

# HOUSE BILL 940

C7

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By: **The Speaker**

Introduced and read first time: February 2, 2021

Assigned to: Ways and Means

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Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 2, 2021

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Gaming – Regulation of Fantasy Gaming Competitions and Implementation of**  
3 **Sports Wagering**

4 FOR the purpose of requiring certain fantasy competition operators to register with the  
5 State Lottery and Gaming Control Commission under certain circumstances;  
6 authorizing the State Lottery and Gaming Control Commission to impose a certain  
7 fee for the registration of a fantasy competition operator; requiring a fantasy  
8 competition operator to pay ~~certain fees and~~ a certain percentage of the proceeds  
9 from fantasy competitions to the State Lottery and Gaming Control Commission;  
10 requiring the State Lottery and Gaming Control Commission to distribute the  
11 proceeds from fantasy competitions in a certain manner; altering the authorized uses  
12 of the Problem Gambling Fund; authorizing certain license holders to accept wagers  
13 on certain sporting events from certain individuals and by certain methods at certain  
14 locations; requiring the State Lottery and Gaming Control Commission to regulate  
15 sports wagering in the State; requiring the State Lottery and Gaming Control  
16 Commission to consider the use of certain technology to carry out certain duties;  
17 requiring certain persons to apply to the State Lottery and Gaming Control  
18 Commission for certain licenses; requiring certain fees for the issuance and renewal  
19 of certain licenses; providing for the terms of certain licenses; providing that certain  
20 applicants and licensees are subject to certain minority business participation goals;  
21 authorizing the State Lottery and Gaming Control Commission to provide waivers  
22 or exemptions from certain licensing requirements under certain circumstances;  
23 requiring applicants for certain licenses to pay certain fees set by the State Lottery  
24 and Gaming Control Commission; providing for the distribution of certain licensing  
25 fees collected by the State Lottery and Gaming Control Commission; providing that

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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.



1 certain applicants and licensees have a certain responsibility; requiring certain  
2 applicants and licensees to provide certain information, assistance, and cooperation;  
3 requiring applicants and licensees to establish certain qualification criteria,  
4 including the existence of a certain labor peace agreement; establishing certain  
5 procedures and requirements for the issuance of certain licenses; authorizing the  
6 State Lottery and Gaming Control Commission to grant or deny certain licenses;  
7 authorizing the State Lottery and Gaming Control Commission to deny, suspend, or  
8 revoke a license and reprimand or fine a licensee under certain circumstances;  
9 authorizing the State Lottery and Gaming Control Commission to impose a certain  
10 penalty under certain circumstances; authorizing certain sports wagering licensees  
11 to enter into certain agreements for the operation of online sports wagering;  
12 providing that an individual may register for online sports wagering either in person  
13 or online; prohibiting certain individuals from making a wager and certain sports  
14 wagering licensees from accepting a wager from certain individuals; requiring  
15 certain sports wagering licensees to establish certain procedures, provide certain  
16 safeguards, and report certain information to the State Lottery and Gaming Control  
17 Commission; authorizing the State Lottery and Gaming Control Commission to  
18 prohibit certain types or forms of wagering or certain individuals from wagering at  
19 the request of certain interested parties under certain circumstances; requiring the  
20 State Lottery and Gaming Control Commission to respond to certain requests from  
21 certain interested parties by a certain time; providing for the accounting and  
22 distribution of certain sports wagering proceeds and certain unclaimed winning  
23 wagers; requiring the State Lottery and Gaming Control Commission to adopt  
24 certain regulations; requiring the State Lottery and Gaming Control Commission to  
25 report annually to the Governor and the General Assembly on certain matters on or  
26 before a certain date; establishing a Sports Wagering Application Review  
27 Commission, its membership, and certain eligibility requirements for membership;  
28 providing for certain reimbursements and staffing; authorizing the Sports Wagering  
29 Application Review Commission to award not more than a certain number of certain  
30 sports wagering licenses; ~~requiring the State Lottery and Gaming Control~~  
31 ~~Commission and~~ the Sports Wagering Application Review Commission, in  
32 consultation with certain entities, to evaluate a certain study of the sports wagering  
33 industry, make a certain determination relating to certain business participation in  
34 the sports wagering industry, evaluate certain race-neutral programs and other  
35 methods, and adopt certain regulations; requiring the Sports Wagering Application  
36 Review Commission, in a certain manner, to seek to achieve racial, ethnic, and  
37 gender diversity when awarding certain licenses and to conduct certain outreach to  
38 certain small, minority, and women business owners and entrepreneurs for certain  
39 purposes; providing for the termination of the Sports Wagering Application Review  
40 Commission; authorizing the Governor to reconstitute the Sports Wagering  
41 Application Review Commission under certain circumstances; requiring a certain  
42 certification agency, in consultation with the Office of the Attorney General and the  
43 Governor's Office of Small, Minority, and Women Business Affairs, to initiate a  
44 certain analysis; requiring a certain certification agency to submit a certain report  
45 to the Legislative Policy Committee on or before a certain date; declaring the intent  
46 of the General Assembly; making conforming changes; defining certain terms; and  
47 generally relating to wagering on fantasy competitions and sporting events.

