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

Introduced and read first time: February 9, 2005

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 that 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 2004 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.

27 (3) "KEY EMPLOYEE" MEANS AN INDIVIDUAL WHO, ACTING AS AN
28 AGENT OR EMPLOYEE OF A PERSON OR LICENSEE, SUPERVISES MORE THAN TWO

1 AGENTS OR EMPLOYEES OF THE PERSON OR LICENSEE AUTHORIZED TO ENGAGE IN
2 GAMING ACTIVITY IN THE STATE.

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

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

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

14 (2) A PERSON AUTHORIZED TO ENGAGE IN GAMING ACTIVITY IN THE
15 STATE;

16 (3) A HOLDING COMPANY, INTERMEDIARY COMPANY, OR A SUBSIDIARY
17 COMPANY OF:

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

20 (II) A PERSON AUTHORIZED TO ENGAGE IN GAMING ACTIVITY IN
21 THE STATE;

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

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

25 (II) A PERSON AUTHORIZED TO ENGAGE IN GAMING ACTIVITY IN
26 THE STATE; AND

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

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

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

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

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

2 (III) ANY OTHER CAMPAIGN FINANCE ENTITY ORGANIZED IN

3 SUPPORT OF:

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

6 2. A POLITICAL PARTY.

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

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

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

22 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take
23 effect October 1, 2005.