

HOUSE BILL 274

C7

5l0747
CF 5l0821

By: **Frederick County Delegation**

Introduced and read first time: February 4, 2015

Assigned to: Ways and Means

A BILL ENTITLED

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 a card game, card tournament, or casino event to be of a certain age;
11 specifying that a permit holder may receive a certain maximum number of permits
12 in a calendar year; providing a certain time limit on a card game, card tournament,
13 or casino event; specifying that a permit is not transferable; requiring that proceeds
14 from a card game, card tournament, or casino event be used for certain purposes and
15 may not be used for certain other purposes subject to a certain exception; specifying
16 that the operation of a card game, card tournament, or casino event may not occur
17 during a certain time; authorizing a permit holder under this Act to charge only a
18 preset entrance fee; requiring participants in a card game, card tournament, or
19 casino event to use tokens and not cash for wagering under certain circumstances;
20 prohibiting a permit holder from exchanging tokens under certain circumstances;
21 requiring a permit holder to submit a financial report to the County Department of
22 Permits and Inspections under certain circumstances; requiring the Department to
23 forward a certain report to the State Lottery and Gaming Control Commission;
24 authorizing the County Executive to adopt certain regulations; providing a certain
25 penalty; defining certain terms; and generally relating to gaming in Frederick
26 County.

27 BY adding to
28 Article – Criminal Law
29 Section 13–1304.1
30 Annotated Code of Maryland

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(2012 Replacement Volume and 2014 Supplement)

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

Article – Criminal Law

13-1304.1.

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

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

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

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

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

(1) AMATEUR ATHLETIC ORGANIZATION;

(2) CHARITABLE ORGANIZATION;

(3) CIVIC ORGANIZATION;

(4) FRATERNAL ORGANIZATION;

(5) HOSPITAL;

(6) RELIGIOUS ORGANIZATION;

(7) VOLUNTEER FIRE COMPANY; OR

(8) WAR VETERANS’ ORGANIZATION.

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

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

1 **(II) MANAGED BY THE ORGANIZATION THAT IS THE PERMIT**
2 **HOLDER AND OPERATED BY ANOTHER ORGANIZATION LISTED IN SUBSECTION (C) OF**
3 **THIS SECTION.**

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

6 **(II) TO VOLUNTEER AS AN OPERATOR OF A CARD GAME, CARD**
7 **TOURNAMENT, OR CASINO EVENT, AN INDIVIDUAL SHALL BE AT LEAST 18 YEARS**
8 **OLD.**

9 **(III) TO PARTICIPATE IN OR HELP OPERATE A CARD GAME, CARD**
10 **TOURNAMENT, OR CASINO EVENT, AN INDIVIDUAL SHALL BE AT LEAST 21 YEARS**
11 **OLD.**

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

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

16 **(F) A PERMIT IS NOT TRANSFERABLE.**

17 **(G) (1) PROCEEDS FROM A CARD GAME, CARD TOURNAMENT, OR CASINO**
18 **EVENT CONDUCTED UNDER THIS SECTION:**

19 **(I) SHALL BE USED TO BENEFIT A CHARITY OR TO FURTHER**
20 **THE PURPOSE OF THE PERMIT HOLDER; AND**

21 **(II) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS**
22 **SUBSECTION, MAY NOT BENEFIT FINANCIALLY OR BE USED FOR THE PERSONAL USE**
23 **OF AN INDIVIDUAL OR A GROUP OF INDIVIDUALS.**

24 **(2) ON APPROVAL OF THE COUNTY EXECUTIVE OR DESIGNEE OF THE**
25 **COUNTY EXECUTIVE, PROCEEDS MAY BE USED TO BENEFIT A FAMILY WITH MEDICAL**
26 **NEEDS.**

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

29 **(I) (1) AN ORGANIZATION THAT IS THE PERMIT HOLDER MAY CHARGE**
30 **ONLY A PRESET ENTRANCE FEE FOR A CARD GAME, CARD TOURNAMENT, OR CASINO**
31 **EVENT.**

1 **(2) PARTICIPANTS IN A CARD GAME, CARD TOURNAMENT, OR CASINO**
2 **EVENT SHALL RECEIVE TOKENS FOR WAGERING IN EXCHANGE FOR THE ENTRANCE**
3 **FEE.**

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

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

9 **(J) AN ORGANIZATION THAT IS THE PERMIT HOLDER MAY NOT EXCHANGE**
10 **TOKENS USED FOR WAGERING FOR:**

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

12 **(2) MONEY; OR**

13 **(3) AN ITEM OF MERCHANDISE HAVING A VALUE THAT IS DIFFERENT**
14 **FROM THE FAIR MARKET RETAIL VALUE OF THE ITEM OF MERCHANDISE THAT WAS**
15 **RECEIVED FOR THE TOKENS.**

16 **(K) (1) WITHIN 60 DAYS AFTER HOLDING A CARD GAME, CARD**
17 **TOURNAMENT, OR CASINO EVENT, THE ORGANIZATION THAT IS THE PERMIT**
18 **HOLDER SHALL SUBMIT TO THE COUNTY DEPARTMENT OF PERMITS AND**
19 **INSPECTIONS A FINANCIAL REPORT THAT LISTS THE RECEIPTS AND EXPENDITURES**
20 **FOR THE CARD GAME, CARD TOURNAMENT, OR CASINO EVENT.**

21 **(2) THE COUNTY DEPARTMENT OF PERMITS AND INSPECTIONS**
22 **SHALL FORWARD THE FINANCIAL REPORTS TO THE STATE LOTTERY AND GAMING**
23 **CONTROL COMMISSION.**

24 **(L) AN ORGANIZATION THAT IS FOUND TO HAVE VIOLATED THIS SECTION IS**
25 **INELIGIBLE TO RECEIVE A PERMIT UNDER THIS SECTION FOR A PERIOD NOT**
26 **EXCEEDING 5 YEARS.**

27 **(M) THE COUNTY EXECUTIVE MAY ADOPT REGULATIONS TO CARRY OUT**
28 **THIS SECTION, INCLUDING REGULATIONS TO GOVERN:**

29 **(1) THE ISSUING OF PERMITS;**

30 **(2) PERMIT FEES; AND**

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

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