- 1 BY renumbering  
2 Article – State Government  
3 Section 9–1D–01(b) and 9–1D–01(c), respectively  
4 to be Section 9–1D–02 and 9–1D–05, respectively  
5 Annotated Code of Maryland  
6 (2014 Replacement Volume and 2020 Supplement)
- 7 BY repealing and reenacting, without amendments,  
8 Article – Education  
9 Section 5–219(b)  
10 Annotated Code of Maryland  
11 (2018 Replacement Volume and 2020 Supplement)
- 12 BY repealing and reenacting, with amendments,  
13 Article – Education  
14 Section 5–219(f)  
15 Annotated Code of Maryland  
16 (2018 Replacement Volume and 2020 Supplement)
- 17 BY repealing and reenacting, without amendments,  
18 Article – State Government  
19 Section 9–1A–01(a) and (k)  
20 Annotated Code of Maryland  
21 (2014 Replacement Volume and 2020 Supplement)
- 22 BY repealing and reenacting, with amendments,  
23 Article – State Government  
24 Section 9–1A–03, 9–1A–33(b), and 9–1D–01(a)  
25 Annotated Code of Maryland  
26 (2014 Replacement Volume and 2020 Supplement)
- 27 BY repealing and reenacting, with amendments,  
28 Article – State Government  
29 Section 9–1D–02 and 9–1D–05  
30 Annotated Code of Maryland  
31 (2014 Replacement Volume and 2020 Supplement)  
32 (As enacted by Section 1 of this Act)
- 33 BY adding to  
34 Article – State Government  
35 Section 9–1D–03 and 9–1D–04; and 9–1E–01 through 9–1E–15 to be under the new  
36 subtitle “Subtitle 1E. Sports Wagering”  
37 Annotated Code of Maryland  
38 (2014 Replacement Volume and 2020 Supplement)

1 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
2 That Section(s) 9-1D-01(b) and 9-1D-01(c), respectively, of Article – State Government of  
3 the Annotated Code of Maryland be renumbered to be Section(s) 9-1D-02 and 9-1D-05,  
4 respectively.

5 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read  
6 as follows:

7 **Article – Education**

8 5-219.

9 (b) There is The Blueprint for Maryland’s Future Fund.

10 (f) The Fund consists of:

11 (1) Revenue distributed to the Fund under **TITLE 9, SUBTITLES 1D AND**  
12 **1E OF THE STATE GOVERNMENT ARTICLE AND §§ 2-605.1 and 2-1303** of the Tax –  
13 General Article;

14 (2) Money appropriated in the State budget for the Fund; and

15 (3) Any other money from any other source accepted for the benefit of the  
16 Fund.

17 **Article – State Government**

18 9-1A-01.

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

20 (k) “Commission” means the State Lottery and Gaming Control Commission.

21 9-1A-03.

22 (a) Except as provided in subsection (b) of this section, any additional forms or  
23 expansion of commercial gaming other than as expressly provided in this subtitle **AND**  
24 **SUBTITLE 1E OF THIS TITLE** are prohibited.

25 (b) This subtitle, including the authority provided to the Commission under this  
26 subtitle, does not apply to:

27 (1) lotteries conducted under Subtitle 1 of this title;

28 (2) wagering on horse racing conducted under Title 11 of the Business  
29 Regulation Article;

1 (3) the operation of slot machines as provided under Titles 12 and 13 of the  
2 Criminal Law Article; or

3 (4) other gaming conducted under Titles 12 and 13 of the Criminal Law  
4 Article.

5 9–1A–33.

6 (b) (1) (i) There is a Problem Gambling Fund in the Maryland Department  
7 of Health.

8 (ii) The purpose of the Fund is primarily to provide funding for  
9 problem gambling treatment and prevention programs, including:

- 10 1. inpatient and residential services;
- 11 2. outpatient services;
- 12 3. intensive outpatient services;
- 13 4. continuing care services;
- 14 5. educational services;
- 15 6. services for victims of domestic violence; and
- 16 7. other preventive or rehabilitative services or treatment.

17 (2) The Problem Gambling Fund is a special, nonlapsing fund that is not  
18 subject to § 7–302 of the State Finance and Procurement Article.

19 (3) Money in the Problem Gambling Fund shall be invested and reinvested  
20 by the Treasurer, and interest and earnings shall accrue to the Fund.

