALS OF THE AWARDING OF THE SPORTS WAGERING LICENSE BY THE SPORTS**
28 **WAGERING APPLICATION REVIEW COMMISSION.**

29 **(2) A PROCEEDING UNDER THIS SUBSECTION SHALL:**

30 **(I) TAKE PRECEDENCE ON THE BOARD'S DOCKET;**

31 **(II) BE HEARD AT THE EARLIEST PRACTICABLE DATE; AND**

32 **(III) BE EXPEDITED IN EVERY WAY.**

1 (O) ~~(1) NOTHING IN THIS SUBTITLE MAY BE CONSTRUED TO REQUIRE THE~~
2 ~~SPORTS WAGERING APPLICATION REVIEW COMMISSION TO AWARD ALL FIVE 10~~
3 ~~CLASS B SPORTS WAGERING FACILITY LICENSES OR ALL 10 15 MOBILE SPORTS~~
4 ~~WAGERING LICENSES AUTHORIZED UNDER THIS SUBTITLE.~~

5 ~~(2)~~ NOTWITHSTANDING ANY OF THE PROVISIONS OF THIS SUBTITLE,
6 THE SPORTS WAGERING APPLICATION REVIEW COMMISSION MAY NOT AWARD A
7 SPORTS WAGERING LICENSE UNDER THIS SUBTITLE UNLESS THE SPORTS
8 WAGERING APPLICATION REVIEW COMMISSION DETERMINES AND DECLARES THAT
9 AN APPLICANT SELECTED FOR AWARD OF THE LICENSE IS IN THE PUBLIC INTEREST
10 AND IS CONSISTENT WITH THE PURPOSES OF THIS SUBTITLE.

11 (P) THE SPORTS WAGERING APPLICATION REVIEW COMMISSION MAY
12 AWARD A SPORTS WAGERING LICENSE THAT IS REVOKED OR SURRENDERED
13 UTILIZING THE CRITERIA ESTABLISHED IN THIS SUBTITLE.

14 (Q) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION,
15 THE SPORTS WAGERING APPLICATION REVIEW COMMISSION SHALL TERMINATE
16 ON JANUARY 1, 2028.

17 (2) THE GOVERNOR MAY RECONSTITUTE THE SPORTS WAGERING
18 APPLICATION REVIEW COMMISSION, WHICH SHALL INCLUDE THE APPOINTMENT OF
19 NEW MEMBERS BASED ON THE CRITERIA ESTABLISHED UNDER SUBSECTIONS (B)
20 AND (C) OF THIS SECTION:

21 (I) 1 YEAR PRIOR TO THE EXPIRATION OF A SPORTS WAGERING
22 LICENSE; OR

23 (II) FOLLOWING THE REVOCATION OR SURRENDER OF A SPORTS
24 WAGERING LICENSE.

25 9-1E-16.

26 (A) IN THIS SECTION, "FUND" MEANS THE SMALL, MINORITY-OWNED, AND
27 WOMEN-OWNED BUSINESS SPORTS WAGERING ASSISTANCE FUND.

28 (B) THERE IS A SMALL, MINORITY-OWNED, AND WOMEN-OWNED
29 BUSINESS SPORTS WAGERING ASSISTANCE FUND.

30 (C) THE PURPOSE OF THE FUND IS TO ASSIST SMALL, MINORITY-OWNED,
31 AND WOMEN-OWNED BUSINESSES ENTERING THE SPORTS WAGERING MARKET.

32 (D) THE DEPARTMENT OF COMMERCE SHALL ADMINISTER THE FUND.

1 **(E) (1) THE FUND IS A SPECIAL, NONLAPSING FUND THAT IS NOT**
 2 **SUBJECT TO § 7-302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.**

3 **(2) THE STATE TREASURER SHALL HOLD THE FUND SEPARATELY,**
 4 **AND THE COMPTROLLER SHALL ACCOUNT FOR THE FUND.**

5 **(F) THE FUND CONSISTS OF:**

6 **(1) REVENUE DISTRIBUTED TO THE FUND UNDER § 9-1E-07(D) OF**
 7 **THIS SUBTITLE;**

8 **(2) MONEY APPROPRIATED IN THE STATE BUDGET TO THE FUND; AND**

9 **(3) ANY OTHER MONEY FROM ANY OTHER SOURCE ACCEPTED FOR THE**
 10 **BENEFIT OF THE FUND.**

11 **(G) THE FUND MAY BE USED ONLY FOR GRANTS OR LOANS TO SMALL,**
 12 **MINORITY-OWNED, OR WOMEN-OWNED BUSINESSES FOR:**

13 **(1) SPORTS WAGERING LICENSE APPLICATION ASSISTANCE;**

14 **(2) ASSISTANCE WITH SPORTS WAGERING OPERATIONS; OR**

15 **(3) TARGETED TRAINING TO SUPPORT PARTICIPATION IN THE SPORTS**
 16 **WAGERING INDUSTRY.**

17 **(H) (1) THE STATE TREASURER SHALL INVEST THE MONEY OF THE FUND**
 18 **IN THE SAME MANNER AS OTHER STATE MONEY MAY BE INVESTED.**

