

# SENATE BILL 195

C7  
SB 130/13 – B&T

4lr0826

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

Introduced and read first time: January 15, 2014

Assigned to: Budget and Taxation

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## A BILL ENTITLED

1 AN ACT concerning

2 **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 2013 Supplement)

25 BY adding to

26 Article – Criminal Law  
27 Section 13–1512  
28 Annotated Code of Maryland  
29 (2012 Replacement Volume and 2013 Supplement)

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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 NOT CONDUCT 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

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

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

5                   **(4) (I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH,**  
6 **BINGO, INSTANT BINGO, A RAFFLE, A PADDLE WHEEL, OR A 50/50 RAFFLE MAY**  
7 **BE INCLUDED IN THE GAMES CONDUCTED AT A GAMING CONTEST.**

8                   **(II) A GAMING CONTEST MAY NOT CONSIST EXCLUSIVELY OF**  
9 **A GAME SPECIFIED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH.**

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

12                  **(2) A HOLDER OF A PERMIT MAY SERVE OR SELL ALCOHOLIC**  
13 **BEVERAGES AT A GAMING CONTEST ONLY IF THE HOLDER IS ISSUED THE**  
14 **PROPER LICENSE BY THE HARFORD COUNTY LIQUOR CONTROL BOARD.**

15                  **(3) THE HOLDER OF A PERMIT MAY AWARD PRIZES OF MONEY OR**  
16 **MERCHANDISE.**

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.**

26                  **(2) A MEMBER OF THE ORGANIZATION MAY NOT RECEIVE OR BE**  
27 **PAID ANY OF THE PROCEEDS FROM THE GAMING CONTEST FOR PERSONAL USE**  
28 **OR BENEFIT.**

29                  **(3) A PERSON MAY NOT RECEIVE A SALARY, A COMMISSION, OR**  
30 **COMPENSATION OF ANY KIND FOR MANAGING THE GAMING CONTEST OR**  
31 **OPERATING A GAME PLAYED IN THE GAMING CONTEST.**

1           **(4) A PERSON OTHER THAN THE HOLDER OF THE PERMIT MAY**  
2 **NOT RECEIVE OR BE PAID ANY PROCEEDS.**

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.**

9           **(2) THE REPORT SHALL CONTAIN A FULL ACCOUNTING OF THE**  
10 **PROCEEDS AND EXPENSES OF THE GAMING CONTEST.**

11           **(3) THE SHERIFF OR THE OFFICE OF THE HARFORD COUNTY**  
12 **STATE'S ATTORNEY MAY REQUIRE THE HOLDER OF THE PERMIT TO PRODUCE**  
13 **ALL FINANCIAL RECORDS OF THE GAMING CONTEST.**

14           **(4) THE HOLDER OF THE PERMIT SHALL KEEP ALL FINANCIAL**  
15 **RECORDS OF THE GAMING CONTEST FOR AT LEAST 2 YEARS AFTER THE GAMING**  
16 **CONTEST.**

17           **(5) THE SHERIFF MAY REFUSE TO ISSUE A PERMIT TO AN**  
18 **APPLICANT WHO HAS FAILED TO FILE A REQUIRED REPORT FROM A PREVIOUS**  
19 **GAMING CONTEST OR IS LATE IN FILING FEDERAL OR STATE TAX RETURNS.**

20           **(6) IF REQUESTED BY THE SHERIFF, THE HOLDER OF THE PERMIT**  
21 **SHALL PAY ALL FINANCIAL AUDIT COSTS.**

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, 2014.