21 (4) Except as provided in paragraph (5) of this subsection, expenditures  
22 from the Problem Gambling Fund shall be made only by the Maryland Department of  
23 Health to:

24 (i) establish a 24–hour hotline for compulsive and problem gamblers  
25 and to provide counseling and other support services for compulsive and problem gamblers;

26 (ii) establish an outreach program for compulsive and problem  
27 gamblers, including individuals who requested placement on the voluntary exclusion list  
28 established by the Commission under § 9–1A–24 of this subtitle, for the purpose of  
29 participating in problem gambling treatment and prevention programs; [and]

1 (iii) develop and implement free or reduced cost problem gambling  
 2 treatment and prevention programs, including the programs established under Title 19,  
 3 Subtitle 8 of the Health – General Article; AND

4 (IV) DEVELOP AND IMPLEMENT FREE OR REDUCED COST  
 5 PROBLEM GAMBLING TREATMENT AND PREVENTION PROGRAMS TARGETED AT  
 6 INDIVIDUALS WITH PROBLEM GAMBLING ISSUES RELATED TO SPORTS WAGERING,  
 7 PARTICIPATION IN FANTASY COMPETITIONS, AND OTHER FORMS OF WAGERING,  
 8 WHETHER LEGAL OR ILLEGAL, CONDUCTED IN THE STATE OR THROUGH ONLINE  
 9 MEANS.

10 (5) After satisfying the requirements of paragraph (4) of this subsection,  
 11 any unspent funds in the Problem Gambling Fund may be expended by the Maryland  
 12 Department of Health on drug and other addiction treatment services.

13 (6) Expenditures from the Problem Gambling Fund shall be made in  
 14 accordance with an appropriation approved by the General Assembly in the annual State  
 15 budget or by the budget amendment procedure provided for in § 7–209 of the State Finance  
 16 and Procurement Article.

17 9–1D–01.

18 (a) In this [section, “fantasy] SUBTITLE THE FOLLOWING WORDS HAVE THE  
 19 MEANINGS INDICATED.

20 (B) “COMMISSION” HAS THE MEANING STATED IN § 9–1A–01 OF THIS TITLE.

21 (C) “ENTRY FEE” MEANS CASH OR CASH EQUIVALENTS THAT A FANTASY  
 22 COMPETITION PLAYER IS REQUIRED TO PAY TO A FANTASY COMPETITION  
 23 OPERATOR IN ORDER TO PARTICIPATE IN A FANTASY COMPETITION.

24 (D) “FANTASY competition” includes any online fantasy or simulated game or  
 25 contest such as fantasy sports, in which:

26 (1) participants own, manage, or coach imaginary teams;

27 (2) all prizes and awards offered to winning participants are established  
 28 and made known to participants in advance of the game or contest;

29 (3) the winning outcome of the game or contest reflects the relative skill of  
 30 the participants and is determined by statistics generated by actual individuals (players or  
 31 teams in the case of a professional sport); and

32 (4) no winning outcome is based:

33 (i) solely on the performance of an individual athlete; or

1 (ii) on the score, point spread, or any performances of any single  
2 real-world team or any combination of real-world teams.

3 (E) (1) “FANTASY COMPETITION OPERATOR” MEANS ANY PERSON THAT  
4 OFFERS SERVICES IN CONNECTION WITH FANTASY COMPETITIONS TO INDIVIDUALS  
5 BY MEANS OF:

6 (I) THE INTERNET;

7 (II) A SMART PHONE APPLICATION; OR

8 (III) ANY OTHER ELECTRONICS, DIGITAL MEDIA,  
9 COMMUNICATION TECHNOLOGY, OR DEVICE.

10 (2) “FANTASY COMPETITION OPERATOR” INCLUDES, FOR PURPOSES  
11 OF THE FEDERAL BANK SECRECY ACT OF 1970 AND ITS RELATED REGULATIONS, A  
12 GAMING ESTABLISHMENT HAVING AT LEAST \$1,000,000 IN ANNUAL GROSS  
13 REVENUE.

14 ~~(2)~~ (3) “FANTASY COMPETITION OPERATOR” DOES NOT INCLUDE  
15 AN INDIVIDUAL WHO:

16 (I) ORGANIZES A FANTASY COMPETITION IN WHICH THE  
17 INDIVIDUAL ALSO PARTICIPATES;

18 (II) RECEIVES NO COMPENSATION FOR ORGANIZING THE  
19 FANTASY COMPETITION; AND

20 (III) IS NOT AFFILIATED WITH A FANTASY COMPETITION  
21 OPERATOR.

22 (F) “FANTASY COMPETITION PLAYER” MEANS AN INDIVIDUAL WHO  
23 PARTICIPATES IN A FANTASY COMPETITION OFFERED BY A FANTASY COMPETITION  
24 OPERATOR.

