

HOUSE BILL 56

C7

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HB 65/09 – W&M

(PRE-FILED)

By: **Delegates Conway and Mathias**

Requested: November 15, 2009

Introduced and read first time: January 13, 2010

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Worcester County – Slot Machines for Nonprofit Organizations**

3 FOR the purpose of adding Worcester County to the list of counties in which certain
4 nonprofit fraternal, religious, and war veterans' organizations may own and
5 operate a certain number of slot machines under certain circumstances; and
6 generally relating to slot machines in Worcester County.

7 BY repealing and reenacting, with amendments,
8 Article – Criminal Law
9 Section 12–304
10 Annotated Code of Maryland
11 (2002 Volume and 2009 Supplement)

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

14 **Article – Criminal Law**

15 12–304.

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

17 (1) a nonprofit organization that:

18 (i) has been located in a county listed in subsection (b) of this
19 section for at least 5 years before the organization applies for a license under
20 subsection (e) of this section; and

21 (ii) is a bona fide:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



- 1 1. fraternal organization;
- 2 2. religious organization; or
- 3 3. war veterans' organization; or

4 (2) a nonprofit organization that has been affiliated with a national
5 fraternal organization for less than 5 years and has been located in a county listed in
6 subsection (b) of this section for at least 50 years before the nonprofit organization
7 applies for a license under subsection (e) of this section.

8 (b) This section applies in:

- 9 (1) Caroline County;
- 10 (2) Cecil County;
- 11 (3) Dorchester County;
- 12 (4) Kent County;
- 13 (5) Queen Anne's County;
- 14 (6) Somerset County;
- 15 (7) Talbot County; [and]
- 16 (8) Wicomico County; AND
- 17 (9) **WORCESTER COUNTY.**

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

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

- 22 (i) obtains a license under subsection (e) of this section for each
23 slot machine;
- 24 (ii) owns each slot machine that the eligible organization
25 operates;
- 26 (iii) owns not more than five slot machines;
- 27 (iv) locates and operates its slot machines at its principal
28 meeting hall in the county in which the eligible organization is located;

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

3 (vi) uses:

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

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

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

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

11 1. the income of each slot machine; and

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

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

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

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

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

22 (2) (i) The county shall:

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

25 2. issue a license sticker to the applicant.

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

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

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

1 (i) is an eligible organization; and

2 (ii) will comply with this section.

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

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

7 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
8 October 1, 2010.