19 **(2) ANY INTEREST EARNINGS OF THE FUND SHALL BE CREDITED TO**
 20 **THE GENERAL FUND OF THE STATE.**

21 **(I) EXPENDITURES FROM THE FUND MAY BE MADE ONLY IN ACCORDANCE**
 22 **WITH THE STATE BUDGET.**

23 SECTION 3. AND BE IT FURTHER ENACTED, That it is the intent of the General
 24 Assembly that the Sports Wagering Application Review Commission established under §
 25 9-1E-15 of the State Government Article, as enacted by Section 2 of this Act, shall:

26 **(1) evaluate the studies of the sports and event wagering industry**
 27 **conducted by National Economic Research Associates, Inc., and Keen Independent**
 28 **Research and any other information that the Commission deems necessary;**

1 (2) examine the factors examined and remedial measures implemented by
2 the Natalie M. LaPrade Medical Cannabis Commission with respect to the licensure of
3 medical cannabis growers, processors, and dispensaries and determine whether similar
4 factors and remedial measures may be applied to the sports wagering industry; and

5 (3) in order to maintain the competitiveness of the State's gaming program,
6 conduct its work as expeditiously as possible and in a manner that is in the best interests
7 of Maryland and its citizens.

8 SECTION 4. AND BE IT FURTHER ENACTED, That the certification agency
9 designated by the Board of Public Works under § 14–303(b) of the State Finance and
10 Procurement Article to certify and decertify minority business enterprises, in consultation
11 with the Office of the Attorney General and the Governor's Office of Small, Minority, and
12 Women Business Affairs, shall:

13 (1) initiate an analysis of the following to evaluate compliance with any
14 federal and constitutional requirements:

15 (i) the Minority Business Enterprise Program requirements of §
16 ~~10A-404 of the State Finance and Procurement Article and § 9-1E-07(b) of the State~~
17 Government Article, as enacted by Section 2 of this Act;

18 (ii) any remedial measures implemented in accordance with §
19 9-1E-15 of the State Government Article, as enacted by Section 2 of this Act; and

20 (iii) the disparity study submitted pursuant to Chapter 340 of the
21 Acts of the General Assembly of 2017 ~~to evaluate compliance with the requirements of any~~
22 ~~federal and constitutional requirements and; and~~

23 (2) submit a report on the analysis to the Legislative Policy Committee of
24 the General Assembly, in accordance with § 2–1257 of the State Government Article, on or
25 before December 1, 2023.

26 SECTION 5. AND BE IT FURTHER ENACTED, That:

27 (a) For fiscal year 2023, the Governor shall include in the annual budget bill an
28 appropriation in the amount of:

29 (1) \$1,500,000 for Morgan State University; and

30 (2) \$1,500,000 for Bowie State University.

31 (b) The appropriation required under subsection (a) of this section shall be used to
32 establish a Center for the Study of Data Analytics and Sports Gaming at each university.

33 (c) The Center shall study and analyze emerging sports technologies, e-sports,
34 operations management, policy, and regulation, and support scholarly inquiry on the

1 dimensions and impacts of gaming to academic, industry, nonprofit, and government
2 audiences.

3 SECTION 6. AND BE IT FURTHER ENACTED, That for fiscal year 2022 only and
4 from only those additional revenues resulting from this Act that are credited to the Blueprint
5 for Maryland's Future Fund for fiscal year 2022, and from no other funds, and subject to
6 the provisions of law relating to budgetary procedure to the extent applicable, the amounts
7 specified below are hereby appropriated and authorized to be disbursed to the following
8 programs authorized by Chapter 36 of the Acts of the General Assembly of 2021 in the
9 following priority order from as much of those additional revenues as are received by the
10 State:

11 (1) Accountability and Implementation Board – \$4,800,000;

12 (2) Model Curriculum and Instructional Materials – \$2,500,000;

13 (3) Expert Review Teams – \$1,300,000;

14 (4) Career and Technology Education Committee – \$700,000;

15 (5) Blueprint for Maryland's Future Program Training – \$2,000,000;

16 (6) Maryland State Department of Education Financial System –
17 \$2,500,000; and

18 (7) An educational organization that received funding under the Funding
19 for Educational Organizations (R00A03) – Other Institutions (R00A03.03) in fiscal year
20 2020 but not in fiscal years 2021 or 2022 – \$500,000.

21 ~~SECTION 5. AND BE IT FURTHER ENACTED, That this Act shall take effect June~~
22 ~~1, 2021.~~

23 SECTION 7. AND BE IT FURTHER ENACTED, That, if any provision of this Act or
24 the application thereof to any person or circumstance is held invalid for any reason in a
25 court of competent jurisdiction, the invalidity does not affect other provisions or any other
26 application of this Act that can be given effect without the invalid provision or application,
27 and for this purpose the provisions of this Act are declared severable.

28 SECTION 8. AND BE IT FURTHER ENACTED, That this Act is an emergency
29 measure, is necessary for the immediate preservation of the public health or safety, has been
30 passed by a yea and nay vote supported by three-fifths of all the members elected to each of
31 the two Houses of the General Assembly, and shall take effect from the date it is enacted.