25 (G) “PROCEEDS” MEANS, FOR A FANTASY COMPETITION, THE AMOUNT OF  
26 ENTRY FEES COLLECTED BY A FANTASY COMPETITION OPERATOR FROM ALL  
27 FANTASY COMPETITION PLAYERS ENTERING THE FANTASY COMPETITION, LESS  
28 WINNINGS PAID TO FANTASY COMPETITION PLAYERS, MULTIPLIED BY THE  
29 RESIDENT PERCENTAGE.

30 (H) “RESIDENT PERCENTAGE” MEANS, FOR A FANTASY COMPETITION, THE  
31 PERCENTAGE, ROUNDED TO THE NEAREST ONE-HUNDREDTH OF A PERCENT, OF THE

1 TOTAL ENTRY FEES COLLECTED BY A FANTASY COMPETITION OPERATOR FROM  
2 STATE RESIDENTS DIVIDED BY THE TOTAL ENTRY FEES COLLECTED FROM ALL  
3 PLAYERS, REGARDLESS OF THE PLAYERS' LOCATIONS, OF THE FANTASY CONTESTS.

4 9-1D-02.

5 [(1)] (A) Notwithstanding the provisions of Title 12 of the Criminal Law  
6 Article or any other title, and except as provided under [paragraph (2)] SUBSECTION (B)  
7 of this [subsection] SECTION, the prohibitions against betting, wagering, and gambling do  
8 not apply to participation in a fantasy competition.

9 [(2)] (B) A person may not operate a kiosk or machine that offers fantasy  
10 competition to the public in a place of business physically located in the State.

11 9-1D-03.

12 (A) A FANTASY COMPETITION OPERATOR SHALL REGISTER WITH THE  
13 COMMISSION ~~AND PAY AN INITIAL REGISTRATION FEE OF \$50,000~~ BEFORE THE  
14 FANTASY COMPETITION OPERATOR MAY OFFER A FANTASY COMPETITION OR  
15 SERVICES IN CONNECTION WITH A FANTASY COMPETITION IN THE STATE.

16 (B) ~~(1)~~ UNLESS A REGISTRATION IS RENEWED FOR A 1-YEAR TERM, THE  
17 REGISTRATION EXPIRES 1 YEAR FROM THE ~~PAYMENT OF THE INITIAL REGISTRATION~~  
18 ~~FEE OR A REGISTRATION RENEWAL FEE~~ INITIAL DATE OF REGISTRATION.

19 ~~(2) BEFORE A REGISTRATION EXPIRES, THE REGISTRATION MAY BE~~  
20 ~~RENEWED FOR 1 YEAR, IF THE FANTASY COMPETITION OPERATOR PAYS A~~  
21 ~~REGISTRATION RENEWAL FEE OF \$50,000.~~

22 (C) THE COMMISSION MAY IMPOSE A FEE FOR THE REGISTRATION OF A  
23 FANTASY COMPETITION OPERATOR IN ACCORDANCE WITH THIS SECTION.

24 9-1D-04.

25 (A) A FANTASY COMPETITION OPERATOR SHALL RETAIN 85% OF THE  
26 PROCEEDS AND PAY THE REMAINDER TO THE COMMISSION.

27 (B) THE COMMISSION SHALL DISTRIBUTE THE PROCEEDS PAID UNDER  
28 SUBSECTION (A) OF THIS SECTION TO THE BLUEPRINT FOR MARYLAND'S FUTURE  
29 FUND ESTABLISHED UNDER § 5-219 OF THE EDUCATION ARTICLE.

30 9-1D-05.

31 (A) The [State Lottery and Gaming Control] Commission [may] SHALL adopt  
32 regulations to carry out the provisions of this [section] SUBTITLE.



1 (B) THE REGULATIONS ADOPTED UNDER THIS SECTION MAY INCLUDE  
2 REQUIREMENTS FOR THE ESTABLISHMENT OF A VOLUNTARY EXCLUSION LIST.

3 SUBTITLE 1E. SPORTS WAGERING.

4 9-1E-01.

5 (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS  
6 INDICATED.

7 (B) "COMMISSION" HAS THE MEANING STATED IN § 9-1A-01 OF THIS TITLE.

8 (C) "GAMING ESTABLISHMENT" MEANS, FOR PURPOSES OF THE FEDERAL  
9 BANK SECRECY ACT OF 1970 AND ITS RELATED REGULATIONS, A SPORTS  
10 WAGERING LICENSEE HAVING AT LEAST \$1,000,000 IN ANNUAL GROSS REVENUE.

