

HB0940/655467/1

BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 940
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, at the top of the page, insert “EMERGENCY BILL”; and in line 3, after “**Sports Wagering**” insert “- Supplementary Appropriation”.

On page 2, in line 5, after “licenses;” insert “authorizing a holder of a certain sports wagering license to sell or transfer ownership of the license under certain circumstances;”; in line 26, after “date;” insert “requiring the State Lottery and Gaming Control Commission to report to the General Assembly, on or before a certain date, on certain information concerning certain license holders, certain market saturation information, and whether the number of certain licenses should be increased in order to meet a demand for sports wagering in the State; requiring the State Lottery and Gaming Control Commission, before submitting a certain report, to provide the Legislative Policy Committee at least a certain number of days to comment on the report;”; in line 29, strike “not more than a certain number of”; in line 35, after the comma insert “consider certain matters;”; in line 41, after “circumstances;” insert “establishing the Small, Minority–Owned, and Women–Owned Business Sports Wagering Assistance Fund as a special, nonlapsing fund; specifying the purpose of the Fund; requiring the Department of Commerce to administer the Fund; requiring the State Treasurer to hold the Fund and the Comptroller to account for the Fund; specifying the contents of the Fund; specifying the purpose for which the Fund may be used; providing for the investment of money in and expenditures from the Fund; repealing a certain limitation on the holder of a video lottery operation license for Worcester County or certain other persons to build or convert certain lodging facilities on or within a certain distance of the facility;”; and in line 45, after “date;” insert “requiring the Governor to include certain appropriations in the annual budget bill for a certain fiscal year; making this Act a supplementary appropriation to fund certain education–related programs; providing that the appropriation provided under this Act shall have priority over any”

(Over)

HB0940/655467/1 Budget and Taxation Committee
Amendments to HB 940
Page 2 of 21

other appropriation from the additional revenues resulting from this Act that are credited to a certain fund for a certain fiscal year; making the provisions of this Act severable; making this Act an emergency measure;”.

On page 3, in line 9, strike “5-219(b)” and substitute “5-206(b)”; in line 14, strike “5-219(f)” and substitute “5-206(f)”; after line 11, insert:

“(As enacted by Chapter 36 of the Acts of the General Assembly of 2021)”;

after line 16, insert:

“(As enacted by Chapters 36, 37, and 38 of the Acts of the General Assembly of 2021)”;

in line 24, after “9-1A-33(b),” insert “9-1A-36(h)(3).”; and in line 35, strike “9-1E-15” and substitute “9-1E-16”.

On page 4, in line 8, strike “5-219.” and substitute “5-206.”; and in line 12, strike “2-605.1” and substitute “2-4A-02, 2-605.1, 2-1302.1.”.

On page 8, in line 29, strike “5-219” and substitute “5-206”.

On page 21, in line 11, strike “5-219” and substitute “5-206”.

On page 30, in line 19, strike “5-219” and substitute “5-206”.

On page 39, strike in their entirety lines 1 and 2 and substitute:

“SECTION 7. AND BE IT FURTHER ENACTED, That, if any provision of this Act or the application thereof to any person or circumstance is held invalid for any reason in a court of competent jurisdiction, the invalidity does not affect other provisions

HB0940/655467/1 Budget and Taxation Committee
Amendments to HB 940
Page 3 of 21

or any other application of this Act that can be given effect without the invalid provision or application, and for this purpose the provisions of this Act are declared severable.

SECTION 8. AND BE IT FURTHER ENACTED, That this Act is an emergency measure, is necessary for the immediate preservation of the public health or safety, has been passed by a ye and nay vote supported by three-fifths of all the members elected to each of the two Houses of the General Assembly, and shall take effect from the date it is enacted.”.

AMENDMENT NO. 2

On page 11, in line 23, strike “**A**” and substitute “**A-1, A-2, B-1, OR B-2**”; and strike beginning with “**OR**” in line 23 down through “**LICENSE**” in line 24.

On page 17, in line 32, strike “**B**” and substitute “**B-1 OR B-2**”.

On page 18, in line 2, strike “**A**” and substitute “**A-1, A-2, B-1, OR B-2**”; and strike beginning with “**OR**” in line 2 down through “**LICENSE**” in line 3.

On page 25, in line 12, strike “**B**” and substitute “**B-1 OR B-2**”.

