

# HOUSE BILL 461

L2, C7

2lr2327  
CF 2lr2440

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**By: Washington County Delegation**

Introduced and read first time: February 2, 2012

Assigned to: Ways and Means

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## A BILL ENTITLED

1 AN ACT concerning

2 **Washington County – Amusement Devices – Tip Jars**

3 FOR the purpose of altering the definition of “amusement device” as it relates to the  
4 operation and regulation of amusement devices in Washington County to  
5 include a game activated by an object or other consideration of value; altering  
6 the definition of “gross profits” as it relates to the operation of a tip jar in  
7 Washington County to require the deduction of the cost of a gaming sticker; and  
8 generally relating to the operation and regulation of amusement devices and tip  
9 jars in Washington County.

10 BY repealing and reenacting, with amendments,  
11 Article 24 – Political Subdivisions – Miscellaneous Provisions  
12 Section 11–202  
13 Annotated Code of Maryland  
14 (2011 Replacement Volume)

15 BY repealing and reenacting, with amendments,  
16 Article – Criminal Law  
17 Section 13–2435  
18 Annotated Code of Maryland  
19 (2009 Replacement Volume and 2011 Supplement)

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

22 **Article 24 – Political Subdivisions – Miscellaneous Provisions**

23 11–202.

24 (a) (1) In this section, “amusement device” means [billiard]:

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.





1                   (3)    The application for an amusement device operator license shall  
2 contain:

3                           (i)    The name of the applicant;

4                           (ii)   The address of the applicant;

5                           (iii)   The names and addresses of all locations where amusement  
6 machines are to be operated by the applicant; and

7                           (iv)   Any other information that the County Commissioners  
8 require.

9                   (4)    (i)    Each amusement device operator license expires on June 30  
10 each year and may be renewed each year on or before July 1.

11                           (ii)   Before the license expires, the licensee periodically may  
12 renew it for an additional 1 year term.

13                   (c)    (1)    Before a person who keeps, owns, or maintains an amusement  
14 device allows the operation of the machine by the public in Washington County, the  
15 person shall obtain a permit.

16                           (2)    An applicant for an amusement device permit shall:

17                                   (i)    Submit an application for each location where the machines  
18 are to be operated to the County Commissioners of Washington County on the form  
19 that the County Commissioners require; and

20                                   (ii)   Pay a fee of \$100 per machine for each permit.

21                   (3)    Each amusement device operator permit expires on June 30 each  
22 year and may be renewed each year on or before July 1.

23                   (d)    If an amusement device is on display for sale, the County Commissioners  
24 may waive any fee otherwise required under this section.

25                   (e)    (1)    A person who violates subsection (b) of this section is guilty of a  
26 misdemeanor, and on conviction is subject to a fine not exceeding \$5,000 or  
27 imprisonment not exceeding 6 months, or both.

28                           (2)    A person who violates subsection (c) of this section is guilty of a  
29 misdemeanor, and on conviction is subject to a fine not exceeding \$500, or  
30 imprisonment not exceeding 6 months, or both.



1 gross profits earned through the operation of tip jars during the 12-month period  
2 ending June 30.

3 (3) If a person fails to contribute the full amount required under  
4 paragraph (2) of this subsection, the person shall deposit the balance required during  
5 the next year.

6 (f) After the reimbursement under subsection (c)(2) of this section, each year  
7 the gaming commission shall distribute:

8 (1) 50% of the money deposited in the fund to the Washington County  
9 Volunteer Fire and Rescue Association; and

10 (2) subject to any restriction that the county commissioners adopt by  
11 regulation, 50% of the money deposited in the fund to bona fide charitable  
12 organizations in the county.

13 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
14 July 1, 2012.