11 ~~(C)~~ (D) (1) "HORSE RACING LICENSEE" MEANS:

12 (I) THE HOLDER OF A LICENSE ISSUED BY THE STATE RACING  
13 COMMISSION UNDER TITLE 11, SUBTITLE 5 OF THE BUSINESS REGULATION  
14 ARTICLE, INCLUDING, IN THE CASE OF A SUBSIDIARY OF THE MARYLAND STATE  
15 FAIR AND AGRICULTURAL SOCIETY, INC., A SUBSIDIARY OF THE LICENSE HOLDER;  
16 AND

17 (II) THE HOLDER OF A PERMIT ISSUED UNDER TITLE 11,  
18 SUBTITLE 8, PART III OF THE BUSINESS REGULATION ARTICLE TO HOLD  
19 SATELLITE SIMULCAST BETTING IN CHARLES COUNTY.

20 (2) "HORSE RACING LICENSEE" DOES NOT INCLUDE THE HOLDER OF  
21 A LICENSE ISSUED UNDER § 11-526 OF THE BUSINESS REGULATION ARTICLE.

22 ~~(D)~~ (E) "MOBILE SPORTS WAGERING LICENSEE" MEANS A SPORTS  
23 WAGERING LICENSEE WHO IS AUTHORIZED TO CONDUCT AND OPERATE ONLINE  
24 SPORTS WAGERING.

25 ~~(E)~~ (F) "ONLINE SPORTS WAGERING" MEANS SPORTS WAGERING  
26 THROUGH AN ONLINE GAMING SYSTEM:

27 (1) ON A COMPUTER, A MOBILE DEVICE, OR ANY OTHER INTERACTIVE  
28 DEVICE; AND

29 (2) THAT IS ACCEPTED BY A SPORTS WAGERING LICENSEE OR AN  
30 ONLINE SPORTS WAGERING OPERATOR.

1       ~~(F)~~ (G)       “ONLINE SPORTS WAGERING OPERATOR” MEANS AN ENTITY THAT  
2 HOLDS A LICENSE ISSUED BY THE COMMISSION UNDER THIS SUBTITLE TO OPERATE  
3 ONLINE SPORTS WAGERING ON BEHALF OF A SPORTS WAGERING LICENSEE.

4       ~~(G)~~ (H)       “PROCEEDS” MEANS THE AMOUNT OF MONEY WAGERED ON A  
5 SPORTING EVENT THAT IS NOT RETURNED TO SUCCESSFUL BETTORS ~~BUT IS~~  
6 ~~OTHERWISE ALLOCATED UNDER THIS SUBTITLE, INCLUDING THE CASH~~  
7 EQUIVALENTS OF ANY MERCHANDISE OR THING OF VALUE AWARDED AS A PRIZE TO  
8 SUCCESSFUL BETTORS, LESS:

9               (1)   FREE BETS AND PROMOTIONAL CREDITS REDEEMED BY BETTORS;  
10 AND

11              (2)   ALL EXCISE TAXES PAID BY A SPORTS WAGERING LICENSEE  
12 PURSUANT TO FEDERAL LAW.

13       ~~(H)~~ (I)       (1)       “SPORTING EVENT” MEANS:

14                   (I)    A PROFESSIONAL SPORTS OR ATHLETIC EVENT;

15                   (II)   A COLLEGIATE SPORTS OR ATHLETIC EVENT;

16                   (III)   AN OLYMPIC OR INTERNATIONAL SPORTS OR ATHLETIC  
17 EVENT;

18                   (IV)   AN ELECTRONIC SPORTS OR VIDEO GAME COMPETITION IN  
19 WHICH EACH PARTICIPANT IS AT LEAST 18 YEARS OLD;

20                   (V)    A MOTOR RACE EVENT SANCTIONED BY A MOTOR RACING  
21 GOVERNING ENTITY;

22                   (VI)   EXCEPT AS OTHERWISE PROHIBITED UNDER TITLE 11 OF  
23 THE BUSINESS REGULATION ARTICLE OR THE FEDERAL INTERSTATE HORSE  
24 RACING ACT, A HORSE RACE, HELD IN OR OUT OF THE STATE, IF CONSENTED TO AND  
25 APPROVED BY:

26                           1.    THE HORSE RACING LICENSEE OF THE APPLICABLE  
27 BREED;

28                           2.    THE ORGANIZATION REPRESENTING THE MAJORITY  
29 OF THE OWNERS AND TRAINERS OF THE APPLICABLE BREED IN THE STATE;

1                   3.     THE ORGANIZATION REPRESENTING THE MAJORITY  
2 OF THE APPLICABLE BREEDERS IN THE STATE; AND

3                   4.     THE STATE RACING COMMISSION; ~~OR~~

4                   (VII) ANY PORTION OF A SPORTING EVENT, INCLUDING THE  
5 INDIVIDUAL PERFORMANCE STATISTICS OF ATHLETES OR COMPETITORS IN A  
6 SPORTING EVENT; OR

7                   (VIII) AN AWARD EVENT OR COMPETITION OF NATIONAL OR  
8 INTERNATIONAL PROMINENCE IF EXPRESSLY AUTHORIZED BY THE COMMISSION.