AMENDMENT NO. 3

On page 6, after line 16, insert:

“**9-1A-36.**

(h) (3) (i) With respect to a video lottery operation license awarded to a location under paragraph (1)(iv) of this subsection, the holder of the video lottery operation license or any other person with a direct or indirect legal or financial interest in the Ocean Downs racetrack or video lottery facility may not[

(Over)

HB0940/655467/1 Budget and Taxation Committee
Amendments to HB 940
Page 4 of 21

1. build any type of hotel, motel, or other public lodging accommodation on or within 10 miles of the property owned by the holder of the license on which a video lottery facility is operated;

2. convert an existing facility on or within 10 miles of the property described in item 1 of this subparagraph into any type of hotel, motel, or other public lodging accommodation; or

3.] build or operate a conference center or convention center, amusement park, amusement rides, arcade, or miniature golf course on or within 10 miles of the property [described in item 1 of this subparagraph] OWNED BY THE HOLDER OF THE LICENSE ON WHICH A VIDEO LOTTERY FACILITY IS OPERATED.

(ii) The prohibitions under subparagraph (i) of this paragraph apply to any subsequent holder of a video lottery operation license awarded under paragraph (1)(iv) of this subsection.”.

AMENDMENT NO. 4

On page 7, in line 17, after the semicolon insert “AND”; strike beginning with the semicolon in line 19 down through “OPERATOR” in line 21; after line 24, insert:

“(G) “LOCATION PERCENTAGE” MEANS, FOR A FANTASY COMPETITION, THE PERCENTAGE, ROUNDED TO THE NEAREST ONE-TENTH OF A PERCENT, OF THE TOTAL ENTRY FEES COLLECTED BY A FANTASY COMPETITION OPERATOR FROM FANTASY COMPETITION PLAYERS IN THE STATE DIVIDED BY THE TOTAL ENTRY FEES COLLECTED FROM ALL FANTASY COMPETITION PLAYERS, REGARDLESS OF THE PLAYERS’ LOCATIONS, OF THE FANTASY CONTESTS.”;

in line 25, strike “(G)” and substitute “(H)”; and in line 29, strike “RESIDENT” and substitute “LOCATION”.

**HB0940/655467/1 Budget and Taxation Committee
Amendments to HB 940
Page 5 of 21**

On pages 7 and 8, strike in their entirety the lines beginning with line 30 on page 7 through line 3 on page 8, inclusive.

AMENDMENT NO. 5

On page 9, in line 11, strike “**(1)**”; in the same line, strike the colon; in line 12, strike “**(1)**”; strike beginning with the first comma in line 14 down through “**COUNTY**” in line 19 and substitute “**TO HOLD RACING IN ANNE ARUNDEL COUNTY**”; and strike in their entirety lines 20 and 21.

AMENDMENT NO. 6

On page 10, in line 1, after “**ENTITY**” insert “**REGISTERED WITH A STATE TO DO BUSINESS WITHIN A JURISDICTION OF THE UNITED STATES**”; strike beginning with “**THAT**” in line 5 down through “**BETTORS**” in line 8; after line 8, insert:

“**(1) THE AMOUNT RETURNED TO SUCCESSFUL BETTORS;**

(2) THE CASH EQUIVALENTS OF ANY MERCHANDISE OR THING OF VALUE AWARDED AS A PRIZE TO SUCCESSFUL BETTORS;”;

in lines 9 and 11, strike “**(1)**” and “**(2)**”, respectively, and substitute “**(3)**” and “**(4)**”, respectively; and in line 12, strike “**PURSUANT TO**” and substitute “**IN ACCORDANCE WITH**”.

AMENDMENT NO. 7

On page 11, in line 20, after “**OWNED**” insert “**, LEASED, OR OCCUPIED**”.

On page 12, in line 21, after “**SUBSECTION**” insert “**AND § 9-1E-04 OF THIS SUBTITLE**”.

(Over)

**HB0940/655467/1 Budget and Taxation Committee
Amendments to HB 940
Page 6 of 21**

On page 13, in lines 16, 17, and 18, in each instance, after “KIOSKS” insert “, DEVICES,”; and in line 19, after “KIOSK” insert “, DEVICE,”.

On page 24, in line 21, strike “IN” and substitute “AT”.

On page 25, in line 17, after “KIOSK” insert “, DEVICE,”.

On page 37, in line 1, after “LICENSE” insert “IN ACCORDANCE WITH THE PROVISIONS OF THIS SUBTITLE”.

