
By: **Delegates Simmons, Barve, Bobo, Gutierrez, Leopold, Mandel, and
McMillan**

Introduced and read first time: January 26, 2004

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Election Law - Campaign Contributions by Persons Engaged in Gaming**
3 **Activity in the State**

4 FOR the purpose of providing that certain persons who make campaign contributions
5 to certain campaign finance entities may not receive a license or permit to
6 conduct certain gaming activities in the State for a certain period after making
7 the contribution; requiring the license or permit of certain persons who are
8 authorized to conduct certain gaming activities in the State be suspended for a
9 certain period of time if the person makes a campaign contribution to certain
10 campaign finance entities; defining certain terms; attributing the campaign
11 contributions of certain persons to certain other persons for certain purposes;
12 and generally relating to campaign contributions by persons engaged in or
13 seeking a license or permit to conduct gaming activity in the State.

14 BY adding to
15 Article - Election Law
16 Section 13-237
17 Annotated Code of Maryland
18 (2003 Volume and 2003 Supplement)

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

21 **Article - Election Law**

22 13-237.

23 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
24 INDICATED.

25 (2) "GAMING ACTIVITY" MEANS A VIDEO LOTTERY TERMINAL OR A
26 CASINO AUTHORIZED BY THE STATE.

1 (3) "KEY EMPLOYEE" MEANS AN INDIVIDUAL WHO, ACTING AS AN
2 AGENT OR EMPLOYEE OF A PERSON OR LICENSEE, SUPERVISES MORE THAN TWO
3 AGENTS OR EMPLOYEES OF THE PERSON OR LICENSEE AUTHORIZED TO ENGAGE IN
4 GAMING ACTIVITY IN THE STATE.

5 (4) "VIDEO LOTTERY TERMINAL" MEANS ANY ELECTRONIC
6 CONTRIVANCE, MACHINE, OR OTHER DEVICE THAT, ON INSERTION OF A COIN,
7 TOKEN, OR SIMILAR OBJECT OR ON PAYMENT OF ANY CONSIDERATION, IS
8 AVAILABLE TO PLAY OR OPERATE, THE PLAY OR OPERATION OF WHICH, ONLY BY
9 APPLICATION OF THE ELEMENT OF CHANCE, MAY DELIVER OR ENTITLE THE PLAYER
10 WHO OPERATES THE DEVICE TO RECEIVE CASH, PREMIUMS, MERCHANDISE,
11 TOKENS, OR ANYTHING OF VALUE, WHETHER THE PAYOUT IS MADE
12 AUTOMATICALLY FROM THE DEVICE OR IN ANY OTHER MANNER.

13 (B) THIS SECTION APPLIES TO THE FOLLOWING PERSONS:

14 (1) AN APPLICANT FOR A LICENSE TO ENGAGE IN GAMING ACTIVITY IN
15 THE STATE;

16 (2) A PERSON AUTHORIZED TO ENGAGE IN GAMING ACTIVITY IN THE
17 STATE;

18 (3) A HOLDING COMPANY, INTERMEDIARY COMPANY, OR A SUBSIDIARY
19 COMPANY OF:

20 (I) AN APPLICANT FOR A LICENSE TO ENGAGE IN GAMING
21 ACTIVITY IN THE STATE; OR

22 (II) A PERSON AUTHORIZED TO ENGAGE IN GAMING ACTIVITY IN
23 THE STATE;

24 (4) A KEY EMPLOYEE OF, OR A PERSON OR AGENT ON BEHALF OF:

25 (I) AN APPLICANT FOR A LICENSE TO ENGAGE IN GAMING
26 ACTIVITY IN THE STATE; OR

27 (II) A PERSON AUTHORIZED TO ENGAGE IN GAMING ACTIVITY IN
28 THE STATE; OR

29 (5) A PERSON ENTITLED BY CONTRACT TO RECEIVE ANY PROCEEDS
30 FROM THE GAMING OPERATIONS OF AN APPLICANT OR A PERSON AUTHORIZED TO
31 ENGAGE IN GAMING ACTIVITY IN THE STATE.

32 (C) THIS SECTION DOES NOT APPLY TO GAMING ACTIVITY THAT AN ELIGIBLE
33 ORGANIZATION IS AUTHORIZED TO CONDUCT UNDER THE CRIMINAL LAW ARTICLE.

34 (D) (1) THIS SUBSECTION APPLIES TO A PERSON DESCRIBED IN
35 SUBSECTION (B) OF THIS SECTION WHO, DIRECTLY OR INDIRECTLY, MAKES A
36 CONTRIBUTION TO:

1 (I) THE CAMPAIGN FINANCE ENTITY OF A CANDIDATE FOR
2 NOMINATION OR ELECTION TO ANY PUBLIC OFFICE IN THE STATE;

3 (II) THE CAMPAIGN FINANCE ENTITY OF A POLITICAL PARTY; OR

4 (III) ANY OTHER CAMPAIGN FINANCE ENTITY ORGANIZED IN
5 SUPPORT OF:

6 1. A CANDIDATE FOR NOMINATION OR ELECTION TO ANY
7 PUBLIC OFFICE IN THE STATE; OR

8 2. A POLITICAL PARTY.

9 (2) (I) THE STATE MAY NOT ISSUE A LICENSE OR PERMIT TO
10 CONDUCT ANY GAMING ACTIVITY IN THE STATE TO A PERSON WHO MAKES A
11 CONTRIBUTION TO A CAMPAIGN FINANCE ENTITY DESCRIBED IN PARAGRAPH (1) OF
12 THIS SUBSECTION FOR A PERIOD OF 3 YEARS FROM THE DATE THE CONTRIBUTION
13 WAS MADE.

14 (II) IF A PERSON WHO MAKES A CONTRIBUTION TO A CAMPAIGN
15 FINANCE ENTITY DESCRIBED IN PARAGRAPH (1) OF THIS SUBSECTION HOLDS A
16 LICENSE OR PERMIT TO CONDUCT GAMING ACTIVITIES IN THE STATE AT THE TIME
17 THE PERSON MAKES THE CONTRIBUTION, THE PERSON'S GAMING ACTIVITY LICENSE
18 OR PERMIT SHALL BE SUSPENDED FOR 3 YEARS BEGINNING ON THE DATE THE
19 CONTRIBUTION WAS MADE.

20 (III) FOR THE PURPOSES OF THIS SUBSECTION, CONTRIBUTIONS
21 MADE BY A PERSON DESCRIBED IN SUBSECTION (B)(3) OR (4) OF THIS SECTION SHALL
22 BE CONSIDERED TO HAVE BEEN MADE BY A PERSON DESCRIBED IN SUBSECTION
23 (B)(1) OR (2) OF THIS SECTION.

24 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take
25 effect October 1, 2004.