9                   (2)     “SPORTING EVENT” DOES NOT INCLUDE:

10                   (I)     A HIGH SCHOOL SPORTS OR ATHLETIC EVENT; OR

11                   (II)    A FANTASY COMPETITION REGULATED UNDER SUBTITLE  
12 **1D** OF THIS TITLE.

13                   ~~(I)~~ (J)     “SPORTS WAGERING” MEANS THE BUSINESS OF ACCEPTING  
14 WAGERS ON ANY SPORTING EVENT BY ANY SYSTEM OR METHOD OF WAGERING,  
15 INCLUDING SINGLE-GAME BETS, TEASER BETS, PARLAYS, OVER-UNDER,  
16 MONEYLINE, POOLS, EXCHANGE WAGERING, IN-GAME WAGERING, IN-PLAY BETS,  
17 PROPOSITION BETS, AND STRAIGHT BETS.

18                   ~~(J)~~ (K)     (1)     “SPORTS WAGERING FACILITY LICENSEE” MEANS A SPORTS  
19 WAGERING LICENSEE WHO IS AUTHORIZED TO CONDUCT AND OPERATE SPORTS  
20 WAGERING AT THE SPORTS WAGERING FACILITY OWNED BY THE SPORTS WAGERING  
21 LICENSEE.

22                   (2)     “SPORTS WAGERING FACILITY LICENSEE” INCLUDES THE  
23 HOLDER OF A CLASS A SPORTS WAGERING FACILITY LICENSE OR A CLASS B SPORTS  
24 WAGERING FACILITY LICENSE ISSUED UNDER § 9-1E-06 OF THIS SUBTITLE.

25                   ~~(K)~~ (L)     “SPORTS WAGERING LICENSE” MEANS A LICENSE ISSUED BY THE  
26 COMMISSION UNDER THIS SUBTITLE THAT AUTHORIZES THE HOLDER TO ACCEPT  
27 WAGERS ON SPORTING EVENTS.

28                   ~~(L)~~ (M)     “SPORTS WAGERING LICENSEE” MEANS THE HOLDER OF A  
29 SPORTS WAGERING LICENSE.

30                   ~~(M)~~ (N)     “VIDEO LOTTERY FACILITY” HAS THE MEANING STATED IN §  
31 **9-1A-01** OF THIS TITLE.

1       ~~(N)~~ **(O)**       “VIDEO LOTTERY OPERATION LICENSE” HAS THE MEANING  
2 STATED IN § 9-1A-01 OF THIS TITLE.

3       ~~(O)~~ **(P)**       “VIDEO LOTTERY OPERATOR” HAS THE MEANING STATED IN §  
4 9-1A-01 OF THIS TITLE.

5 9-1E-02.

6       IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT THIS SUBTITLE IS TO BE  
7 IMPLEMENTED IN A MANNER THAT, TO THE EXTENT PERMITTED BY STATE AND  
8 FEDERAL LAW, MAXIMIZES THE ABILITY OF MINORITIES, WOMEN, AND MINORITY  
9 AND WOMEN-OWNED BUSINESSES TO PARTICIPATE IN THE SPORTS WAGERING  
10 INDUSTRY, INCLUDING THROUGH THE OWNERSHIP OF ENTITIES LICENSED TO  
11 CONDUCT SPORTS WAGERING UNDER THIS SUBTITLE.

12 9-1E-03.

13       **(A) (1)** UNLESS THE CONTEXT REQUIRES OTHERWISE, THE  
14 REQUIREMENTS UNDER §§ 9-1A-04, 9-1A-06, 9-1A-07, 9-1A-08, 9-1A-12,  
15 9-1A-14, 9-1A-18, 9-1A-19, 9-1A-20, AND 9-1A-25 OF THIS TITLE APPLY TO THE  
16 AUTHORITY, DUTIES, AND RESPONSIBILITIES OF THE COMMISSION, A SPORTS  
17 WAGERING LICENSEE, AND AN EMPLOYEE OR A CONTRACTOR OF A SPORTS  
18 WAGERING LICENSEE UNDER THIS SUBTITLE.

19       **(2)** THE COMMISSION SHALL CONSIDER THE USE OF TECHNOLOGY,  
20 REMOTE SURVEILLANCE, AND OTHER SIMILAR MEASURES TO CARRY OUT ITS DUTIES  
21 UNDER THIS SUBSECTION.

22       **(B)** THIS SUBTITLE AUTHORIZES A SPORTS WAGERING LICENSEE TO  
23 CONDUCT AND OPERATE SPORTS WAGERING IN THE STATE AS PROVIDED IN THIS  
24 SUBTITLE.

25 9-1E-04.

