

HOUSE BILL 274

C7

(5lr0747)

ENROLLED BILL

— *Ways and Means/Budget and Taxation* —

Introduced by **Frederick County Delegation**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

_____ day of _____ at _____ o'clock, _____ M.

Speaker.

CHAPTER _____

1 AN ACT concerning

2 **Frederick County – Gaming Events**

3 FOR the purpose of authorizing certain organizations in Frederick County to conduct a card
4 game, card tournament, or casino event under certain circumstances; requiring an
5 organization to obtain a permit from the County Department of Permits and
6 Inspections before conducting a card game, card tournament, or casino event;
7 requiring an organization that seeks a permit to meet certain requirements;
8 specifying that a card game, card tournament, or casino event may be managed and
9 organized by certain organizations; requiring an individual who participates in or
10 ~~helps operate~~ volunteers as an operator of a card game, card tournament, or casino
11 event to be of a certain age; specifying that a permit holder may receive a certain
12 maximum number of permits in a calendar year; providing a certain time limit on a
13 card game, card tournament, or casino event; specifying that a permit is not
14 transferable; requiring that proceeds from a card game, card tournament, or casino
15 event be used for certain purposes and may not be used for certain other purposes

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.

Italics indicate opposite chamber/conference committee amendments.



1 subject to a certain exception; specifying that the operation of a card game, card
 2 tournament, or casino event may not occur during a certain time; authorizing a
 3 permit holder under this Act to charge only a preset entrance fee; requiring
 4 participants in a card game, card tournament, or casino event to use tokens and not
 5 cash for wagering under certain circumstances; prohibiting a permit holder from
 6 exchanging tokens under certain circumstances; requiring a permit holder to submit
 7 a financial report and certain information about winners of certain prizes to the
 8 County Department of Permits and Inspections under certain circumstances;
 9 ~~requiring the Department to forward a certain report and certain information to the~~
 10 ~~State Lottery and Gaming Control Commission;~~ authorizing the County Executive
 11 and County Council to adopt certain regulations; providing a certain penalty;
 12 defining certain terms; and generally relating to gaming in Frederick County.

13 BY adding to

14 Article – Criminal Law

15 Section 13–1304.1

16 Annotated Code of Maryland

17 (2012 Replacement Volume and 2014 Supplement)

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

20 **Article – Criminal Law**

21 **13–1304.1.**

22 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
 23 INDICATED.

24 (2) “CASINO EVENT” INCLUDES THE PLAY OF CARD GAMES, DICE
 25 GAMES, AND ROULETTE.

26 (3) “PERMIT” MEANS A PERMIT TO CONDUCT A CARD GAME, CARD
 27 TOURNAMENT, OR CASINO EVENT.

28 (B) BEFORE AN ORGANIZATION MAY CONDUCT A CARD GAME, CARD
 29 TOURNAMENT, OR CASINO EVENT, THE ORGANIZATION SHALL OBTAIN A PERMIT
 30 FROM THE COUNTY DEPARTMENT OF PERMITS AND INSPECTIONS.

31 (C) TO QUALIFY FOR A PERMIT, AN ORGANIZATION SHALL BE A BONA FIDE:

32 (1) AMATEUR ATHLETIC ORGANIZATION;

33 (2) CHARITABLE ORGANIZATION;

34 (3) CIVIC ORGANIZATION;

1 (4) FRATERNAL ORGANIZATION;

2 (5) HOSPITAL;

3 (6) RELIGIOUS ORGANIZATION;

4 (7) VOLUNTEER FIRE COMPANY; OR

5 (8) WAR VETERANS' ORGANIZATION.

6 (D) (1) A CARD GAME, CARD TOURNAMENT, OR CASINO EVENT MAY BE:

7 (I) MANAGED AND OPERATED BY THE ORGANIZATION THAT IS
8 THE PERMIT HOLDER; OR

9 (II) MANAGED BY THE ORGANIZATION THAT IS THE PERMIT
10 HOLDER AND OPERATED BY ANOTHER ORGANIZATION LISTED IN SUBSECTION (C) OF
11 THIS SECTION.

12 (2) (I) AN OPERATOR OF A CARD GAME, CARD TOURNAMENT, OR
13 CASINO EVENT MAY NOT RECEIVE COMPENSATION.

14 (II) TO VOLUNTEER AS AN OPERATOR OF A CARD GAME, CARD
15 TOURNAMENT, OR CASINO EVENT, AN INDIVIDUAL SHALL BE AT LEAST 18 YEARS
16 OLD.

17 (III) TO PARTICIPATE IN ~~OR HELP OPERATE~~ A CARD GAME, CARD
18 TOURNAMENT, OR CASINO EVENT, AN INDIVIDUAL SHALL BE AT LEAST 21 YEARS
19 OLD.

20 (E) (1) AN ORGANIZATION THAT IS THE PERMIT HOLDER MAY RECEIVE
21 NOT MORE THAN FOUR PERMITS IN A CALENDAR YEAR.

22 (2) A CARD GAME, CARD TOURNAMENT, OR CASINO EVENT MAY NOT
23 LAST LONGER THAN 24 CONSECUTIVE HOURS.

24 (F) A PERMIT IS NOT TRANSFERABLE.

