
By: Senators Derr and Ferguson (Frederick County Senators)

Introduced and read first time: January 31, 1997

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Frederick County - Gaming**

3 FOR the purpose of altering the information that certain tip jar and punchboard
4 operators in Frederick County must report to include the amount received by the
5 operator but not include expenses of the operator; repealing a certain time limit on
6 Sundays after which gaming events are authorized; clarifying that the Board of
7 County Commissioners of Frederick County may charge a certain issuance fee per
8 bag or punchboard; providing for the termination of this Act; and generally relating
9 to gaming in Frederick County.

10 BY repealing and reenacting, with amendments,
11 Article 27 - Crimes and Punishments
12 Section 258A(d) and (e)
13 Annotated Code of Maryland
14 (1996 Replacement Volume)

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

17 **Article 27 - Crimes and Punishments**

18 258A.

19 (d) (1) Before issuing a permit, the county agency shall ascertain the character
20 of the organization for whom the application is made to determine if the application
21 meets the requirements of this section.

22 (2) The application and the action that the county agency takes are matters
23 of public record.

24 (3) [The permit authorizes the operation of a gaming event after 1 p.m. on
25 Sunday.

26 (4) The Board may charge an issuance fee, INCLUDING A PER BAG OR PER
27 PUNCHBOARD ISSUANCE FEE TO THE DISTRIBUTOR, and adopt regulations to carry
28 out this section.

29 (e) A person may only operate tip jars or punchboards within the county if:

2

1 (1) The tip jar or punchboard is operated for an organization that is:

2 (i) A bona fide religious, fraternal, civic, war veterans' hospital,
3 amateur athletic, patriotic, educational, or charitable organization that is in the county; or

4 (ii) A volunteer fire, rescue, or ambulance company of the county or
5 its auxiliary;

6 (2) The operator is an establishment or proprietor licensed to serve food
7 and alcoholic beverages for consumption on the premises;

8 (3) The organization [reimburses the operator for operating expenses but]
9 receives at least 70% of the gross proceeds that remain after winning players are paid;

10 (4) The permit is displayed conspicuously with the tip jar or in the
11 establishment for a punchboard;

12 (5) The organization does not have more than 3 permits to operate tip jars
13 or punchboards outside its premises;

14 (6) The operator submits to the county agency monthly reports on the gross
15 proceeds, payouts for winnings, [expenses, and] the amount paid to the organization,
16 AND THE AMOUNT RECEIVED BY THE OPERATOR for each tip jar or punchboard;

17 (7) The tip jars and punchboards are bought from a distributor who:

18 (i) Has an office in the County;

19 (ii) Is licensed by the county agency; and

20 (iii) Keeps records that the Board of County Commissioners requires;
21 and

22 (8) All records about tip jars and punchboards are available for inspection
23 and copying by any law enforcement agency or the county agency.

24 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
25 July 1, 1997. It shall remain effective for a period of 1 year and, at the end of June 30,
26 1998, with no further action required by the General Assembly, this Act shall be
27 abrogated and of no further force and effect.