

HOUSE BILL 133

C7

2lr0863

By: **Carroll County Delegation**

Introduced and read first time: January 23, 2012

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Carroll County – Gaming**

3 FOR the purpose of authorizing certain organizations in Carroll County to conduct a
4 card game, card tournament, or casino night under certain circumstances;
5 requiring an organization to obtain a permit from the Board of License
6 Commissioners before conducting a card game, card tournament, or casino
7 night; requiring an organization that seeks a permit to meet certain
8 requirements; specifying that a card game, card tournament, or casino night
9 may be managed and organized by certain organizations; requiring an
10 individual who participates in or helps operate a card game, card tournament,
11 or casino night to be of a certain age; specifying that a permit holder may
12 receive a certain maximum number of permits in a calendar year; providing a
13 certain time limit on a card game, card tournament, or casino night; specifying
14 that a permit is not transferable; requiring that proceeds from a card game,
15 card tournament, or casino night be used for certain purposes and may not be
16 used for other purposes; specifying that the operation of a card game, card
17 tournament, or casino night may not occur during a certain time; authorizing a
18 permit holder under this Act to charge only a pre-set entrance fee; requiring
19 participants in a card game, card tournament, or casino night to use tokens and
20 not cash for wagering under certain circumstances; prohibiting a permit holder
21 from exchanging tokens under certain circumstances; requiring a permit holder
22 to submit a financial report to the Sheriff's Office under certain circumstances;
23 authorizing the Board of County Commissioners to adopt certain regulations;
24 providing a certain penalty; defining certain terms; and generally relating to
25 gaming in Carroll County.

26 BY repealing and reenacting, with amendments,
27 Article – Criminal Law
28 Section 13–906
29 Annotated Code of Maryland
30 (2002 Volume and 2011 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 BY adding to
2 Article – Criminal Law
3 Section 13–906.1
4 Annotated Code of Maryland
5 (2002 Volume and 2011 Supplement)

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

8 **Article – Criminal Law**

9 13–906.

10 (a) Notwithstanding § 13–903 of this subtitle **AND EXCEPT AS PROVIDED**
11 **IN SUBSECTION (B) OF THIS SECTION AND § 13–906.1 OF THIS SUBTITLE**, a
12 person may not conduct a card game, dice game, roulette, or casino night [unless the
13 person is a senior center site council that conducts a card game under subsection (b) of
14 this section].

15 (b) (1) A senior center site council may conduct a card game in a senior
16 center 5 days per week, excluding Sunday.

17 (2) A senior center site council may not:

18 (i) award a prize of money exceeding \$5 to a winner in each
19 session; and

20 (ii) charge a participant more than \$1 to play one session.

21 (3) All money that remains after prizes are awarded shall be
22 distributed to the senior center site council.

23 **13–906.1.**

24 (A) (1) **IN THIS SECTION THE FOLLOWING WORDS HAVE THE**
25 **MEANINGS INDICATED.**

26 (2) **“CASINO NIGHT” INCLUDES THE PLAY OF CARD GAMES, DICE**
27 **GAMES, AND ROULETTE.**

28 (3) **“PERMIT” MEANS A PERMIT TO CONDUCT A CARD GAME, CARD**
29 **TOURNAMENT, OR CASINO NIGHT.**

1 **(B) BEFORE AN ORGANIZATION MAY CONDUCT A CARD GAME, CARD**
2 **TOURNAMENT, OR CASINO NIGHT, THE ORGANIZATION SHALL OBTAIN A PERMIT**
3 **FROM THE BOARD OF LICENSE COMMISSIONERS OF CARROLL COUNTY.**

4 **(C) TO QUALIFY FOR A PERMIT, AN ORGANIZATION SHALL BE A BONA**
5 **FIDE:**

6 **(1) AMATEUR ATHLETIC ORGANIZATION;**

7 **(2) CHARITABLE ORGANIZATION;**

8 **(3) CIVIC ORGANIZATION;**

9 **(4) FRATERNAL ORGANIZATION;**

10 **(5) HOSPITAL;**

11 **(6) RELIGIOUS ORGANIZATION;**

12 **(7) VOLUNTEER FIRE COMPANY; OR**

13 **(8) WAR VETERANS' ORGANIZATION.**

14 **(D) (1) A CARD GAME, CARD TOURNAMENT, OR CASINO NIGHT MAY**
15 **BE:**

16 **(I) MANAGED AND OPERATED BY THE ORGANIZATION THAT**
17 **IS THE PERMIT HOLDER; OR**

18 **(II) MANAGED BY THE ORGANIZATION THAT IS THE PERMIT**
19 **HOLDER AND OPERATED BY ANOTHER ORGANIZATION LISTED IN SUBSECTION**
20 **(C) OF THIS SECTION.**

