

By: Delegate Bonsack

Requested: September 26, 1995

Introduced and read first time: January 10, 1996

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Harford County - Slot Machines**

3 FOR the purpose of making applicable to Harford County certain gaming laws
4 concerning the licensing, proceeds, fees, and other requirements for the operation
5 of slot machines; and generally relating to slot machines.

6 BY repealing and reenacting, with amendments,
7 Article 27 - Crimes and Punishments
8 Section 264B VI.
9 Annotated Code of Maryland
10 (1992 Replacement Volume and 1995 Supplement)

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

13 **Article 27 - Crimes and Punishments**

14 264B.

15 Any machine, apparatus or device is a slot machine within the provisions of this
16 section if it is one that is adapted for use in such a way that, as a result of the insertion or
17 deposit therein, or placing with another person of any piece of money, coin, token or
18 other object, such machine, apparatus or device is caused to operate or may be operated,
19 and by reason of any element of chance or of other outcome of such operation
20 unpredictable by him, the user may receive or become entitled to receive any piece of
21 money, coin, token or other object representative of and convertible into money,
22 irrespective of whether the said machine, apparatus or device may, apart from any
23 element of chance or unpredictable outcome of such operation, also sell, deliver or
24 present some merchandise or money or other tangible thing of value.

25 VI. (A) The provisions of this paragraph of this section apply in:

26 (1) Caroline County;

27 (2) Cecil County;

28 (3) Dorchester County;

2

1 (4) HARFORD COUNTY;

2 (5) Kent County;

3 [(5)] (6) Queen Anne's County;

4 [(6)] (7) Somerset County;

5 [(7)] (8) Talbot County; and

6 [(8)] (9) Wicomico County.

7 (B) In paragraph VI, "eligible organization" means a bona fide fraternal,
8 religious, or war veterans' nonprofit organization which has been located in a county
9 listed in paragraph VI(A) of this section for a period of at least 5 years before application
10 for a license under paragraph VI(E) of this section.

11 (C) Notwithstanding any other provision of this subtitle, an eligible
12 organization may own and operate a slot machine if it:

13 (1) Obtains a license under paragraph VI(E) of this section for each
14 slot machine owned or operated;

15 (2) Owns the slot machines it operates;

16 (3) Owns no more than 5 slot machines, where each slot machine is an
17 individual slot machine and not a console or set of slot machines affixed to each other;

18 (4) Locates and operates the slot machines at its principal meeting
19 hall in the county in which the eligible organization is located;

20 (5) Uses at least 50 percent of the proceeds from the slotmachines for
21 the benefit of a charity and the remainder of the proceeds in the furtherance of the
22 purposes of the eligible organization;

23 (6) Does not use any of the proceeds for the financial benefit of any
24 individual;

25 (7) Does not locate or operate the slot machines in any private
26 commercial facility; and

27 (8) Reports annually under affidavit to the Comptroller of the
28 Treasury the income of each slot machine and the disposition of the income in
29 accordance with this paragraph.

30 (D) To be eligible for use and operation under this paragraph VI of this
31 section:

32 (1) The slot machine shall be equipped with a tamperproof meter or
33 counter which accurately records gross receipts; and

34 (2) The eligible organization shall accurately take and maintain a
35 record of the gross receipts and payoffs of the slot machine.

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1 (E) (1) Before an eligible organization operates a slot machine under
2 paragraph VI(C) of this section, the eligible organization shall obtain a license for the slot
3 machine from the sheriff for the county in which the eligible organization plans to locate
4 the slot machine.

5 (2) (i) The county shall:

6 1. Charge an annual fee for the license of \$50 for each machine;

7 and

8 2. Issue a license sticker to the applicant.

9 (ii) The applicant shall place the sticker on the slot machine.

10 (iii) The proceeds of the annual fee shall be transferred to the
11 general fund of the county.

12 (3) The application to the sheriff for the issuance of the license shall
13 be certified by an affidavit by one of the principal officers of the eligible organization
14 stating that it:

15 (i) Is an eligible organization; and

16 (ii) Will comply with the provisions of paragraph VI(C) of this
17 section.

18 (4) (i) A principal officer of the eligible organization may not
19 intentionally misrepresent a statement of fact on the application.

20 (ii) Any person who violates this paragraph upon conviction is
21 subject to the penalty provided under Article 27, § 439 of the Code.

22 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
23 October 1, 1996.