AMENDMENT NO. 8

On page 12, after line 24, insert:

“(C) A SPORTS WAGERING LICENSEE:

(1) SHALL:

(I) COMPLY WITH ALL STATE AND FEDERAL DATA SECURITY LAWS; AND

(II) MAINTAIN ALL SPORTS WAGERING DATA SECURELY FOR AT LEAST 5 YEARS; AND

(2) MAY NOT:

(I) SHARE ANY PERSONALLY IDENTIFIABLE INFORMATION WITH ANY THIRD PARTIES WITHOUT PERMISSION, EXCEPT AS NEEDED TO OPERATE SPORTS WAGERING AND ADMINISTER THE LICENSEE’S OBLIGATIONS UNDER THIS SUBTITLE;

(II) TARGET ADVERTISING TO INDIVIDUALS WHO ARE PROHIBITED FROM PARTICIPATING IN SPORTS WAGERING AND OTHER AT-RISK INDIVIDUALS; OR

(III) ENGAGE IN ANY FALSE OR DECEPTIVE ADVERTISING.

(D) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, A SPORTS WAGERING FACILITY IS SUBJECT TO LOCAL ZONING LAWS.

(2) THE USE OF A FACILITY FOR SPORTS WAGERING IS NOT REQUIRED TO BE SUBMITTED TO OR APPROVED BY ANY COUNTY OR MUNICIPAL ZONING BOARD, AUTHORITY, OR UNIT IF THE FACILITY IS PROPERLY ZONED AND OPERATING AS OF THE EFFECTIVE DATE OF THIS ACT FOR THE FOLLOWING ACTIVITIES:

(I) OPERATION OF A VIDEO LOTTERY FACILITY;

(II) PARI-MUTUEL BETTING ON HORSE RACING; OR

(III) OPERATION OF ELECTRONIC BINGO OR ELECTRONIC TIP JAR MACHINES.”;

and in line 32, strike “9-1E-15(H)” and substitute “9-1E-15”.

AMENDMENT NO. 9

On page 13, in line 23, after “PENALTIES,” insert “THE OUTCOME OF PLAYER DISCIPLINARY RULINGS, REPLAY REVIEWS,”; in line 27, strike the comma and substitute “AND”; and in line 28, strike “, AND POINT SPREADS, LINES, AND ODDS ARE DETERMINED”.

(Over)

**HB0940/655467/1 Budget and Taxation Committee
Amendments to HB 940
Page 8 of 21**

AMENDMENT NO. 10

On page 14, in line 16, strike the second “AND”; in line 18, strike “AND”; and after line 18, insert:

“(XII) REQUIRING LICENSEES TO PROMINENTLY PUBLISH COMPLAINT PROCEDURES; AND

(XIII) ESTABLISHING A LIST OF INDIVIDUALS WHO ARE TO BE MANDATORILY EXCLUDED OR EJECTED BY A SPORTS WAGERING LICENSEE FROM ANY FACILITY OR WEBSITE OPERATED BY A SPORTS WAGERING LICENSEE; AND”.

AMENDMENT NO. 11

On page 15, in line 28, after “(C)” insert “**(1)**”; in line 29, after “IN” insert “**THIS STATE OR**”; in line 30, strike “OTHER STATE” and substitute “**ISSUING AGENCY**”; and in line 33, strike “(1)” and substitute “**(I)**”.

On page 16, in line 1, strike “(2)” and substitute “**(II)**”; and after line 1, insert:

“(2) EXCEPT AS PROVIDED UNDER THIS SUBTITLE OR IN REGULATION, THE COMMISSION MAY NOT WAIVE A REQUIREMENT UNDER PARAGRAPH (1) OF THIS SUBSECTION THAT RELATES TO:

(I) MINORITY BUSINESS ENTERPRISE PARTICIPATION GOALS AND PROCEDURES ESTABLISHED UNDER § 9-1E-07(B) OF THIS SUBTITLE;
OR

(II) A REQUIREMENT OF THE SPORTS WAGERING APPLICATION REVIEW COMMISSION UNDER § 9-1E-15 OF THIS SUBTITLE.”.

AMENDMENT NO. 12

On page 16, in line 29, strike “A” and substitute “A-1”; in line 32, after “OPERATOR” insert “WITH MORE THAN 1,000 VIDEO LOTTERY TERMINALS”; in the same line after the semicolon insert “OR”; and strike line 33 in its entirety.

