

Department of Legislative Services
Maryland General Assembly
2013 Session

FISCAL AND POLICY NOTE
Revised

House Bill 1053

(Delegate B. Robinson, *et al.*) (By Request - Baltimore
City Administration)

Ways and Means

Budget and Taxation

Video Lottery Facilities - Employee Licenses - Crimes of Moral Turpitude or
Gambling

This emergency bill limits the requirement for denying a video lottery employee license. An applicant must be disqualified for a license if the applicant has had a conviction or is on active parole or probation for any crime involving moral turpitude or gambling within the prior seven years.

Fiscal Summary

State Effect: None. Altering the qualifications for video lottery employee licenses does not affect governmental finances because the application fee of \$250 per gaming license applicant and \$50 per nongaming license applicant covers any additional costs incurred by the State Lottery and Gaming Control Commission.

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law: An individual must hold a valid license issued by the State Lottery and Gaming Control Commission in order to be employed as a video lottery employee. The commission may, by regulation, exempt categories of video lottery employees from holding a license if the commission determines that the requirement is not necessary in order to protect the public interest or accomplish policies relating to video lottery terminals.

State law specifies eight conditions that automatically disqualify an applicant from receiving a license. Among the reasons an applicant for a video lottery employee license must be disqualified are conviction for any crime involving moral turpitude or gambling under the laws of the United States or any state at any time. The commission of a criminal act of moral turpitude or gambling, even if it was not prosecuted, is also a disqualifying condition. The commission may also establish in regulations any other reason for denying a license.

Active parole means parolees who must be supervised. Due to good behavior, some parolees are not under active supervision, meaning they are not required to check in with a supervisor.

Background: Video lottery operation licensees prescreen video lottery employee applicants before submitting them to the State Lottery and Gaming Control Commission for consideration, so there is no operational impact on the commission.

This bill will reduce the current lifetime ban on employees who were convicted of a crime of moral turpitude or gambling, or who committed such an act, to seven years prior to making an application to the commission including time on active parole or probation.

While there is no specific Maryland code that defines moral turpitude, a 1996 Attorney General's Opinion described a crime of moral turpitude as a crime "for which fraudulent intent is a requisite element of proof." Black's Law Dictionary defines "moral turpitude" as "conduct that is contrary to justice, honesty, or morality" and includes fraud and breach of trust as examples.

Additional Information

Prior Introductions: None.

Cross File: SB 282 (Senator Jones-Rodwell)(By Request - Baltimore City Administration) and Senator McFadden - Budget and Taxation.

Information Source(s): Maryland State Lottery and Gaming Control Agency, Department of Legislative Services

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Analysis by: Heather N. Ruby

Direct Inquiries to:
(410) 946-5510
(301) 970-5510