

HOUSE BILL 1094

C7

11r0425

HB 572/10 – W&M

By: **Prince George's County Delegation**

Introduced and read first time: February 11, 2011

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Prince George's County – Charitable Gaming – Poker Events**

3 **PG 303–11**

4 FOR the purpose of authorizing a certain organization that promotes the arts and
5 preserves the culture in Prince George's County and certain volunteer fire
6 departments in the county to hold poker events in which the public may play
7 poker card games; limiting the number of poker events that an organization or
8 fire department may hold; requiring that an organization or fire department
9 obtain a permit from the Prince George's County Department of Environmental
10 Resources before holding a poker event; specifying that the conditions under
11 which a permit for a poker event is issued shall be the same with certain
12 exceptions that apply to a charitable gaming permit under the Prince George's
13 County Code; and generally relating to charitable gaming in Prince George's
14 County.

15 BY repealing and reenacting, without amendments,
16 Article – Criminal Law
17 Section 13–1901(a) and (c) and 13–1902(a)
18 Annotated Code of Maryland
19 (2002 Volume and 2010 Supplement)

20 BY repealing and reenacting, with amendments,
21 Article – Criminal Law
22 Section 13–1912
23 Annotated Code of Maryland
24 (2002 Volume and 2010 Supplement)

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



Article – Criminal Law

13–1901.

(a) In this subtitle the following words have the meanings indicated.

(c) (1) “Qualified organization” means an organization of a group of citizens of the county or a company, association, or corporation that is organized in good faith in the county to promote the purposes of a volunteer fire department or of a charitable, benevolent, patriotic, fraternal, educational, religious, or civic object.

(2) “Qualified organization” does not include a group organized for the private profit or gain of any member of the group, company, association, or corporation.

13–1902.

(a) This subtitle applies only in Prince George’s County.

13–1912.

(a) In this section:

(1) “casino night” means a benefit performance at which:

(i) a card game, wheel of chance, or roulette is played; and

(ii) money winnings or tokens redeemable in money are awarded as prizes; but

(2) “casino night” does not include a benefit performance at which the only form of gaming is a wheel of fortune, big wheel, or other wheel of chance.

(b) (1) **[This] EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, THIS** subtitle and Subtitle 2 of this title do not authorize casino nights in the county.

(2) **[A] EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, A** person may not conduct a casino night in the county.

(C) (1) NOTWITHSTANDING SUBSECTION (A) OF THIS SECTION AND SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, A QUALIFIED ORGANIZATION UNDER THIS SUBSECTION MAY CONDUCT A POKER EVENT:

(I) THAT IS OPEN TO THE PUBLIC; AND

(II) IN WHICH ONLY POKER CARD GAMES ARE PLAYED.

1 **(2) BEFORE CONDUCTING A POKER EVENT, A QUALIFIED**
2 **ORGANIZATION UNDER THIS SUBSECTION SHALL OBTAIN A PERMIT FROM THE**
3 **DEPARTMENT OF ENVIRONMENTAL RESOURCES.**

4 **(3) TO BE ELIGIBLE FOR A PERMIT TO HOLD A POKER EVENT, A**
5 **QUALIFIED ORGANIZATION SHALL BE:**

6 **(I) AN ORGANIZATION THAT:**

7 1. **PROMOTES THE ARTS AND PRESERVES THE**
8 **CULTURE;**

9 2. **IS EXEMPT FROM TAXATION UNDER § 501(C)(3) OF**
10 **THE INTERNAL REVENUE CODE; AND**

11 3. **HAS OPERATED IN THE COUNTY FOR AT LEAST 5**
12 **YEARS BEFORE SUBMITTING A PERMIT APPLICATION; OR**

13 **(II) A VOLUNTEER FIRE DEPARTMENT THAT HAS OPERATED**
14 **IN THE COUNTY FOR AT LEAST 10 YEARS BEFORE SUBMITTING A PERMIT**
15 **APPLICATION.**

16 **(4) A QUALIFIED ORGANIZATION UNDER THIS SUBSECTION MAY**
17 **NOT HOLD MORE THAN ONE POKER EVENT PER MONTH.**

18 **(5) EXCEPT AS PROVIDED UNDER THIS SUBSECTION, CONDITIONS**
19 **UNDER WHICH A PERMIT FOR A POKER EVENT IS ISSUED SHALL BE THE SAME AS**
20 **THOSE THAT APPLY TO A CHARITABLE GAMING EVENT PERMIT UNDER**
21 **SUBTITLE 5, DIVISION 2 OF THE PRINCE GEORGE'S COUNTY CODE, INCLUDING**
22 **REQUIREMENTS FOR PERMIT APPLICATIONS, USE OF PROCEEDS, HOURS OF**
23 **OPERATION, WORKER LICENSING, ORGANIZATIONAL REPORTING, FEES, AND**
24 **PRIZE AMOUNTS.**

25 **[(c)] (D)** A person who violates this section or a county ordinance enacted
26 under this section is guilty of a misdemeanor and on conviction is subject to
27 imprisonment not exceeding 3 years or a fine not exceeding \$5,000 or both.

28 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
29 July 1, 2011.