On page 17, in line 1, strike “3.” and substitute “2.”; in lines 1, 3, and 5, in each instance, after “OWNER” insert “, OR THE DESIGNEE OF THE OWNER,”; in lines 2 and 3, in each instance, after “FOOTBALL” insert “(NFL)”; in line 4, strike “OR”; strike in their entirety lines 7 through 13, inclusive, and substitute:

“D. THE OWNER, OR THE DESIGNEE OF THE OWNER, OF A PROFESSIONAL HOCKEY LEAGUE (NHL) FRANCHISE, THAT IS A LESSEE OF A STADIUM IN THE STATE;

E. THE OWNER, OR THE DESIGNEE OF THE OWNER, OF A PROFESSIONAL BASKETBALL ASSOCIATION (NBA) FRANCHISE, THAT IS A LESSEE OF A STADIUM IN THE STATE; OR

F. THE OWNER, OR THE DESIGNEE OF THE OWNER, OF A PROFESSIONAL SOCCER LEAGUE (MLS) FRANCHISE, THAT IS A LESSEE OF A STADIUM IN THE STATE;

(II) ISSUE A CLASS A-2 SPORTS WAGERING FACILITY LICENSE TO AN APPLICANT THAT MEETS THE REQUIREMENTS FOR LICENSURE UNDER THIS SUBTITLE WHO IS:

1. A VIDEO LOTTERY OPERATOR WITH 1,000 OR FEWER VIDEO LOTTERY TERMINALS; OR

2. A HORSE RACING LICENSEE;

(Over)

(III) SUBJECT TO PARAGRAPHS (2) AND (3) OF THIS SUBSECTION, ISSUE A CLASS B-1 SPORTS WAGERING FACILITY LICENSE TO ANY APPLICANT WHO MEETS THE REQUIREMENTS FOR LICENSURE UNDER THIS SUBTITLE AND WHO IS NOT ELIGIBLE FOR A CLASS B-2 SPORTS WAGERING FACILITY LICENSE;

(IV) SUBJECT TO PARAGRAPHS (2) AND (3) OF THIS SUBSECTION, ISSUE A CLASS B-2 SPORTS WAGERING FACILITY LICENSE TO ANY APPLICANT WHO IS A PERSON WITH LESS THAN:

1. 25 FULL-TIME EQUIVALENT EMPLOYEES; OR
2. \$3,000,000 IN ANNUAL GROSS RECEIPTS; AND

(V) ISSUE NOT MORE THAN 60 MOBILE SPORTS WAGERING LICENSES TO ANY APPLICANT WHO MEETS THE REQUIREMENTS FOR LICENSURE UNDER THIS SUBTITLE.

(2) (I) THE COMMISSION SHALL ISSUE A CLASS B-1 OR CLASS B-2 SPORTS WAGERING FACILITY LICENSE TO AN APPLICANT THAT MEETS THE REQUIREMENTS FOR LICENSURE UNDER THIS SUBTITLE WHO IS:

1. THE HOLDER OF A LICENSE ISSUED BY THE STATE RACING COMMISSION UNDER § 11-524 OF THE BUSINESS REGULATION ARTICLE, INCLUDING A SUBSIDIARY OF THE LICENSE HOLDER;
2. A PERSON WHO IS THE OWNER OR LESSEE OF A FACILITY APPROVED FOR SATELLITE SIMULCAST BETTING BEFORE JANUARY 1,

2021, UNLESS THE SATELLITE SIMULCAST FACILITY IS LOCATED AT A VIDEO LOTTERY FACILITY OR A RACETRACK; AND

3. A PERSON WHO HOLDS A COMMERCIAL BINGO LICENSE, IF THE FACILITY AT WHICH THE PERSON OPERATES COMMERCIAL BINGO WAS PERMITTED TO OPERATE AT LEAST 200 ELECTRONIC BINGO MACHINES OR ELECTRONIC TIP JAR MACHINES ON JANUARY 1, 2021.

