

SENATE BILL 130

C7
SB 166/12 – B&T

3lr1103
CF 3lr1854

By: **Senators Glassman, Jacobs, and Jennings**

Introduced and read first time: January 16, 2013

Assigned to: Budget and Taxation

A BILL ENTITLED

1 AN ACT concerning

Harford County – Charitable Gaming

3 FOR the purpose of creating in Harford County a permit to be issued by the Sheriff of
4 Harford County that authorizes certain nonprofit organizations to conduct a
5 gaming contest in Harford County; specifying certain requirements that
6 organizations must meet to be issued a permit; specifying a certain maximum
7 number of gaming contests an organization may hold in a year and the location
8 and hours for conducting a gaming contest; authorizing certain games to be
9 conducted at a gaming contest under certain circumstances; specifying the
10 maximum bet a single individual may place on a game; specifying that alcoholic
11 beverages may be served or sold under certain conditions; prohibiting profits or
12 proceeds from being paid to certain persons under certain circumstances;
13 authorizing certain organizations to use certain proceeds for certain purposes
14 after certain costs are deducted; requiring the holder of a permit to meet certain
15 financial reporting requirements; authorizing the sheriff to refuse to issue a
16 permit under certain conditions; requiring the sheriff to adopt certain
17 regulations; providing a certain penalty; defining a certain term; and generally
18 relating to gaming contests in Harford County.

19 BY renumbering

20 Article – Criminal Law
21 Section 13–1512
22 to be Section 13–1513
23 Annotated Code of Maryland
24 (2012 Replacement Volume and 2012 Supplement)

25 BY adding to

26 Article – Criminal Law
27 Section 13–1512
28 Annotated Code of Maryland
29 (2012 Replacement Volume and 2012 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
2 MARYLAND, That Section(s) 13-1512 of Article – Criminal Law of the Annotated
3 Code of Maryland be renumbered to be Section(s) 13-1513.

4 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland
5 read as follows:

6 **Article – Criminal Law**

7 **13-1512.**

8 (A) IN THIS SECTION, “GAMING CONTEST” MEANS AN EVENT THAT
9 INVOLVES A CARD GAME, A DICE GAME, OR ROULETTE.

10 (B) AN ORGANIZATION SHALL BE ISSUED A PERMIT FROM THE SHERIFF
11 OF HARFORD COUNTY BEFORE THE ORGANIZATION MAY CONDUCT A GAMING
12 CONTEST IN HARFORD COUNTY.

13 (C) AN ORGANIZATION IS ELIGIBLE TO BE ISSUED A PERMIT IF THE
14 ORGANIZATION QUALIFIES AS A NONPROFIT ORGANIZATION UNDER § 501(C)(3)
15 OR (19) OF THE INTERNAL REVENUE CODE AND HAS BEEN LOCATED IN THE
16 COUNTY FOR AT LEAST 3 YEARS BEFORE APPLYING FOR THE PERMIT.

17 (D) TO BE ISSUED A PERMIT, AN ORGANIZATION SHALL:

18 (1) SUBMIT AN APPLICATION TO THE SHERIFF ON A FORM THAT
19 THE SHERIFF REQUIRES;

20 (2) STATE ON THE APPLICATION FORM THE PURPOSE FOR WHICH
21 THE PROCEEDS OF THE GAMING CONTEST WILL BE USED; AND

22 (3) PAY THE PERMIT FEE THAT THE SHERIFF DETERMINES.

23 (E) (1) (I) A HOLDER OF A PERMIT MAY CONDUCT NOT MORE THAN
24 FOUR GAMING CONTESTS IN A CALENDAR YEAR.

25 (II) A PERMIT IS NOT TRANSFERABLE.

26 (2) A GAMING CONTEST MAY BE HELD ONLY:

27 (I) BETWEEN 4 P.M. AND 1 A.M. THE FOLLOWING DAY; AND

(II) IN A STRUCTURE OR AT A LOCATION THAT IS OWNED OR
LEASED BY THE HOLDER OF THE PERMIT.

3 (3) A SEPARATE PERMIT IS REQUIRED FOR EACH GAMING
4 CONTEST.

10 (F) (1) THE MAXIMUM BET A SINGLE INDIVIDUAL MAY PLACE ON ANY
11 GAME CONDUCTED DURING A GAMING CONTEST IS \$10.

17 (G) AN ORGANIZATION MAY RENT OR PURCHASE NECESSARY
18 EQUIPMENT AND SUPPLIES TO CONDUCT A GAMING CONTEST BUT MAY NOT
19 ENTER INTO A LEASE OR OTHER AGREEMENT TO SHARE PROFITS FROM THE
20 GAMING CONTEST.

21 (H) (1) A GAMING CONTEST SHALL BE MANAGED AND OPERATED
22 PERSONALLY BY MEMBERS OF THE ORGANIZATION CONDUCTING THE GAMING
23 CONTEST WITHOUT THE ASSISTANCE OF ANY OUTSIDE WORKER, INCLUDING A
24 PAID OR PROFESSIONAL CASINO OPERATOR, MANAGER, OR SUPPLIER OF
25 EQUIPMENT.

3 **(I) AFTER COSTS INCURRED IN CONDUCTING A GAMING CONTEST ARE**
4 **DEDUCTED, PROCEEDS FROM A GAMING CONTEST MAY BE USED ONLY FOR THE**
5 **PURPOSES OF THE ORGANIZATION.**

6 (J) (1) WITHIN 30 DAYS AFTER A GAMING CONTEST, THE HOLDER OF
7 THE PERMIT SHALL SUBMIT TO THE SHERIFF A FINANCIAL REPORT THAT LISTS
8 ALL OF THE RECEIPTS AND EXPENDITURES FOR THE GAMING CONTEST.

22 (K) THE SHERIFF SHALL ADOPT REGULATIONS TO CARRY OUT THIS
23 SECTION.

24 **(L) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A**
25 **MISDEMEANOR AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT**
26 **EXCEEDING 1 YEAR OR A FINE NOT EXCEEDING \$1,000 OR BOTH.**

27 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
28 July 1, 2013.