

**Maryland General Assembly  
Department of Legislative Services**

**Emergency/Proposed Regulation  
Maryland State Lottery and Gaming Control Agency  
(DLS Control No. 14-298)**

---

**Overview and Legal and Fiscal Impact**

This emergency/proposed regulation increases the amount of money that a player at a casino may withdraw during a gaming day using an automated teller machine (ATM) and eliminates the per transaction ATM withdrawal limit.

The regulation presents no legal issue of concern.

There is no material fiscal impact on State or local agencies.

**Regulation of COMAR Affected**

**Maryland State Lottery and Gaming Control Agency:**

Gaming Provisions: Video Lottery Operation License: COMAR 36.03.03.07

---

**Legal Analysis**

**Summary of Regulation**

The regulation increases the amount that a player may obtain from an ATM during a gaming day inside a casino from \$1,000 to \$2,500, exclusive of any amount paid in transaction fees or surcharges. The regulation also eliminates the current \$250 withdrawal limit per ATM transaction. Thus, whereas a player must currently undertake at least four transactions at an ATM in order to withdraw the maximum \$1,000 limit per gaming day, this regulation would allow a player to withdraw \$2,500 in a single transaction from the gaming floor; this equates to a tenfold increase in the allowable amount per withdrawal.

**Legal Issue**

The regulation presents no legal issue of concern.

**Statutory Authority and Legislative Intent**

The Maryland State Lottery and Gaming Control Agency cites § 9-1A-24(f) of the State Government Article as authority for the regulation. Section 9-1A-24(f)(1) requires that the regulations for video lottery operations include provisions that limit the number and location of ATMs and establish maximum withdrawal amounts from ATMs. This authority is correct and complete. The regulation complies with the legislative intent of the law.

## **Reason for Emergency Status**

The agency has requested emergency status to begin on October 14, 2014 and expire on April 9, 2015 in order to incorporate provisions that refine the withdrawal limits on ATMs. The requested period is within normal timeframes approved by the committee, but the necessity for requesting emergency status is unclear based on the information provided by the agency in its transmittal sheet accompanying the regulations. It should be noted that the requested date for commencement of emergency status is earlier than permissible under the Administrative Procedure Act; the date of commencement will coincide with the date of approval by the committee of the request for emergency status.

## **Fiscal Analysis**

There is no material fiscal impact on State or local agencies.

### **Agency Estimate of Projected Fiscal Impact**

The regulation modifies the withdrawal limits of automated teller machines on gaming floors. The agency advises that the regulation has no impact on State or local governments. The Department of Legislative Services concurs that the regulation does not have a material impact on governmental finances or operations, although allowing gamers to withdraw more cash may increase total and State gaming revenues.

### **Impact on Budget**

There is no impact on the State operating or capital budget.

### **Agency Estimate of Projected Small Business Impact**

The agency advises that the regulation has minimal or no economic impact on small businesses in the State. The Department of Legislative Services concurs.

## **Contact Information**

**Legal Analysis:** Andrew M. Lantner – (410) 946/(301) 970-5350

**Fiscal Analysis:** Heather N. Ruby – (410) 946/(301) 970-5510