

HOUSE BILL 204

C7

3lr1824
CF SB 106

By: **Delegates Stukes, Anderson, Conaway, Glenn, Haynes, McHale, Mitchell,
Oaks, B. Robinson, and Tarrant**

Introduced and read first time: January 21, 2013

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Baltimore City – Charitable Gaming Events – For-Profit and Nonprofit**
3 **Organizations**

4 FOR the purpose of authorizing in Baltimore City a for-profit organization to hold a
5 charitable gaming event with a certain nonprofit organization under certain
6 conditions; authorizing a charitable gaming event to include card games, dice
7 games, and roulette; requiring that a for-profit organization and nonprofit
8 organization be issued a permit before conducting a charitable event; requiring
9 that a person who works as an operator of the charitable gaming event be
10 named on the permit; requiring the Baltimore City Police Commissioner to take
11 certain actions before issuing a permit; requiring the Commissioner to make
12 certain permit applications a matter of public record; prohibiting an individual
13 or group of individuals from receiving certain benefits; allowing permit holders
14 to pay for certain goods and services; limiting the number of charitable gaming
15 events that permit holders may conduct in a calendar year; requiring permit
16 holders to submit certain documents to the Commissioner and the Department
17 of Finance; prohibiting permit holders from offering or awarding certain prizes;
18 requiring the Commissioner to adopt certain regulations; making a violation of
19 this Act a misdemeanor; providing a certain penalty; defining certain terms;
20 and generally relating to charitable gaming events in Baltimore City.

21 BY repealing and reenacting, without amendments,
22 Article – Criminal Law
23 Section 13–501(a) and (b) and 13–502
24 Annotated Code of Maryland
25 (2012 Replacement Volume and 2012 Supplement)

26 BY adding to
27 Article – Criminal Law
28 Section 13–505.1

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 Annotated Code of Maryland
2 (2012 Replacement Volume and 2012 Supplement)

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

5 **Article – Criminal Law**

6 13–501.

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

8 (b) “Commissioner” means the Baltimore City Police Commissioner.

9 13–502.

10 This subtitle applies only in Baltimore City.

11 **13–505.1.**

12 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE
13 MEANINGS INDICATED.

14 (2) “CHARITABLE GAMING EVENT” MEANS AN EVENT THAT
15 INCLUDES A CARD GAME, A DICE GAME, AND ROULETTE.

16 (3) “PARTNER ORGANIZATION” MEANS AN ORGANIZATION IN
17 BALTIMORE CITY THAT IS:

18 (I) A RELIGIOUS ORGANIZATION;

19 (II) A FRATERNAL ORGANIZATION;

20 (III) A CIVIC ORGANIZATION;

21 (IV) A VETERANS’ HOSPITAL;

22 (V) AN AMATEUR ATHLETIC ORGANIZATION IN WHICH ALL
23 PLAYING MEMBERS ARE UNDER THE AGE OF 18 YEARS; OR

24 (VI) A CHARITABLE ORGANIZATION.

25 (B) A FOR–PROFIT ORGANIZATION MAY HOLD A CHARITABLE GAMING
26 EVENT WITH A PARTNER ORGANIZATION IF ALL OF THE NET PROCEEDS OF THE
27 CHARITABLE GAMING EVENT ARE DONATED TO THE PARTNER ORGANIZATION.

1 **(C) (1) (I) A FOR-PROFIT ORGANIZATION AND A PARTNER**
2 **ORGANIZATION SHALL BE ISSUED A PERMIT BY THE COMMISSIONER BEFORE**
3 **THE FOR-PROFIT ORGANIZATION AND THE PARTNER ORGANIZATION MAY**
4 **CONDUCT A CHARITABLE GAMING EVENT.**

5 **(II) A PERSON WHO WORKS AS AN OPERATOR OF THE**
6 **CHARITABLE GAMING EVENT SHALL BE NAMED ON THE PERMIT WITH THE**
7 **FOR-PROFIT ORGANIZATION AND THE PARTNER ORGANIZATION.**

