

HOUSE BILL 21

E1, C7

9lr0554

(PRE-FILED)

By: **Delegate Olszewski**

Requested: September 2, 2008

Introduced and read first time: January 14, 2009

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Law – Betting, Wagering, and Gambling – Fantasy Competition**

3 FOR the purpose of exempting certain fantasy competitions from gaming prohibitions;
4 defining a certain term; and generally relating to fantasy competitions.

5 BY adding to

6 Article – Criminal Law

7 Section 12–114

8 Annotated Code of Maryland

9 (2002 Volume and 2008 Supplement)

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

12 **Article – Criminal Law**

13 **12–114.**

14 (A) **FOR THE PURPOSES OF THIS SECTION, “FANTASY COMPETITION”**
15 **INCLUDES ANY FANTASY OR SIMULATED GAME OR CONTEST SUCH AS FANTASY**
16 **SPORTS, ONLINE OR OTHERWISE, IN WHICH:**

17 (1) **PARTICIPANTS OWN, MANAGE, OR COACH IMAGINARY TEAMS;**

18 (2) **ALL PRIZES AND AWARDS OFFERED TO WINNING**
19 **PARTICIPANTS ARE ESTABLISHED AND MADE KNOWN TO PARTICIPANTS IN**
20 **ADVANCE OF THE GAME OR CONTEST AND THEIR VALUE IS NOT DETERMINED BY**
21 **THE NUMBER OF PARTICIPANTS OR THE AMOUNT OF ANY FEES PAID BY THOSE**
22 **PARTICIPANTS;**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(3) THE WINNING OUTCOME OF THE GAME OR CONTEST**
2 **REFLECTS THE RELATIVE SKILL OF THE PARTICIPANTS AND IS DETERMINED BY**
3 **STATISTICS GENERATED BY ACTUAL INDIVIDUALS (PLAYERS OR TEAMS IN THE**
4 **CASE OF A PROFESSIONAL SPORT); AND**

5 **(4) NO WINNING OUTCOME IS BASED:**

6 **(I) SOLELY ON THE PERFORMANCE OF AN INDIVIDUAL**
7 **ATHLETE; OR**

8 **(II) ON THE SCORE, POINT SPREAD, OR ANY PERFORMANCES**
9 **OF ANY SINGLE REAL-WORLD TEAM OR ANY COMBINATION OF REAL-WORLD**
10 **TEAMS.**

11 **(B) NOTWITHSTANDING THE PROVISIONS OF THIS OR ANY OTHER**
12 **TITLE, THE PROHIBITIONS AGAINST BETTING, WAGERING, AND GAMBLING DO**
13 **NOT APPLY TO PARTICIPATION IN A FANTASY COMPETITION.**

14 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
15 October 1, 2009.