(II) IN ADDITION TO THE CLASS B-1 AND B-2 SPORTS WAGERING FACILITY LICENSES ISSUED IN ACCORDANCE WITH SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE COMMISSION MAY ISSUE NOT MORE THAN 30 CLASS B-1 AND CLASS B-2 SPORTS WAGERING FACILITY LICENSES UNDER PARAGRAPH (1) OF THIS SUBSECTION.”;

in lines 14 and 28, strike “(2)” and “(3)”, respectively, and substitute “(3)” and “(4)”, respectively; in line 16, strike “B” and substitute “B-1 OR B-2”; in lines 17, 19, and 26, in each instance, strike “A” and substitute “A-1 OR A-2”; in line 22, strike “A” and substitute “A-1 OR A-2”; in line 27, strike “B” and substitute “B-1 OR B-2”; and after line 32, insert:

“(5) IF AN APPLICANT DESIGNATES AN ENTITY TO HOLD THE LICENSE UNDER PARAGRAPH (1)(I)2 OF THIS SUBSECTION, THE DESIGNEE SHALL BE CONSIDERED THE APPLICANT AND SUBJECT TO THE REQUIREMENTS OF THE APPLICATION PROCESS.”.

On page 18, in line 1, strike “(4)” and substitute “(6)”.

AMENDMENT NO. 13

On page 18, in line 7, strike “\$250,000” and substitute “\$2,000,000”; in the same line, strike “A” and substitute “A-1”; after line 7, insert:

(Over)

HB0940/655467/1 Budget and Taxation Committee
Amendments to HB 940
Page 12 of 21

“(2) \$1,000,000 FOR A CLASS A-2 SPORTS WAGERING FACILITY LICENSE;”;

in line 8, strike “(2) \$50,000” and substitute “(3) \$250,000”; in the same line, strike “B” and substitute “B-1”; in line 9, strike “AND”; after line 9, insert:

“(4) \$50,000 FOR A CLASS B-2 SPORTS WAGERING FACILITY LICENSE; AND”;

in line 10, strike “(3)” and substitute “(5)”; strike in their entirety lines 11 through 16, inclusive; in line 17, strike “(D)” and substitute “(C)”; in line 28, strike “(E)” and substitute “(D) (1)”; in line 30, after “FULL” insert “AND THE APPLICANT REIMBURSES THE COMMISSION FOR EXPENSES RELATED TO PERFORMING BACKGROUND INVESTIGATIONS”; and after line 30, insert:

“(2) THE APPLICATION FEE UNDER SUBSECTION (B) OF THIS SECTION IS NONREFUNDABLE.”

AMENDMENT NO. 14

On page 19, strike beginning with the comma in line 3 down through “COMMISSION” in line 4; in line 14, strike “AND”; and in line 15, after “(IV)” insert “THE NUMBER OF CURRENT CONTRACTS THE APPLICANT HAS WITH MINORITY- AND WOMEN-OWNED SUBCONTRACTORS; AND

(V)”.

On page 21, strike line 8 in its entirety.

On page 31, in lines 20 and 22, in each instance, strike “APPLICANT” and substitute “LICENSEE”; in line 24, strike “APPLICANT” and substitute “LICENSEE”;

(4) THE NUMBER OF CURRENT CONTRACTS THE LICENSEE HAS WITH MINORITY- AND WOMEN-OWNED SUBCONTRACTORS”;

and in line 25, strike “**(4)**” and substitute “**(5)**”.

AMENDMENT NO. 15

On page 24, strike beginning with the comma in line 23 down through the comma in line 25; in line 27, strike “**UNDER TITLE 11, SUBTITLE 5, PART II OF THE BUSINESS REGULATION ARTICLE**”; and strike in their entirety lines 28 through 30, inclusive.

On page 25, strike in their entirety lines 1 through 4, inclusive; in lines 5 and 9, strike “**(V)**” and “**(VI)**”, respectively, and substitute “**(III)**” and “**(VII)**”, respectively; in line 6, strike “**OR**” and substitute “**(NFL),**”; in line 7, after “**BASEBALL,**” insert “**PROFESSIONAL HOCKEY (NHL), PROFESSIONAL BASKETBALL (NBA), OR PROFESSIONAL SOCCER (MLS),**”; in line 8, after “**LESSEE**” insert “**OR THE DESIGNEE OF THE OWNER OR LESSEE**”; in the same line, strike “**OR**”; and after line 8, insert:

“(IV) AT THE MARYLAND STATE FAIRGROUNDS IN TIMONIUM, IF THE SPORTS WAGERING LICENSEE IS THE HOLDER OF A LICENSE ISSUED BY THE STATE RACING COMMISSION UNDER § 11-524 OF THE BUSINESS REGULATION ARTICLE, OR A SUBSIDIARY OF THE LICENSE HOLDER;

(V) AT A SATELLITE SIMULCAST FACILITY, IF THE SPORTS WAGERING LICENSEE IS THE OWNER OR LESSEE OF A SATELLITE SIMULCAST FACILITY DESCRIBED UNDER § 9-1E-06(A)(2) OF THIS SUBTITLE;

(VI) AT A COMMERCIAL BINGO FACILITY WITH AT LEAST 200 ELECTRONIC BINGO MACHINES OR ELECTRONIC TIP JAR MACHINES, IF THE SPORTS WAGERING LICENSEE IS A COMMERCIAL BINGO OPERATOR DESCRIBED UNDER § 9-1E-06(A)(2) OF THIS SUBTITLE; OR”.

