

HOUSE BILL 1310

C7

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By: ~~Delegate Conway~~ **Delegates Conway and Elmore**

Introduced and read first time: February 26, 2007

Assigned to: Rules and Executive Nominations

Re-referred to: Ways and Means, March 12, 2007

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 21, 2007

Returned to second reading: March 22, 2007

House action: Adopted with floor amendments

Read second time: March 22, 2007

CHAPTER _____

1 AN ACT concerning

2 **Criminal Law – Slot Machines – Eligible Organizations**

3 FOR the purpose of altering the definition of “eligible organization” to make it
4 applicable to certain organizations with a certain affiliation and located in
5 certain counties for a certain number of years before the organization applies for
6 a license to own or operate slot machines; and generally relating to slot machine
7 ownership and operation by eligible organizations.

8 BY repealing and reenacting, with amendments,
9 Article – Criminal Law
10 Section 12–304
11 Annotated Code of Maryland
12 (2002 Volume and 2006 Supplement)

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 **Article – Criminal Law**

2 12–304.

3 (a) In this section, “eligible organization” means:

4 (1) a nonprofit organization that:

5 [(1)] (I) has been located in a county listed in subsection (b) of this
6 section for at least 5 years before the organization applies for a license under
7 subsection (e) of this section; and

8 [(2)] (II) is a bona fide:

9 [(i)] 1. fraternal organization;

10 [(ii)] 2. religious organization; or

11 [(iii)] 3. war veterans’ organization; **OR**

12 (2) ~~AN A NONPROFIT ORGANIZATION THAT HAS BEEN AFFILIATED~~
13 ~~WITH A NATIONAL FRATERNAL ORGANIZATION FOR LESS THAN 5 YEARS AND~~
14 ~~HAS BEEN LOCATED IN A COUNTY LISTED IN SUBSECTION (B) OF THIS SECTION~~
15 ~~FOR AT LEAST 50 YEARS BEFORE THE NONPROFIT ORGANIZATION APPLIES FOR~~
16 ~~A LICENSE UNDER SUBSECTION (E) OF THIS SECTION.~~

17 (b) This section applies in:

18 (1) Caroline County;

19 (2) Cecil County;

20 (3) Dorchester County;

21 (4) Kent County;

22 (5) Queen Anne’s County;

23 (6) Somerset County;

24 (7) Talbot County; and

1 (8) Wicomico County.

2 (c) (1) In this subsection, a console or set of affixed slot machines is not
3 an individual slot machine.

4 (2) Notwithstanding any other provision of this subtitle, an eligible
5 organization may own and operate a slot machine if the eligible organization:

6 (i) obtains a license under subsection (e) of this section for each
7 slot machine;

8 (ii) owns each slot machine that the eligible organization
9 operates;

10 (iii) owns not more than five slot machines;

11 (iv) locates and operates its slot machines at its principal
12 meeting hall in the county in which the eligible organization is located;

13 (v) does not locate or operate its slot machines in a private
14 commercial facility;

15 (vi) uses:

16 1. at least one-half of the proceeds from its slot
17 machines for the benefit of a charity; and

18 2. the remainder of the proceeds from its slot machines
19 to further the purposes of the eligible organization;

20 (vii) does not use any of the proceeds of the slot machine for the
21 financial benefit of an individual; and

22 (viii) reports annually under affidavit to the State Comptroller:

23 1. the income of each slot machine; and

24 2. the disposition of the income from each slot machine.

25 (d) An eligible organization may not use or operate a slot machine unless:

26 (1) the slot machine is equipped with a tamperproof meter or counter
27 that accurately records gross receipts; and

1 (2) the eligible organization keeps an accurate record of the gross
2 receipts and payoffs of the slot machine.

3 (e) (1) Before an eligible organization may operate a slot machine under
4 this section, the eligible organization shall obtain a license for the slot machine from
5 the sheriff of the county in which the eligible organization plans to locate the slot
6 machine.

7 (2) (i) The county shall:

8 1. charge an annual fee of \$50 for each license for a
9 machine; and

10 2. issue a license sticker to the applicant.

11 (ii) The applicant shall place the sticker on the slot machine.

12 (iii) The proceeds of the annual fee shall be transferred to the
13 general fund of the county.

14 (3) In the application to the sheriff for a license, one of the principal
15 officers of the eligible organization shall certify under affidavit that the organization:

16 (i) is an eligible organization; and

17 (ii) will comply with this section.

18 (f) (1) A principal officer of the eligible organization may not intentionally
19 misrepresent a statement of fact on the application.

20 (2) A person who violates this subsection is guilty of perjury and on
21 conviction is subject to the penalty provided under Title 9, Subtitle 1 of this article.

22 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
23 October 1, 2007.