26       **(A)** EXCEPT AS OTHERWISE PROVIDED IN THIS SUBTITLE, THE COMMISSION  
27 SHALL REGULATE SPORTS WAGERING AND THE CONDUCT OF SPORTS WAGERING TO  
28 THE SAME EXTENT THAT THE COMMISSION REGULATES THE OPERATION OF VIDEO  
29 LOTTERY TERMINALS AND TABLE GAMES UNDER SUBTITLE 1A OF THIS TITLE.

30       **(B)** IN ACCORDANCE WITH THIS SUBTITLE, THE COMMISSION SHALL ADOPT  
31 REGULATIONS THAT ESTABLISH:

32       **(1)** SUBJECT TO § 9-1E-15(H) OF THIS SUBTITLE, THE FORM AND  
33 CONTENT OF AN APPLICATION FOR ANY LICENSE REQUIRED UNDER THIS SUBTITLE;

1           (2) THE METHODS, PROCEDURES, AND FORM FOR DELIVERY OF  
2 INFORMATION FROM AN APPLICANT OR A LICENSEE CONCERNING ANY PERSON'S  
3 FAMILY, HABITS, CHARACTER, ASSOCIATES, CRIMINAL RECORD, BUSINESS  
4 ACTIVITIES, AND FINANCIAL AFFAIRS;

5           (3) THE PROCEDURES FOR THE FINGERPRINTING OF AN APPLICANT  
6 FOR ANY LICENSE REQUIRED UNDER THIS SUBTITLE OR OTHER METHODS OF  
7 IDENTIFICATION THAT MAY BE NECESSARY IN THE JUDGMENT OF THE COMMISSION  
8 TO ACCOMPLISH EFFECTIVE ENFORCEMENT OF THE PROVISIONS OF THIS SUBTITLE;

9           (4) THE GROUNDS AND PROCEDURES FOR REPRIMANDS OF  
10 LICENSEES OR THE REVOCATION OR SUSPENSION OF LICENSES ISSUED UNDER THIS  
11 SUBTITLE;

12           (5) THE MANNER AND METHOD OF COLLECTION OF TAXES, FEES, AND  
13 CIVIL PENALTIES;

14           (6) STANDARDS, PROCEDURES, AND RULES THAT GOVERN THE  
15 CONDUCT OF SPORTS WAGERING, INCLUDING:

16           (I) THE APPROVAL PROCESS FOR SELF-SERVICE KIOSKS OR  
17 MACHINES, SECURITY MEASURES FOR THE KIOSKS OR MACHINES, THE AMOUNT OF  
18 WAGERS AUTHORIZED ON THE KIOSKS OR MACHINES, AND ANY OTHER MATTER  
19 RELATING TO A SELF-SERVICE KIOSK OR MACHINE NECESSARY TO CARRY OUT THE  
20 PROVISIONS OF THIS SUBTITLE;

21           (II) THE TYPES OF WAGERS ON SPORTING EVENTS THAT MAY BE  
22 ACCEPTED BY A SPORTS WAGERING LICENSEE AND PROHIBITED WAGERS, SUCH AS  
23 WAGERS ON INJURIES, PENALTIES, AND OTHER TYPES OR FORMS OF WAGERING  
24 THAT ARE CONTRARY TO PUBLIC POLICY OR UNFAIR TO BETTORS;

25           (III) THE TYPES AND VALUES OF PROMOTIONAL ITEMS THAT MAY  
26 BE GIVEN AWAY TO ENCOURAGE SPORTS WAGERING;

27           (IV) THE MANNER IN WHICH WAGERS ARE RECEIVED, PAYOUTS  
28 ARE REMITTED, AND POINT SPREADS, LINES, AND ODDS ARE DETERMINED;

29           (V) THE MAXIMUM WAGERS THAT MAY BE ACCEPTED BY A  
30 SPORTS WAGERING LICENSEE ~~OR ONLINE SPORTS WAGERING OPERATOR~~ FROM A  
31 SINGLE BETTOR ON A SINGLE SPORTING EVENT;

1 (VI) THE AMOUNT OF CASH RESERVES OR OTHER FINANCIAL  
2 SECURITY TO BE MAINTAINED BY SPORTS WAGERING LICENSEES TO COVER  
3 WINNING WAGERS;

4 (VII) ACCEPTABLE FORMS OF PAYMENT AND ADVANCE DEPOSIT  
5 METHODS BY BETTORS;

6 (VIII) MINIMUM UNIFORM STANDARDS OF ACCOUNTANCY  
7 METHODS, PROCEDURES, AND FORMS AS ARE NECESSARY TO ENSURE  
8 CONSISTENCY, COMPARABILITY, AND EFFECTIVE DISCLOSURE OF ALL FINANCIAL  
9 INFORMATION, INCLUDING PERCENTAGES OF PROFIT;