AMENDMENT NO. 16

On page 25, strike in their entirety lines 30 through 34, inclusive.

On page 26, in line 2, strike the period; and after line 2, insert:

“(D) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, A SPORTS WAGERING FACILITY LICENSEE MAY CONTRACT WITH ANY OTHER SPORTS WAGERING FACILITY LICENSEE TO PROVIDE SPORTS WAGERING SERVICES ON BEHALF OF THE LICENSEE AT A LOCATION WHERE THE LICENSEE IS AUTHORIZED TO ACCEPT WAGERS ON SPORTING EVENTS.

(2) IF A SPORTS WAGERING LICENSEE AUTHORIZED TO ACCEPT WAGERS AT A STADIUM UNDER SUBSECTION (A)(1)(III) OF THIS SECTION CONTRACTS WITH A VIDEO LOTTERY OPERATOR, OR AN AFFILIATE OR A SUBSIDIARY OF THAT VIDEO LOTTERY OPERATOR, TO PROVIDE SPORTS WAGERING SERVICES AT THE STADIUM, THE LICENSEE MAY CONTRACT ONLY WITH A VIDEO LOTTERY OPERATOR, OR AN AFFILIATE OR A SUBSIDIARY OF THAT VIDEO LOTTERY OPERATOR, THAT OPERATES A VIDEO LOTTERY FACILITY LOCATED IN THE SAME COUNTY AS THE STADIUM.”.

AMENDMENT NO. 17

On page 30, in line 1, strike “(II) AND (III)” and substitute “(II), (III), AND (IV)”; in line 5, after “A” insert “CLASS A-1 AND A-2”; and strike in their entirety lines 8 through 14, inclusive, and substitute:

“(III) A CLASS B-1 AND B-2 SPORTS WAGERING FACILITY LICENSEE SHALL RETAIN 85% OF THE PROCEEDS FROM SPORTS WAGERING CONDUCTED AT THE LOCATION DESCRIBED IN THE LICENSEE’S APPLICATION.

“(IV) A MOBILE SPORTS WAGERING LICENSEE SHALL RETAIN 85% OF THE PROCEEDS FROM ONLINE SPORTS WAGERING RECEIVED BY THE LICENSEE.”.

AMENDMENT NO. 18

On page 34, in line 16, strike “AND”; after line 16, insert:

“(2) SHALL AWARD:

1. A CLASS A-1 OR A-2 FACILITY LICENSE TO ANY APPLICANT THAT MEETS THE REQUIREMENTS FOR LICENSURE UNDER THIS SUBTITLE; AND

2. A CLASS B-1 OR B-2 FACILITY LICENSE TO ANY APPLICANT THAT IS DESCRIBED UNDER § 9-1E-06(A)(2)(I) OF THIS SUBTITLE AND MEETS THE REQUIREMENTS FOR LICENSURE UNDER THIS SUBTITLE; AND”;

strike in their entirety lines 17 through 21, inclusive, and substitute:

“(3) MAY NOT AWARD A CLASS B-1 OR B-2 SPORTS WAGERING FACILITY LICENSE, OTHER THAN TO AN APPLICANT DESCRIBED UNDER § 9-1E-06(A)(2)(I) OF THIS SUBTITLE, OR A MOBILE SPORTS WAGERING LICENSE UNTIL AFTER THE SPORTS WAGERING APPLICATION REVIEW COMMISSION ADOPTS THE REGULATIONS REQUIRED UNDER SUBSECTION (H) OF THIS SECTION.”;

**HB0940/655467/1 Budget and Taxation Committee
Amendments to HB 940
Page 16 of 21**

in line 26, after “(1)” insert “THIS SUBSECTION APPLIES ONLY TO CLASS B-1 OR B-2 SPORTS WAGERING FACILITY LICENSES, OTHER THAN LICENSES ISSUED TO AN APPLICANT DESCRIBED UNDER § 9-1E-06(A)(2)(I) OF THIS SUBTITLE, AND MOBILE SPORTS WAGERING LICENSES.”