21 **(2) TO PARTICIPATE IN OR HELP OPERATE A CARD GAME, CARD**
22 **TOURNAMENT, OR CASINO NIGHT, AN INDIVIDUAL SHALL BE AT LEAST 18 YEARS**
23 **OLD.**

24 **(E) (1) AN ORGANIZATION THAT IS THE PERMIT HOLDER MAY**
25 **RECEIVE NOT MORE THAN FOUR PERMITS IN A CALENDAR YEAR.**

26 **(2) A CARD GAME, CARD TOURNAMENT, OR CASINO NIGHT MAY**
27 **NOT LAST LONGER THAN 24 CONSECUTIVE HOURS.**

1 **(F) A PERMIT IS NOT TRANSFERABLE.**

2 **(G) PROCEEDS FROM A CARD GAME, CARD TOURNAMENT, OR CASINO**
3 **NIGHT CONDUCTED UNDER THIS SECTION:**

4 **(1) SHALL BE USED TO BENEFIT A CHARITY OR TO FURTHER THE**
5 **PURPOSE OF THE PERMIT HOLDER; AND**

6 **(2) MAY NOT BENEFIT FINANCIALLY OR BE USED FOR THE**
7 **PERSONAL USE OF AN INDIVIDUAL OR A GROUP OF INDIVIDUALS.**

8 **(H) A PERMIT MAY NOT AUTHORIZE THE OPERATION OF A CARD GAME,**
9 **CARD TOURNAMENT, OR CASINO NIGHT AFTER 1 A.M. ON SUNDAY.**

10 **(I) (1) AN ORGANIZATION THAT IS THE PERMIT HOLDER MAY**
11 **CHARGE ONLY A PRE-SET ENTRANCE FEE FOR A CARD GAME, CARD**
12 **TOURNAMENT, OR CASINO NIGHT.**

13 **(2) PARTICIPANTS IN A CARD GAME, CARD TOURNAMENT, OR**
14 **CASINO NIGHT SHALL RECEIVE TOKENS FOR WAGERING IN EXCHANGE FOR THE**
15 **ENTRANCE FEE.**

16 **(3) A PARTICIPANT MAY PURCHASE ADDITIONAL TOKENS DURING**
17 **A CARD GAME, CARD TOURNAMENT, OR CASINO NIGHT, NOT EXCEEDING 100%**
18 **OF THE ENTRANCE FEE.**

19 **(4) AN ORGANIZATION THAT IS THE PERMIT HOLDER MAY NOT**
20 **ALLOW CASH TO BE USED FOR WAGERING.**

21 **(J) AN ORGANIZATION THAT IS THE PERMIT HOLDER MAY NOT:**

22 **(1) EXCHANGE TOKENS USED IN WAGERING FOR AN ITEM OF**
23 **MERCHANDISE THAT IS WORTH MORE THAN \$10,000; OR**

24 **(2) EXCHANGE TOKENS USED FOR WAGERING FOR MONEY OR AN**
25 **ITEM OF MERCHANDISE HAVING A VALUE THAT IS DIFFERENT FROM THE FAIR**
26 **MARKET RETAIL VALUE OF THE ITEM OF MERCHANDISE THAT WAS RECEIVED**
27 **FOR THE TOKENS.**

28 **(K) WITHIN 60 DAYS AFTER HOLDING A CARD GAME, CARD**
29 **TOURNAMENT, OR CASINO NIGHT, THE ORGANIZATION THAT IS THE PERMIT**
30 **HOLDER SHALL SUBMIT TO THE CARROLL COUNTY SHERIFF'S OFFICE A**

1 FINANCIAL REPORT THAT LISTS THE RECEIPTS AND EXPENDITURES FOR THE
2 CARD GAME, CARD TOURNAMENT, OR CASINO NIGHT.

3 (L) IN ADDITION TO BEING SUBJECT TO § 13-909 OF THIS SUBTITLE, AN
4 ORGANIZATION THAT IS FOUND TO HAVE VIOLATED THIS SECTION IS
5 INELIGIBLE TO RECEIVE A PERMIT UNDER THIS SECTION FOR A PERIOD NOT
6 EXCEEDING 5 YEARS.

7 (M) THE BOARD OF COUNTY COMMISSIONERS OF CARROLL COUNTY
8 MAY ADOPT REGULATIONS TO CARRY OUT THIS SECTION, INCLUDING
9 REGULATIONS TO GOVERN:

10 (1) THE ISSUING OF PERMITS;

11 (2) PERMIT FEES; AND

12 (3) THE CONDUCT AND MANAGEMENT OF A CARD GAME, CARD
13 TOURNAMENT, OR CASINO NIGHT IN A MANNER TO PREVENT FRAUD AND
14 PROTECT THE PUBLIC.

15 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
16 October 1, 2012.