
By: **Washington County Delegation**
Introduced and read first time: February 27, 2003
Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Washington County - Gaming Commission - Tip Jar Gaming**

3 FOR the purpose of prohibiting the Washington County Gaming Commission from
4 distributing in any year to each applicant per application more than a certain
5 amount of money deposited in a certain fund containing gross profits from tip
6 jar gaming; prohibiting the Commission from distributing more than a certain
7 amount of money in the fund for each distribution, if the Commission makes two
8 distributions during a year; repealing a certain reporting requirement imposed
9 on the Commission; repealing on a certain date limits on the distribution by the
10 Commission of certain money to certain persons; repealing and altering certain
11 termination provisions relating to a prohibition against charging a fee for a
12 gaming sticker to certain persons and to certain percentages of certain money
13 distributed to certain persons; and generally relating to the Washington County
14 Gaming Commission.

15 BY repealing and reenacting, with amendments,
16 Article - Criminal Law
17 Section 13-2435
18 Annotated Code of Maryland
19 (2002 Volume)

20 BY repealing and reenacting, with amendments,
21 Chapter 26 of the Acts of the General Assembly of 2002
22 Section 15

23 BY repealing and reenacting, with amendments,
24 Article - Criminal Law
25 Section 13-2435(f)
26 Annotated Code of Maryland
27 (2002 Volume)
28 (As enacted by Section 1 of this Act)

29 BY repealing

1 Chapter 479 of the Acts of the General Assembly of 2000
2 Section 4

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

5 **Article - Criminal Law**

6 13-2435.

7 (a) In this section, "gross profits" means the total proceeds from the operation
8 of a tip jar less the amount of money winnings or value of prizes distributed.

9 (b) There is a Washington County Gaming Fund.

10 (c) (1) The county commissioners shall establish:

11 (i) the method and time of deposits to the fund; and

12 (ii) other procedures necessary to carry out subsections (d) and (e)
13 of this section.

14 (2) In accordance with a written agreement between the county
15 commissioners and the gaming commission, the gaming commission may use money
16 from the fund to reimburse the county commissioners for the costs to the county for
17 administering Part III of this subtitle.

18 (d) (1) This subsection applies only to a person who holds a tip jar license
19 under § 13-2420(b)(7), (8), or (9) of this subtitle.

20 (2) Subject to paragraphs (3) and (4) of this subsection, a person subject
21 to this subsection shall deposit with a financial institution designated by the gaming
22 commission, to the credit of the fund, the gross profits from each tip jar that the
23 person operates.

24 (3) The gross profits from a tip jar may not exceed \$250.

25 (4) To offset the costs of operating a tip jar, a person with a tip jar license
26 may retain 50% of the gross profits from each tip jar game.

27 (e) (1) This subsection applies only to a person who holds a tip jar license
28 under § 13-2420(b)(1) through (6) of this subtitle.

29 (2) A person subject to this subsection shall deposit with a financial
30 institution designated by the gaming commission, to the credit of the fund, 15% of the
31 gross profits earned through the operation of tip jars during the 12-month period
32 ending June 30.

1 (3) If a person fails to contribute the full amount required under
 2 paragraph (2) of this subsection, the person shall deposit the balance required during
 3 the next year.

4 (f) (1) Subject to paragraph (2) of this subsection, and after the
 5 reimbursement under subsection (c)(2) of this section, each year the gaming
 6 commission shall distribute:

7 (i) 50% of the money deposited in the fund to the Washington
 8 County Volunteer Fire and Rescue Association; and

9 (ii) subject to any restrictions that the county commissioners adopt
 10 by regulation, 50% of the money deposited in the fund to bona fide charitable
 11 organizations in the county.

12 (2) (I) IN ANY YEAR, THE GAMING COMMISSION MAY NOT DISTRIBUTE
 13 A TOTAL OF MORE THAN \$100,000 TO EACH APPLICANT PER APPLICATION.

14 (II) [The] IF THE GAMING COMMISSION MAKES TWO
 15 DISTRIBUTIONS DURING A YEAR, FOR EACH DISTRIBUTION, THE gaming commission
 16 may not distribute more than \$50,000 to each applicant per application.

17 [(g) Every 6 months, on or before January 31 and July 31, the gaming
 18 commission shall report to the county delegation on how recipients of moneys from
 19 the fund have been affected by the formula for distributing those moneys specified
 20 under this section.]

21 **Chapter 26 of the Acts of 2002**

22 SECTION 15. AND BE IT FURTHER ENACTED, That Section 3 of this Act
 23 shall take effect July 1, [2003] 2005.

24 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland
 25 read as follows:

26 **Article - Criminal Law**

27 13-2435.

28 (f) [(1) Subject to paragraph (2) of this subsection, and after] AFTER the
 29 reimbursement under subsection (c)(2) of this section, each year the gaming
 30 commission shall distribute:

31 [(i)] (1) 50% of the money deposited in the fund to the Washington
 32 County Volunteer Fire and Rescue Association; and

33 [(ii)] (2) subject to any restriction that the county commissioners
 34 adopt by regulation, 50% of the money deposited in the fund to bona fide charitable
 35 organizations in the county.

1 [(2) (i) In any year, the gaming commission may not distribute a total
2 of more than \$100,000 to each applicant per application.

3 (ii) If the gaming commission makes two distributions during a year, for
4 each distribution, the gaming commission may not distribute more than \$50,000 to
5 each applicant per application.]

6 SECTION 3. AND BE IT FURTHER ENACTED, That Section(s) 4 of Chapter
7 479 of the Acts of the General Assembly of 2000 be repealed.

8 SECTION 4. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall
9 take effect July 1, 2005.

10 SECTION 5. AND BE IT FURTHER ENACTED, That, except as provided in
11 Section 4 of this Act, this Act shall take effect July 1, 2003.