(2)”;

in lines 26 and 31, in each instance, strike “(2)” and substitute “(3)”; and in line 28, after “FOR” insert “CLASS B-1 OR B-2 SPORTS WAGERING FACILITY LICENSES, OTHER THAN LICENSES ISSUED TO AN APPLICANT DESCRIBED UNDER § 9-1E-06(A)(2)(I) OF THIS SUBTITLE, AND MOBILE”.

On page 35, in line 12, strike “AND”; in line 13, after “(III)” insert “CONSIDER WHETHER AN APPLICANT FOR A CLASS B-1 OR B-2 SPORTS WAGERING FACILITY LICENSE INTENDS TO CONDUCT SPORTS WAGERING AT A FACILITY LOCATED IN AN OPPORTUNITY ZONE OR AN ENTERPRISE ZONE;”

(IV) CONSIDER ALLOWING EARLY ACCESS TO THE MOBILE SPORTS WAGERING MARKET TO ENTITIES WITH A MEANINGFUL PARTNERSHIP WITH MINORITIES, WOMEN, AND MINORITY- AND WOMEN-OWNED BUSINESSES;
AND

(V)”;

in line 13, after “ADOPT” insert “EMERGENCY”; and in line 17, strike “(3)” and substitute “(4)”.

AMENDMENT NO. 19

On page 37, strike beginning with “(1)” in line 13 down through “(2)” in line 17.

AMENDMENT NO. 20

On page 21, in line 3, strike “, ANNUAL LICENSE FEES,”; in line 9, strike the second “AND”; and in line 10, after “(2)” insert “5% OF THE FEES COLLECTED FOR EACH CLASS A-1 AND A-2 SPORTS WAGERING FACILITY LICENSE TO THE SMALL, MINORITY-OWNED, AND WOMEN-OWNED BUSINESS SPORTS WAGERING ASSISTANCE FUND ESTABLISHED UNDER § 9-1E-16 OF THIS SUBTITLE; AND

(3)”.

On page 38, after line 4, insert:

“9-1E-16.

(A) IN THIS SECTION, “FUND” MEANS THE SMALL, MINORITY-OWNED, AND WOMEN-OWNED BUSINESS SPORTS WAGERING ASSISTANCE FUND.

(B) THERE IS A SMALL, MINORITY-OWNED, AND WOMEN-OWNED BUSINESS SPORTS WAGERING ASSISTANCE FUND.

(C) THE PURPOSE OF THE FUND IS TO ASSIST SMALL, MINORITY-OWNED, AND WOMEN-OWNED BUSINESSES ENTERING THE SPORTS WAGERING MARKET.

(D) THE DEPARTMENT OF COMMERCE SHALL ADMINISTER THE FUND.

(E) (1) THE FUND IS A SPECIAL, NONLAPSING FUND THAT IS NOT SUBJECT TO § 7-302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

(2) THE STATE TREASURER SHALL HOLD THE FUND SEPARATELY, AND THE COMPTROLLER SHALL ACCOUNT FOR THE FUND.

(Over)

(F) THE FUND CONSISTS OF:

(1) REVENUE DISTRIBUTED TO THE FUND UNDER § 9-1E-07(D) OF THIS SUBTITLE;

(2) MONEY APPROPRIATED IN THE STATE BUDGET TO THE FUND;
AND

(3) ANY OTHER MONEY FROM ANY OTHER SOURCE ACCEPTED FOR THE BENEFIT OF THE FUND.

(G) THE FUND MAY BE USED ONLY FOR GRANTS OR LOANS TO SMALL, MINORITY-OWNED, OR WOMEN-OWNED BUSINESSES FOR:

(1) SPORTS WAGERING LICENSE APPLICATION ASSISTANCE;

(2) ASSISTANCE WITH SPORTS WAGERING OPERATIONS; OR

(3) TARGETED TRAINING TO SUPPORT PARTICIPATION IN THE SPORTS WAGERING INDUSTRY.

(H) (1) THE STATE TREASURER SHALL INVEST THE MONEY OF THE FUND IN THE SAME MANNER AS OTHER STATE MONEY MAY BE INVESTED.

(2) ANY INTEREST EARNINGS OF THE FUND SHALL BE CREDITED TO THE GENERAL FUND OF THE STATE.

