
By: **Delegates Hixson, Cryor, and Goodwin**
Introduced and read first time: February 10, 2006
Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Charitable Gaming - Regulation - County Gaming Commissions**

3 FOR the purpose of requiring the establishment of a gaming commission in each
4 county and Baltimore City to regulate charitable gaming; providing for the
5 membership, terms, and chair of a commission; specifying the powers of a
6 gaming commission; making certain provisions of law apply in certain counties;
7 requiring the Secretary of State to adopt certain regulations; defining certain
8 terms; specifying the terms of the initial members of the commissions; providing
9 that certain government bodies and officials be relieved of certain duties and
10 responsibilities on a certain date; and generally relating to the regulation of
11 charitable gaming.

12 BY repealing and reenacting, without amendments,
13 Article - Criminal Law
14 Section 13-201(a) and (c), 13-402(b), 13-601, 13-702(b), 13-801, 13-901(a) and
15 (c), 13-1202(b), 13-1303(a), 13-1402, 13-1902(b), 13-2102(b), 13-2201(b),
16 and 13-2301
17 Annotated Code of Maryland
18 (2002 Volume and 2005 Supplement)

19 BY adding to
20 Article - Criminal Law
21 Section 13-206
22 Annotated Code of Maryland
23 (2002 Volume and 2005 Supplement)

24 BY repealing and reenacting, with amendments,
25 Article - Criminal Law
26 Section 13-502, 13-602(b), 13-902(b), 13-1002, 13-1102, 13-1502, 13-1601(b),
27 13-1702, 13-1802, 13-2002, 13-2403, 13-2502, and 13-2602
28 Annotated Code of Maryland
29 (2002 Volume and 2005 Supplement)

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

3 **Article - Criminal Law**

4 13-201.

5 (a) In this subtitle the following words have the meanings indicated.

6 (c) "Qualified organization" means:

7 (1) a volunteer fire company; or

8 (2) a bona fide:

9 (i) religious organization;

10 (ii) fraternal organization;

11 (iii) civic organization;

12 (iv) war veterans' organization; or

13 (v) charitable organization.

14 13-206.

15 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
16 INDICATED.

17 (2) "CHARITABLE GAMING" MEANS BINGO, A CARNIVAL, A BAZAAR, A
18 RAFFLE, OR OTHER GAME OF ENTERTAINMENT THAT IS CONDUCTED BY OR FOR THE
19 BENEFIT OF A QUALIFIED ORGANIZATION.

20 (3) "CHIEF ELECTED OFFICIAL" MEANS:

21 (I) THE INDIVIDUAL WHO EXERCISES THE OFFICE OF THE CHIEF
22 PUBLICLY ELECTED EXECUTIVE OFFICIAL OF THE COUNTY; OR

23 (II) IN A COUNTY WITHOUT A CHIEF PUBLICLY ELECTED
24 EXECUTIVE OFFICIAL, THE HIGHEST EXECUTIVE AUTHORITY.

25 (4) "COUNTY" INCLUDES BALTIMORE CITY.

26 (B) NOTWITHSTANDING ANY OTHER PROVISION IN THIS TITLE, THE CHIEF
27 EXECUTIVE OFFICIAL IN EACH COUNTY SHALL APPOINT A GAMING COMMISSION TO
28 REGULATE CHARITABLE GAMING.

29 (C) (1) A GAMING COMMISSION SHALL CONSIST OF SEVEN MEMBERS,
30 APPOINTED BY THE CHIEF ELECTED OFFICIAL.

1 (2) EACH MEMBER OF THE GAMING COMMISSION SHALL BE A RESIDENT
2 OF THE COUNTY.

3 (D) (1) THE TERM OF A MEMBER OF THE GAMING COMMISSION IS 3 YEARS
4 AND BEGINS ON JULY 1.

5 (2) THE TERMS OF MEMBERS ARE STAGGERED AS REQUIRED BY THE
6 TERMS PROVIDED FOR MEMBERS OF THE GAMING COMMISSION ON OCTOBER 1, 2006.

7 (3) AT THE END OF A TERM, A MEMBER CONTINUES TO SERVE UNTIL A
8 SUCCESSOR IS APPOINTED.

9 (4) A MEMBER WHO IS APPOINTED AFTER A TERM HAS BEGUN SERVES
10 ONLY FOR THE REST OF THE TERM AND UNTIL A SUCCESSOR IS APPOINTED.

11 (E) A GAMING COMMISSION SHALL ELECT A CHAIR FROM AMONG ITS
12 MEMBERS.

13 (F) A GAMING COMMISSION MAY:

14 (1) SELECT THE TYPES OF GAMES THAT MAY BE PLAYED;

15 (2) ISSUE LICENSES TO PERSONS TO CONDUCT CHARITABLE GAMING;

16 (3) IMPOSE FEES, FINES, AND OTHER CHARGES IN THE CONDUCT OF
17 CHARITABLE GAMING;

18 (4) DENY LICENSES TO APPLICANTS, REPRIMAND LICENSEES OR
19 SUSPEND OR REVOKE LICENSES;

20 (5) CONDUCT INVESTIGATIONS INTO COMPLAINTS THAT ARISE FROM
21 THE CONDUCT OF CHARITABLE GAMING;

22 (6) SUBMIT REPORTS TO THE CHIEF ELECTED OFFICIAL ON
23 CHARITABLE GAMING OPERATIONS; AND

24 (7) PERFORM ANY OTHER FUNCTION NECESSARY TO REGULATE
25 CHARITABLE GAMING.

26 (G) THE SECRETARY OF STATE SHALL ADOPT REGULATIONS TO CARRY OUT
27 THIS SECTION.

