

**SB0959/229035/2**

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 959  
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike line 2 in its entirety and substitute “Slot Machines – Definition”; strike beginning with “prohibiting” in line 3 down through “definitions” in line 6 and substitute “altering the definition of “slot machine” for purposes of certain provisions of law to include certain machines, apparatuses, or devices that make a certain award to a user through the reading of a game of chance or the delivery of a game of chance; providing that the definition of “slot machine” does not include certain machines, apparatuses, or devices; authorizing the continued use of certain instant bingo machines under certain circumstances; establishing that the enforcement and implementation of this Act may not be stayed under certain circumstances”; in line 7, strike “electronic gaming devices” and substitute “slot machines”; and strike in their entirety lines 8 through 22, inclusive, and substitute:

“BY repealing and reenacting, with amendments,

Article – Criminal Law

Section 12-301

Annotated Code of Maryland

(2002 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, without amendments,

Article – Criminal Law

Section 12-302

Annotated Code of Maryland

(2002 Replacement Volume and 2007 Supplement)”.

AMENDMENT NO. 2

(Over)

On pages 3 through 7, strike in their entirety the lines beginning with line 12 on page 3 through line 4 on page 7, inclusive.

On page 7, in line 10, after “chance” insert “, THE READING OF A GAME OF CHANCE, THE DELIVERY OF A GAME OF CHANCE,”; in line 15, strike the second “and”; in line 19, strike the brackets; and strike in their entirety lines 22 and 23 and substitute:

“(3) “SLOT MACHINE” DOES NOT INCLUDE A MACHINE, APPARATUS, OR DEVICE THAT:

(I) AWARDS THE USER ONLY FREE ADDITIONAL GAMES OR PLAYS;

(II) AWARDS THE USER ONLY NONCASH MERCHANDISE OR PRIZES OF MINIMAL VALUE;

(III) DISPENSES PAPER PULL TAB TIP JAR TICKETS OR PAPER PULL TAB INSTANT BINGO TICKETS THAT MUST BE OPENED MANUALLY BY THE USER PROVIDED THAT THE MACHINE, APPARATUS, OR DEVICE DOES NOT:

1. READ THE TICKETS ELECTRONICALLY;
2. ALERT THE USER TO A WINNING OR LOSING TICKET; OR
3. TABULATE A PLAYER’S WINNINGS AND LOSSES;

(IV) 1. DISPLAYS FACSIMILES OF BINGO CARDS THAT USERS MARK AND MONITOR AS NUMBERS ARE CALLED BY AN INDIVIDUAL LOCATED ON THE PREMISES WHERE THE USER IS OPERATING THE MACHINE; AND

2. DOES NOT PERMIT A USER TO PLAY MORE THAN 54 BINGO CARDS AT THE SAME TIME;

(V) IS USED BY THE STATE LOTTERY COMMISSION UNDER TITLE 9 OF THE STATE GOVERNMENT ARTICLE; OR

(VI) IF LEGISLATION TAKES EFFECT AUTHORIZING THE OPERATION OF VIDEO LOTTERY TERMINALS, A VIDEO LOTTERY TERMINAL AS DEFINED IN AND LICENSED UNDER THAT LEGISLATION.”.

On pages 8 and 9, strike in their entirety the lines beginning with line 1 on page 8 through line 10 on page 9, inclusive.

AMENDMENT NO. 3

On page 9, before line 11, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That, notwithstanding the provisions of Section 1 of this Act, an entity licensed to offer instant bingo may continue to operate a game of instant bingo in the same manner using electronic machines until January 1, 2009, provided that:

(a) the machines have been in operation for a 1-year period ending December 31, 2007;

(b) the machines operate using preprinted rolls of paper pull tab tickets that issue pull tab tickets in a predetermined order; and

(Over)

(c) the conduct of the gaming and operation of the machines is consistent with all other provisions of the Criminal Law Article and with the holding in the case of Chesapeake Amusements Inc. v. Riddle, 363 Md. 16 (2001).

SECTION 3. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law, if any action is brought for declaratory, injunctive, or other relief to challenge the legality of any provision of this Act or any amendment made by this Act, the enforcement and implementation of this Act may not be stayed pending the disposition of the action.”;

and in line 11, strike “2.” and substitute “4.”.