25 (G) (1) PROCEEDS FROM A CARD GAME, CARD TOURNAMENT, OR CASINO
26 EVENT CONDUCTED UNDER THIS SECTION:

27 (I) SHALL BE USED TO BENEFIT A CHARITY OR TO FURTHER
28 THE PURPOSE OF THE PERMIT HOLDER; AND

1 (II) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS
2 SUBSECTION, MAY NOT ~~BENEFIT FINANCIALLY OR BE USED FOR THE~~ BE USED FOR
3 THE FINANCIAL BENEFIT OR PERSONAL USE OF AN INDIVIDUAL OR A GROUP OF
4 INDIVIDUALS.

5 (2) ON APPROVAL OF THE COUNTY EXECUTIVE OR DESIGNEE OF THE
6 COUNTY EXECUTIVE, PROCEEDS MAY BE USED TO BENEFIT A FAMILY WITH MEDICAL
7 NEEDS.

8 (H) A PERMIT MAY NOT AUTHORIZE THE OPERATION OF A CARD GAME,
9 CARD TOURNAMENT, OR CASINO EVENT AFTER 1 A.M. ON SUNDAY.

10 (I) (1) AN ORGANIZATION THAT IS THE PERMIT HOLDER MAY CHARGE
11 ONLY A PRESET ENTRANCE FEE FOR A CARD GAME, CARD TOURNAMENT, OR CASINO
12 EVENT.

13 (2) PARTICIPANTS IN A CARD GAME, CARD TOURNAMENT, OR CASINO
14 EVENT SHALL RECEIVE TOKENS FOR WAGERING IN EXCHANGE FOR THE ENTRANCE
15 FEE.

16 (3) A PARTICIPANT MAY PURCHASE ADDITIONAL TOKENS, AT A TOTAL
17 COST NOT EXCEEDING 100% OF THE ENTRANCE FEE, DURING A CARD GAME, CARD
18 TOURNAMENT, OR CASINO EVENT.

19 (4) AN ORGANIZATION THAT IS THE PERMIT HOLDER MAY NOT ALLOW
20 CASH TO BE USED FOR WAGERING.

21 (J) AN ORGANIZATION THAT IS THE PERMIT HOLDER MAY NOT EXCHANGE
22 TOKENS USED FOR WAGERING FOR:

23 (1) AN ITEM OF MERCHANDISE THAT IS WORTH MORE THAN \$10,000;

24 (2) MONEY; OR

25 (3) AN ITEM OF MERCHANDISE HAVING A VALUE THAT IS DIFFERENT
26 FROM THE FAIR MARKET RETAIL VALUE OF THE ITEM OF MERCHANDISE THAT WAS
27 RECEIVED FOR THE TOKENS.

28 (K) ~~(1)~~ WITHIN 60 DAYS AFTER HOLDING A CARD GAME, CARD
29 TOURNAMENT, OR CASINO EVENT, THE ORGANIZATION THAT IS THE PERMIT
30 HOLDER SHALL SUBMIT TO THE COUNTY DEPARTMENT OF PERMITS AND
31 INSPECTIONS:

1 ~~(H)~~ (1) A FINANCIAL REPORT THAT LISTS THE RECEIPTS AND
2 EXPENDITURES FOR THE CARD GAME, CARD TOURNAMENT, OR CASINO EVENT; AND

3 ~~(H)~~ (2) THE NAME, ADDRESS, AND SOCIAL SECURITY
4 NUMBER OF A PARTICIPANT THAT IS DECLARED THE WINNER AT A CARD GAME, CARD
5 TOURNAMENT, OR CASINO EVENT OF A PRIZE FOR WHICH THE ISSUANCE OF
6 INTERNAL REVENUE SERVICE FORM W-2G OR A SUBSTANTIALLY EQUIVALENT
7 FORM IS REQUIRED.

8 ~~(2)~~ ~~THE COUNTY DEPARTMENT OF PERMITS AND INSPECTIONS~~
9 ~~SHALL FORWARD THE FINANCIAL REPORTS AND INFORMATION REQUIRED UNDER~~
10 ~~PARAGRAPH (1) OF THIS SUBSECTION TO THE STATE LOTTERY AND GAMING~~
11 ~~CONTROL COMMISSION.~~

12 (L) AN ORGANIZATION THAT IS FOUND TO HAVE VIOLATED THIS SECTION IS
13 INELIGIBLE TO RECEIVE A PERMIT UNDER THIS SECTION FOR A PERIOD ~~NOT~~
14 ~~EXCEEDING OF~~ 5 YEARS.

15 (M) THE COUNTY EXECUTIVE MAY ADOPT REGULATIONS TO CARRY OUT
16 THIS SECTION, INCLUDING REGULATIONS TO GOVERN:

17 (1) THE ISSUING OF PERMITS; AND

18 ~~(2)~~ ~~PERMIT FEES; AND~~

19 ~~(3)~~ (2) THE CONDUCT AND MANAGEMENT OF A CARD GAME, CARD
20 TOURNAMENT, OR CASINO EVENT IN A MANNER TO PREVENT FRAUD AND PROTECT
21 THE PUBLIC.

22 (N) THE COUNTY COUNCIL MAY ADOPT REGULATIONS TO GOVERN PERMIT
23 FEES UNDER THIS SECTION.

24 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
25 October 1, 2015.