28 13-402.

29 (b) Subtitle 2 of this title applies in Anne Arundel County.

30 13-502.

31 (A) This subtitle applies only in Baltimore City.

32 (B) SECTION 13-206 OF THIS TITLE APPLIES IN BALTIMORE CITY.

1 13-601.

2 In this subtitle, "gaming event" means a carnival, bazaar, or raffle.

3 13-602.

4 (b) Subtitle 2 of this title applies in Baltimore County to:

5 (1) except as provided in § 13-606 of this subtitle; bingo;

6 (2) instant bingo;

7 (3) a bona fide amateur athletic organization in which all playing
8 members are under the age of 18 years;

9 (4) a bona fide veterans' hospital; [and]

10 (5) a bona fide veterans' organization; AND

11 (6) THE ADMINISTRATION OF ALL GAMING EVENTS IN THE COUNTY.

12 13-702.

13 (b) Subtitle 2 of this title applies in Calvert County.

14 13-801.

15 Subtitle 2 of this title applies in Caroline County.

16 13-901.

17 (a) In this subtitle the following words have the meanings indicated.

18 (c) "Gaming event" means a carnival, bazaar, raffle, or other game of
19 entertainment.

20 13-902.

21 (b) (1) Subject to this subtitle, Subtitle 2 of this title applies in Carroll
22 County.

23 (2) THE ADMINISTRATION OF ALL GAMING EVENTS ARE GOVERNED
24 UNDER § 13-206 OF THIS TITLE.

25 13-1002.

26 (A) This subtitle applies only in Cecil County.

27 (B) SECTION 13-206 OF THIS TITLE APPLIES IN CECIL COUNTY.

1 13-1102.

2 (A) This subtitle applies to bingo and gaming events in Charles County.

3 (B) SECTION 13-206 OF THIS TITLE APPLIES IN CHARLES COUNTY.

4 13-1202.

5 (b) Subtitle 2 of this title applies in Dorchester County.

6 13-1303.

7 (a) Subtitle 2 of this title applies in Frederick County.

8 13-1402.

9 (a) This subtitle applies only in Garrett County.

10 (b) Subtitle 2 of this title applies in Garrett County.

11 13-1502.

12 (a) This subtitle applies only in Harford County.

13 (b) This subtitle does not authorize the use of a slot machine or any type of
14 coin machine for gambling purposes.

15 (C) SECTION 13-206 OF THIS TITLE APPLIES IN HARFORD COUNTY.

16 13-1601.

17 (b) (1) Except as provided in paragraph (2) of this subsection, Subtitle 2 of
18 this title applies in Howard County.

19 (2) (I) Subtitle 2 of this title does not apply to bingo regulated under §
20 13-602 of this subtitle.

21 (II) NOTWITHSTANDING SUBPARAGRAPH (I) OF THIS PARAGRAPH,
22 THE ADMINISTRATION OF BINGO IS SUBJECT TO § 13-206 OF THIS TITLE.

23 13-1702.

24 (a) This subtitle applies only in Kent County.

25 (b) This subtitle does not authorize gambling using a slot machine or coin
26 machine.

27 (C) SECTION 13-206 OF THIS TITLE APPLIES IN KENT COUNTY.

28 13-1802.

29 (A) This subtitle applies only in Montgomery County.

1 (B) SECTION 13-206 OF THIS TITLE APPLIES IN MONTGOMERY COUNTY.

2 13-1902.

3 (b) Subtitle 2 of this title applies in Prince George's County.

4 13-2002.

5 (a) This subtitle applies only in Queen Anne's County.

6 (b) This subtitle does not authorize gambling using a slot machine or coin
7 machine.

8 (C) SECTION 13-206 OF THIS TITLE APPLIES IN QUEEN ANNE'S COUNTY.

9 13-2102.

10 (b) Subtitle 2 of this title applies in St. Mary's County.

11 13-2201.

12 (b) Subtitle 2 of this title applies in Somerset County.

13 13-2301.

14 Subtitle 2 of this title applies in Talbot County.

15 13-2403.

16 (A) Except as otherwise provided in this subtitle, Subtitle 2 of this title applies
17 in Washington County.

18 (B) NOTWITHSTANDING SUBSECTION (A) OF THIS SECTION, THE
19 ADMINISTRATION OF BINGO, A CARNIVAL, A BAZAAR, A RAFFLE, OR OTHER GAME OF
20 ENTERTAINMENT CONDUCTED UNDER THIS SUBTITLE IS SUBJECT TO § 13-206 OF
21 THIS TITLE.

22 13-2502.

23 (a) This subtitle applies only in Wicomico County.

24 (b) This subtitle does not authorize gambling using a slot machine or a coin
25 machine.

26 (C) SECTION 13-206 OF THIS TITLE APPLIES IN WICOMICO COUNTY.

27 13-2602.

28 (A) This subtitle applies only in Worcester County.

29 (B) SECTION 13-206 OF THIS TITLE APPLIES IN WORCESTER COUNTY.

1 SECTION 2. AND BE IT FURTHER ENACTED, That the terms of the initial
2 members of a gaming commission shall expire as follows:

- 3 (1) two members in 2007;
- 4 (2) two members in 2008; and
- 5 (3) three members in 2009.

6 SECTION 3. AND BE IT FURTHER ENACTED, That any county board,
7 commission, sheriff, or other government body or government official who has
8 regulated or assisted in regulating charitable gaming in a county on or before
9 September 30, 2006, shall be relieved of all duties and responsibilities associated with
10 the regulation of charitable gaming on October 1, 2006.

11 SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect
12 October 1, 2006.