

Department of Legislative Services
Maryland General Assembly
2010 Session

FISCAL AND POLICY NOTE

House Bill 1542
Ways and Means

(Baltimore County Delegation)

Baltimore County - Use of Public School Facilities - Games of Chance

This bill allows a public school facility in Baltimore County to be used for games of chance, which includes raffles, bingo, or other games of chance that do not award cash money prizes. The bill may not be construed to prohibit a sponsoring entity, an association of parents and teachers, or the administrative or professional staff of a public school from charging a cash money admission fee to an event at which games of chance are played or a cash money fee in order to participate in games of chance.

Fiscal Summary

State Effect: None.

Local Effect: No material impact on county or school system finances in Baltimore County.

Small Business Effect: None.

Analysis

Current Law: Each county school board must encourage the use of public school facilities for community purposes. Generally, school facilities may be used for these purposes only at times that will not interfere with regular school sessions or other bona fide school activities. If written application is made to the county superintendent of schools, the county school board must provide for the use of a public school facility for meetings (that must be open to the public) entailing:

- the presentation and discussion of public questions;

- public speaking;
- lectures; or
- other civic, educational, social, or recreational purposes or church affiliated civic purposes.

The county school board may refuse the use of any school facility for these purposes if it appears that the use is likely to provoke or add to a public riot or breach of the peace, or to create a clear and present danger to the peace and welfare of the county or State.

Each county school board may permit a partisan political organization that has polled 10% or more of the entire vote cast in this State in the last general election to use public school facilities for programs and meetings that relate to a political campaign for nomination or election of a candidate to public office. Each county school board may permit the use of public school facilities for religious or other lawful purposes.

A county school board may make a reasonable charge for heating, lighting, and janitorial services for community use of public school facilities. The person applying for use of the school facility is liable for damages to the property and is responsible for leaving the facilities in the same condition as prior to their use.

Current Baltimore County Public Schools policy prohibits gambling, raffles, bingo, and all other games of chance on school board property or in connection with school projects.

Local Gaming

Each county is responsible for regulating gaming activities conducted by civic and charitable organizations. There is no statewide reporting of gaming activities by civic and charitable organizations. Gaming licensees may use the proceeds of gaming activities for the benefit of their own organizations, but do not need to share them with other organizations. However, slot machine operators must use half of the proceeds from slot machines to benefit a charity. State gaming law requirements currently apply to 15 counties.

In Baltimore County, qualified organizations may conduct gaming events (*e.g.*, a raffle) or a casino night after obtaining a permit from the county. An organization conducting a gaming event or casino night must spend a majority of net proceeds, in the county, for specified purposes (*e.g.*, fraternal or charitable purposes).

An organization obtaining a permit in Baltimore County may award a prize of money or merchandise using a paddle wheel; a wheel of fortune; a chance book; bingo; or any other

gaming device except a card game, a dice game, or roulette. An individual may not benefit financially from the event. Specified casino events (those including a card game or roulette) in the county are limited to one per month for a given sponsor. A sponsor of a specified casino night may not allow a player to bet more than \$10 in any one game and may not exchange tokens used in wagering for an item of merchandise that is worth more than \$1,000 (or exchange said merchandise for money or an item of merchandise of a different fair market value). Casino event permit holders must submit financial reports to the Baltimore County police department and permit department.

After obtaining a license, a qualified organization may conduct bingo in Baltimore County to benefit charity in the county or to further its purposes. The county issues both annual and temporary bingo licenses. The Baltimore County permit department may adopt regulations to govern the conduct of bingo, the amounts of prizes that may be awarded, hours of bingo operation, and other related matters.

Local Fiscal Effect: The bill will not materially impact county finances. To the extent that Baltimore County public schools allow applicants to hold games of chance, fees may be charged to cover expenses related to use of the school space. The bill does not change provisions of the State Criminal Law Article that govern local gaming law in Baltimore County, including those provisions regarding licensing and associated county revenues.

Additional Information

Prior Introductions: None.

Cross File: SB 1029 (Senator Klausmeier, *et al.*) - Education, Health, and Environmental Affairs.

Information Source(s): Baltimore County, Maryland State Department of Education, Comptroller's Office, Department of Legislative Services

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