
By: Senators Lawlah and Currie

Introduced and read first time: February 20, 1997

Assigned to: Rules

A BILL ENTITLED

1 AN ACT concerning

2 **Charitable Gaming Activity - Sunset - Commission**

3 FOR the purpose of imposing a termination date for all provisions that authorize
4 charitable organizations to conduct any type of gaming activity or that prohibit
5 construing the law to make it unlawful for charitable organizations to conduct any
6 type of gaming activity; defining certain terms; listing certain activities to which this
7 Act does not apply; enumerating certain sections of the Annotated Code to which
8 this Act applies; extending the termination date for conducting casino gambling in
9 Prince George's County; establishing a Commission on Maryland Charitable
10 Gaming; requiring the Commission to study certain issues; providing for the
11 membership, funding, and staffing of the Commission; requiring the Commission to
12 issue a certain report by a certain date; providing for the termination of the
13 Commission; authorizing the publishers of the Annotated Code of Maryland, in
14 consultation with the Director of the Department of Legislative Reference, to make
15 certain changes in the Annotated Code; and generally relating to a termination date
16 for charitable gaming activity.

17 BY repealing and reenacting, with amendments,
18 Chapter 557 of the Acts of the General Assembly of 1995
19 Section 3

20 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
21 MARYLAND, That:

22 (a) (1) In this Act, the following words have the meanings indicated.

23 (2) "Charitable organization" means a:

24 (i) nonprofit fraternal, religious, educational, civic, athletic,
25 eleemosynary, veterans', or patriotic organization, or other organization that is organized
26 for a philanthropic purpose; or

27 (ii) volunteer fire company, rescue squad, ambulance company, or
28 similar unit of emergency care providers.

29 (3) "Gaming activity" includes a raffle, bingo game, carnival, slot machine,
30 gambling, casino night, tip jar gambling, or other type of gambling that uses chance book,
31 paddle wheel, wheel of fortune, or other device.

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1 (b) This Act does not apply to:

2 (1) the State Lottery Agency;

3 (2) persons who are authorized to conduct horse racing under Title 11 of the
4 Business Regulation Article; or

5 (3) persons who are authorized to conduct gaming aboard a passenger vessel
6 under § 6-209 of the Transportation Article.

7 (c) All provisions that authorize charitable organizations to conduct any type of
8 gaming activity or prohibit construing the law to make it unlawful for charitable
9 organizations to conduct any type of gaming activity shall remain effective until July 1,
10 1999, at which time, with no further action required by the General Assembly, the
11 provisions shall be abrogated and of no further force and effect.

12 (d) The sections of the Annotated Code to which this Act applies include Article
13 27, §§ 236, 247, 248, 248A, 249, 250, 251, 251A, 251B, 252, 253, 253A, 254, 255, 255A,
14 255B, 256, 257, 258, 258A, 258B, 259, 259A, 260, 260A, 261, 261C, 261C-1, 261D, and
15 264B.

16 SECTION 2. AND BE IT FURTHER ENACTED, That:

17 (a) There is a Commission on Maryland Charitable Gaming.

18 (b) The Commission shall assess the impact that charitable gaming has on the
19 State by studying the following issues:

20 (1) The extent of charitable gaming in the State;

21 (2) The need for additional State or local regulation or taxation of
22 charitable gaming; and

23 (3) Ways that the subdivisions of the State may achieve uniformity in
24 authorization, regulation, and taxation of charitable gaming.

25 (c) (1) The Commission shall consist of 13 members as follows:

26 (i) Four members shall be appointed by the Governor in consultation
27 with the President of the Senate and the Speaker of the House of Delegates;

28 (ii) Three Senators shall be appointed by the President of the Senate
29 of Maryland;

30 (iii) Three Delegates shall be appointed by the Speaker of the House of
31 Delegates;

32 (iv) The Superintendent of the Department of Maryland State Police
33 or the designee of the Superintendent;

34 (v) The president of the Maryland Association of Counties or the
35 designee of the president; and

36 (vi) The president of the Maryland State Firemen's Association or the
37 designee of the president.

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1 (2) The members appointed by the Governor shall be from the private
2 sector and may not be officials or employees of a governmental agency.

3 (d) The Governor shall designate the chairman of the Commission.

4 (e) The members of the Commission shall serve without compensation.

5 (f) The Commission may expend funds in accordance with the State budget.

6 (g) The Commission shall be served by staff from the Department of Fiscal
7 Services and the Department of Legislative Reference.

8 (h) The Commission shall issue a final report of its findings and recommendations
9 to the Governor and, subject to § 2-1312 of the State Government Article, to the General
10 Assembly on or before September 1, 1998.

11 SECTION 3. AND BE IT FURTHER ENACTED, That the Laws of Maryland
12 read as follows:

13 **Chapter 557 of the Acts of 1995**

14 SECTION 3. AND BE IT FURTHER ENACTED, That Article 27, § 258B(c) and
15 (d) and § 2-309(r)(8)(vi) of Courts and Judicial Proceedings Article as enacted by Section
16 1 of this Act shall remain effective [for a period of 2 years from the effective date of this
17 Act, and at the end of 2 years] UNTIL JULY 1, 1999, AT WHICH TIME, with no further
18 action required by the General Assembly, Article 27, § 258B(c) and (d) and §
19 2-309(r)(8)(vi) of Courts and Judicial Proceedings Article of the Code as enacted by
20 Section 1 of this Act shall be abrogated and of no further force and effect.

21 SECTION 4. AND BE IT FURTHER ENACTED, That Section 2 of this Act
22 shall remain effective until July 1, 1999, and at the end of July 1, 1999, with no further
23 action required by the General Assembly, Section 2 of this Act shall be abrogated and of
24 no further force and effect.

25 SECTION 5. AND BE IT FURTHER ENACTED, That the publishers of the
26 Annotated Code of Maryland, in consultation with the Director of the Department of
27 Legislative Reference, shall make all necessary changes in the sections of the Annotated
28 Code, including the sections listed in subsection (d) of Section 1 of this Act, that are
29 rendered incorrect by this Act.

30 SECTION 6. AND BE IT FURTHER ENACTED, That this Act shall take effect
31 June 1, 1997.