8 **(2) BEFORE THE COMMISSIONER MAY ISSUE A PERMIT FOR A**
9 **CHARITABLE GAMING EVENT, THE COMMISSIONER SHALL REVIEW THE**
10 **CHARACTER OF THE FOR-PROFIT ORGANIZATION AND THE PARTNER**
11 **ORGANIZATION APPLYING FOR THE PERMIT TO ASCERTAIN THAT THE**
12 **ORGANIZATIONS MEET THE REQUIREMENTS OF THIS SUBTITLE.**

13 **(3) THE COMMISSIONER SHALL MAKE ANY APPLICATION FOR A**
14 **PERMIT AND THE ACTION TAKEN BY THE COMMISSIONER ON THAT APPLICATION**
15 **A MATTER OF PUBLIC RECORD.**

16 **(D) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS**
17 **SUBSECTION, A FOR-PROFIT ORGANIZATION AND A PARTNER ORGANIZATION**
18 **CONDUCTING A CHARITABLE GAMING EVENT MAY NOT ALLOW AN INDIVIDUAL**
19 **OR A GROUP OF INDIVIDUALS TO:**

20 **(I) BENEFIT FINANCIALLY FROM THE CHARITABLE GAMING**
21 **EVENT; OR**

22 **(II) RECEIVE ANY OF THE PROCEEDS OF THE CHARITABLE**
23 **GAMING EVENT FOR PERSONAL USE OR BENEFIT.**

24 **(2) A FOR-PROFIT ORGANIZATION AND A PARTNER**
25 **ORGANIZATION MAY PAY:**

26 **(I) A PERSON TO MANAGE, OPERATE, OR ASSIST IN THE**
27 **MANAGEMENT OR OPERATION OF THE CHARITABLE GAMING EVENT; AND**

28 **(II) THE COST OF GOODS AND OTHER SERVICES ESSENTIAL**
29 **TO THE OPERATION OF THE CHARITABLE GAMING EVENT, SUCH AS FOOD,**
30 **BEVERAGES, AND VENUE RENTAL.**

31 **(E) (1) SUBJECT TO PARAGRAPH (2) OF THIS SECTION, A**
32 **FOR-PROFIT ORGANIZATION AND A PARTNER ORGANIZATION MAY NOT**

1 CONDUCT MORE THAN THREE CHARITABLE GAMING EVENTS IN A CALENDAR
2 YEAR.

3 (2) WITHIN 60 DAYS AFTER HOLDING A CHARITABLE GAMING
4 EVENT, THE FOR-PROFIT ORGANIZATION AND THE PARTNER ORGANIZATION
5 SHALL SUBMIT TO THE COMMISSIONER AND TO THE DEPARTMENT OF FINANCE
6 A REPORT THAT LISTS THE RECEIPTS AND EXPENSES FOR THE CHARITABLE
7 GAMING EVENT TO DETERMINE THE AMOUNT OF THE ADMISSIONS AND
8 AMUSEMENT TAX THAT IS DUE.

9 (F) THE FOR-PROFIT ORGANIZATION AND THE PARTNER
10 ORGANIZATION THAT HOLD A CHARITABLE GAMING EVENT MAY NOT:

11 (1) OFFER OR AWARD A MONEY PRIZE OF MORE THAN \$500 TO A
12 PLAYER OF A CARD GAME, DICE GAME, OR ROULETTE; OR

13 (2) OFFER OR AWARD MERCHANDISE OF NOT MORE THAN \$1,000
14 TO A PLAYER OF A CARD GAME, DICE GAME, OR ROULETTE.

15 (G) THE COMMISSIONER SHALL ADOPT REGULATIONS FOR:

16 (1) THE ISSUANCE OF A PERMIT FOR A CHARITABLE GAMING
17 EVENT; AND

18 (2) THE CONDUCT AND MANAGEMENT OF A CHARITABLE GAMING
19 EVENT TO PREVENT FRAUD AND TO PROTECT THE PUBLIC.

20 (H) A PERSON WHO KNOWINGLY CONDUCTS OR ATTEMPTS TO CONDUCT
21 A CHARITABLE GAMING EVENT IN VIOLATION OF THIS SECTION IS GUILTY OF A
22 MISDEMEANOR AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT
23 EXCEEDING 1 YEAR OR A FINE NOT EXCEEDING \$1,000 OR BOTH.

24 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
25 October 1, 2013.