(I) EXPENDITURES FROM THE FUND MAY BE MADE ONLY IN ACCORDANCE WITH THE STATE BUDGET.”.

**HB0940/655467/1 Budget and Taxation Committee
Amendments to HB 940
Page 19 of 21**

AMENDMENT NO. 21

On page 38, after line 35, insert:

“SECTION 5. AND BE IT FURTHER ENACTED, That:

(a) For fiscal year 2023, the Governor shall include in the annual budget bill an appropriation in the amount of:

- (1) \$1,500,000 for Morgan State University; and
- (2) \$1,500,000 for Bowie State University.

(b) The appropriation required under subsection (a) of this section shall be used to establish a Center for the Study of Data Analytics and Sports Gaming at each university.

(c) The Center shall study and analyze emerging sports technologies, e-sports, operations management, policy, and regulation, and support scholarly inquiry on the dimensions and impacts of gaming to academic, industry, nonprofit, and government audiences.

SECTION 6. AND BE IT FURTHER ENACTED, That for fiscal year 2022 only and from only those additional revenues resulting from this Act that are credited to the Blueprint for Maryland’s Future Fund for fiscal year 2022, and from no other funds, and subject to the provisions of law relating to budgetary procedure to the extent applicable, the amounts specified below are hereby appropriated and authorized to be disbursed to the following programs authorized by Chapter 36 of the Acts of the General Assembly of 2021 in the following priority order from as much of those additional revenues as are received by the State:

- (1) Accountability and Implementation Board – \$4,800,000;

(Over)

HB0940/655467/1 Budget and Taxation Committee
Amendments to HB 940
Page 20 of 21

- (2) Model Curriculum and Instructional Materials – \$2,500,000;
- (3) Expert Review Teams – \$1,300,000;
- (4) Career and Technology Education Committee – \$700,000;
- (5) Blueprint for Maryland’s Future Program Training – \$2,000,000;
- (6) Maryland State Department of Education Financial System – \$2,500,000; and
- (7) An educational organization that received funding under the Funding for Educational Organizations (R00A03) – Other Institutions (R00A03.03) in fiscal year 2020 but not in fiscal years 2021 or 2022 – \$500,000.”.

AMENDMENT NO. 22

On page 23, after line 26, insert:

“(1) (1) THE HOLDER OF A CLASS B-1 OR B-2 SPORTS WAGERING FACILITY LICENSE OR A MOBILE SPORTS WAGERING LICENSE MAY ONLY SELL OR TRANSFER OWNERSHIP OF THE LICENSE IF THE LICENSEE WAS ACTIVELY ENGAGED IN OPERATING SPORTS WAGERING IN THE STATE FOR AT LEAST 3 YEARS IMMEDIATELY PRECEDING THE SALE OR TRANSFER OF THE OWNERSHIP OF THE LICENSE.

(2) NOTHING IN PARAGRAPH (1) OF THIS SUBSECTION MAY BE CONSTRUED TO LIMIT THE ABILITY OF THE COMMISSION TO ENFORCE THIS SUBTITLE.”.

AMENDMENT NO. 23

On page 31, after line 33, insert:

“(C) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, ON OR BEFORE DECEMBER 1, 2025, THE COMMISSION SHALL REPORT TO THE GENERAL ASSEMBLY, IN ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE, ON THE RACIAL, ETHNIC, GENDER, AND GEOGRAPHIC DIVERSITY OF HOLDERS OF CLASS B-1 AND B-2 SPORTS WAGERING FACILITY LICENSES AND MOBILE SPORTS WAGERING LICENSES UNDER THIS SUBTITLE, THE LEVEL OF MARKET SATURATION OF SPORTS WAGERING IN THE STATE, AND WHETHER THE NUMBER OF CLASS B-1 AND B-2 SPORTS WAGERING FACILITY LICENSES AND MOBILE SPORTS WAGERING LICENSES THAT MAY BE ISSUED UNDER THIS SUBTITLE SHOULD BE INCREASED IN ORDER TO ADDRESS THE DEMAND FOR SPORTS WAGERING IN THE STATE.

(2) BEFORE THE COMMISSION SUBMITS THE REPORT DESCRIBED UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE COMMISSION SHALL PROVIDE THE LEGISLATIVE POLICY COMMITTEE WITH AT LEAST 30 DAYS TO SUBMIT COMMENTS TO THE COMMISSION.”