

SENATE BILL 373

C7

11r1628
CF 11r1627

By: **Senators Kasemeyer and DeGrange**
Introduced and read first time: February 3, 2011
Assigned to: Budget and Taxation

A BILL ENTITLED

1 AN ACT concerning

2 **Video Lottery Operation Licensees – Noninterference**

3 FOR the purpose of prohibiting a video lottery operation licensee from directly or
4 indirectly interfering with, hindering, obstructing, impeding, or taking any
5 action to delay the implementation or establishment of a video lottery facility by
6 any other video lottery operation licensee or applicant; requiring the State
7 Lottery Commission to adopt regulations to carry out the provisions of this Act;
8 requiring that the regulations adopted by the State Lottery Commission include
9 certain provisions; and generally relating to video lottery facilities and video
10 lottery operation licenses.

11 BY repealing and reenacting, without amendments,
12 Article – State Government
13 Section 9–1A–24(a)
14 Annotated Code of Maryland
15 (2009 Replacement Volume and 2010 Supplement)

16 BY adding to
17 Article – State Government
18 Section 9–1A–24(g)
19 Annotated Code of Maryland
20 (2009 Replacement Volume and 2010 Supplement)

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

23 **Article – State Government**

24 9–1A–24.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter deleted from existing law.



1 (a) Except as provided in subsection (b) of this section, the Commission shall
2 ensure that a video lottery operation licensee complies with the requirements of this
3 section as a condition of holding the video lottery operation license.

4 (G) (1) A VIDEO LOTTERY OPERATION LICENSEE MAY NOT, DIRECTLY
5 OR INDIRECTLY, INTERFERE WITH, HINDER, OBSTRUCT, IMPEDE, OR TAKE ANY
6 ACTION TO DELAY THE IMPLEMENTATION OR ESTABLISHMENT OF A VIDEO
7 LOTTERY FACILITY BY ANY OTHER LICENSEE OR APPLICANT FOR A VIDEO
8 LOTTERY OPERATION LICENSE AWARDED OR ISSUED UNDER THIS SUBTITLE.

9 (2) (I) THE COMMISSION SHALL ADOPT REGULATIONS, TO THE
10 FULLEST EXTENT ALLOWED BY THE FIRST AMENDMENT OF THE CONSTITUTION
11 OF THE UNITED STATES, TO CARRY OUT THE PROVISIONS OF THIS SUBSECTION.

12 (II) THE REGULATIONS ADOPTED UNDER THIS SUBSECTION
13 SHALL INCLUDE PROVISIONS:

14 1. THAT EXPRESSLY PROHIBIT:

15 A. TAKING ANY OF THE ACTIONS DESCRIBED IN
16 PARAGRAPH (1) OF THIS SUBSECTION RELATING TO THE ISSUANCE OF
17 REQUIRED STATE OR LOCAL GOVERNMENTAL APPROVALS FOR THE
18 ESTABLISHMENT OF A VIDEO LOTTERY FACILITY; OR

19 B. PROVIDING FUNDING OR OTHER MATERIAL
20 SUPPORT TO ENGAGE IN ANY OF THE ACTIONS DESCRIBED IN PARAGRAPH (1)
21 OF THIS SUBSECTION; AND

22 2. THAT PROHIBIT, AS UNLAWFUL INDIRECT
23 CONDUCT, ACTIVITY:

24 A. BY AN ENTITY IN WHICH THE LICENSEE OWNS A
25 BENEFICIAL OR PROPRIETARY INTEREST; OR

26 B. BY AN ENTITY IN WHICH AN AFFILIATE OF THE
27 LICENSEE OWNS A BENEFICIAL OR PROPRIETARY INTEREST.

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