

# HOUSE BILL 764

C7

6lr2868  
CF SB 521

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By: **Delegates Saab, Beidle, Carey, Chang, Frush, S. Howard, Kipke, Malone, McMillan, Simonaire, and Sophocleus**

Introduced and read first time: February 8, 2016

Assigned to: Ways and Means

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## A BILL ENTITLED

1 AN ACT concerning

2 **Anne Arundel County – Charitable Gaming**

3 FOR the purpose of authorizing certain organizations in Anne Arundel County to conduct  
4 a card game, card tournament, or casino event under certain circumstances;  
5 requiring an organization to obtain a permit from the County Department of  
6 Inspections and Permits before conducting a card game, card tournament, or casino  
7 event; 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 volunteers as an operator of a card game, card tournament, or casino event to be of  
11 a certain age; specifying that a permit holder may receive a certain maximum  
12 number of permits in a calendar year; providing a certain time limit on a card game,  
13 card tournament, or casino event; specifying that a permit is not transferable;  
14 requiring that proceeds from a card game, card tournament, or casino event be used  
15 for certain purposes and may not be used for certain other purposes subject to a  
16 certain exception; specifying that the operation of a card game, card tournament, or  
17 casino event may not occur during a certain time; authorizing a permit holder under  
18 this Act to charge only a preset entrance fee; requiring participants in a card game,  
19 card tournament, or casino event to use tokens and not cash for wagering under  
20 certain circumstances; authorizing the serving or sale of alcoholic beverages under  
21 certain circumstances; prohibiting a permit holder from exchanging tokens under  
22 certain circumstances; requiring a permit holder to submit a financial report and  
23 certain information about winners of certain prizes to the County Department of  
24 Inspections and Permits under certain circumstances; authorizing the County  
25 Executive and County Council to adopt certain regulations; providing a certain  
26 penalty; defining certain terms; and generally relating to gaming in Anne Arundel  
27 County.

28 BY repealing and reenacting, without amendments,  
29 Article – Criminal Law

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 Section 13–401  
2 Annotated Code of Maryland  
3 (2012 Replacement Volume and 2015 Supplement)

4 BY repealing and reenacting, with amendments,  
5 Article – Criminal Law  
6 Section 13–404 and 13–408  
7 Annotated Code of Maryland  
8 (2012 Replacement Volume and 2015 Supplement)

9 BY adding to  
10 Article – Criminal Law  
11 Section 13–404.1  
12 Annotated Code of Maryland  
13 (2012 Replacement Volume and 2015 Supplement)

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

16 **Article – Criminal Law**

17 13–401.

18 (a) In this subtitle the following words have the meanings indicated.

19 (b) (1) “Casino event” means any event that involves a card game, dice game,  
20 or roulette game.

21 (2) “Casino event” does not include a card game or dice game that is played  
22 for tokens for which no cash prize is offered or awarded.

23 (c) “Gaming event” means a carnival, bazaar, raffle, or other organized gaming  
24 event.

25 13–404.

26 [A] EXCEPT AS PROVIDED IN § 13–404.1 OF THIS SUBTITLE, A person may not  
27 conduct a casino event in the county.

28 **13–404.1.**

29 (A) IN THIS SECTION, “PERMIT” MEANS A PERMIT TO CONDUCT A CARD  
30 GAME, CARD TOURNAMENT, OR CASINO EVENT.

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

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

5                   **(1) AMATEUR ATHLETIC ORGANIZATION;**

6                   **(2) CHARITABLE ORGANIZATION;**

7                   **(3) CIVIC ORGANIZATION;**

8                   **(4) FRATERNAL ORGANIZATION;**

9                   **(5) HOSPITAL;**

10                  **(6) RELIGIOUS ORGANIZATION;**

11                  **(7) VOLUNTEER FIRE COMPANY; OR**

12                  **(8) WAR VETERANS' ORGANIZATION.**

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

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

16                           **(II) MANAGED BY THE ORGANIZATION THAT IS THE PERMIT**  
17 **HOLDER AND OPERATED BY ANOTHER ORGANIZATION LISTED IN SUBSECTION (C) OF**  
18 **THIS SECTION.**

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

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

24                           **(III) TO PARTICIPATE IN A CARD GAME, CARD TOURNAMENT, OR**  
25 **CASINO EVENT, AN INDIVIDUAL SHALL BE AT LEAST 21 YEARS OLD.**

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

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

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

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

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

8                   **(II) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS**  
9 **SUBSECTION, MAY NOT BE USED FOR THE FINANCIAL BENEFIT OR PERSONAL USE OF**  
10 **AN INDIVIDUAL OR A GROUP OF INDIVIDUALS.**

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

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

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

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

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

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

27           **(5) A HOLDER OF A PERMIT MAY SERVE OR SELL ALCOHOLIC**  
28 **BEVERAGES AT A CARD GAME, CARD TOURNAMENT, OR CASINO EVENT ONLY IF THE**  
29 **HOLDER IS ISSUED THE PROPER ALCOHOLIC BEVERAGES LICENSE BY THE BOARD**  
30 **OF LICENSE COMMISSIONERS OF ANNE ARUNDEL COUNTY.**

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

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

2           **(2) MONEY; OR**

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

6           **(K) WITHIN 60 DAYS AFTER HOLDING A CARD GAME, CARD TOURNAMENT,**  
7 **OR CASINO EVENT, THE ORGANIZATION THAT IS THE PERMIT HOLDER SHALL SUBMIT**  
8 **TO THE COUNTY DEPARTMENT OF INSPECTIONS AND PERMITS:**

9           **(1) A FINANCIAL REPORT THAT LISTS THE RECEIPTS AND**  
10 **EXPENDITURES FOR THE CARD GAME, CARD TOURNAMENT, OR CASINO EVENT; AND**

11           **(2) THE NAME, ADDRESS, AND SOCIAL SECURITY NUMBER OF A**  
12 **PARTICIPANT THAT IS DECLARED THE WINNER AT A CARD GAME, CARD**  
13 **TOURNAMENT, OR CASINO EVENT OF A PRIZE FOR WHICH THE ISSUANCE OF**  
14 **INTERNAL REVENUE SERVICE FORM W-2G OR A SUBSTANTIALLY EQUIVALENT**  
15 **FORM IS REQUIRED.**

16           **(L) AN ORGANIZATION THAT IS FOUND TO HAVE VIOLATED THIS SECTION IS**  
17 **INELIGIBLE TO RECEIVE A PERMIT UNDER THIS SECTION FOR A PERIOD OF 5 YEARS.**

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

20           **(1) THE ISSUING OF PERMITS; AND**

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

24           **(N) THE COUNTY COUNCIL MAY ADOPT REGULATIONS TO GOVERN PERMIT**  
25 **FEES UNDER THIS SECTION.**

26 13-408.

27           **(a) A person may not knowingly operate or attempt to operate a gaming event in**  
28 **the county in violation of § 13-403 [or], § 13-404, OR § 13-404.1 of this subtitle.**

29           **(b) A person who violates this section is guilty of a misdemeanor and on conviction**  
30 **is subject to imprisonment not exceeding 6 months or a fine not exceeding \$1,000 or both.**

1           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
2   October 1, 2016.