10 (IX) PERIODIC FINANCIAL REPORTS AND THE FORM OF THE  
11 REPORTS, INCLUDING AN ANNUAL AUDIT PREPARED BY A CERTIFIED PUBLIC  
12 ACCOUNTANT LICENSED TO DO BUSINESS IN THE STATE IN ACCORDANCE WITH THE  
13 STATEMENT ON STANDARDS FOR ATTESTATION ENGAGEMENTS AND GENERALLY  
14 ACCEPTED ACCOUNTING PRINCIPLES;

15 (X) REQUIRING LICENSEES UNDER THIS SUBTITLE TO  
16 DEMONSTRATE AND MAINTAIN FINANCIAL VIABILITY; AND

17 (XI) ENSURING THAT SPORTS WAGERING IS CONDUCTED  
18 LEGALLY; AND

19 (7) ANY OTHER REGULATION NECESSARY TO CARRY OUT THE  
20 PROVISIONS OF THIS SUBTITLE.

21 ~~(C) (1) THE COMMISSION, IN CONSULTATION WITH THE CERTIFICATION~~  
22 ~~AGENCY AS DEFINED IN § 14-301 OF THE STATE FINANCE AND PROCUREMENT~~  
23 ~~ARTICLE, THE GOVERNOR'S OFFICE OF SMALL, MINORITY, AND WOMEN BUSINESS~~  
24 ~~AFFAIRS, AND THE OFFICE OF THE ATTORNEY GENERAL, SHALL:~~

25 ~~(I) EVALUATE A STUDY OF THE SPORTS WAGERING INDUSTRY~~  
26 ~~AND MARKET TO DETERMINE WHETHER THERE IS A COMPELLING INTEREST TO~~  
27 ~~IMPLEMENT REMEDIAL MEASURES, IN ADDITION TO THE APPLICATION OF THE~~  
28 ~~STATE MINORITY BUSINESS ENTERPRISE PROGRAM UNDER TITLE 14, SUBTITLE 3~~  
29 ~~OF THE STATE FINANCE AND PROCUREMENT ARTICLE OR A SIMILAR PROGRAM, TO~~  
30 ~~ASSIST MINORITIES AND WOMEN IN THE SPORTS WAGERING INDUSTRY;~~

31 ~~(H) EVALUATE RACE NEUTRAL PROGRAMS OR OTHER~~  
32 ~~METHODS THAT MAY BE USED TO ADDRESS THE NEEDS OF MINORITY AND WOMEN~~  
33 ~~APPLICANTS AND MINORITY AND WOMEN OWNED BUSINESSES SEEKING TO~~  
34 ~~PARTICIPATE IN THE SPORTS WAGERING INDUSTRY; AND~~

~~(H) ADOPT REGULATIONS TO IMPLEMENT REMEDIAL MEASURES, IF NECESSARY AND TO THE EXTENT PERMITTED BY STATE AND FEDERAL LAW, BASED ON THE FINDINGS OF THE STUDY EVALUATED UNDER ITEM (I) OF THIS PARAGRAPH.~~

~~(2) THE COMMISSION MAY REPORT TO THE GENERAL ASSEMBLY, IN ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE, ANY INFORMATION THAT THE COMMISSION DETERMINES IS NECESSARY TO CONSIDER, DEVELOP, OR IMPLEMENT ANY REMEDIAL MEASURES REQUIRED UNDER THIS SECTION.~~

9-1E-05.

(A) THE FOLLOWING PERSONS SHALL BE LICENSED UNDER THIS SUBTITLE:

(1) A PERSON THAT OPERATES SPORTS WAGERING;

(2) A PERSON THAT OPERATES SPORTS WAGERING ON BEHALF OF A SPORTS WAGERING LICENSEE, INCLUDING AN ONLINE SPORTS WAGERING OPERATOR;

(3) A PERSON NOT LICENSED UNDER ITEM (1) OR (2) OF THIS SUBSECTION THAT MANAGES, OPERATES, SUPPLIES, PROVIDES SECURITY FOR, OR PROVIDES SERVICE, MAINTENANCE, OR REPAIRS FOR SPORTS WAGERING EQUIPMENT AND DEVICES; AND

(4) AN INDIVIDUAL DIRECTLY EMPLOYED IN THE OPERATION OF SPORTS WAGERING BY A SPORTS WAGERING LICENSEE IF THE INDIVIDUAL DOES NOT OTHERWISE HOLD A VALID LICENSE UNDER SUBTITLE 1A OF THIS TITLE.

(B) THE COMMISSION MAY BY REGULATION REQUIRE A PERSON THAT CONTRACTS WITH A LICENSEE AND THE PERSON'S EMPLOYEES TO OBTAIN A LICENSE UNDER THIS SUBTITLE IF THE COMMISSION DETERMINES THAT THE LICENSING REQUIREMENTS ARE NECESSARY IN ORDER TO PROTECT THE PUBLIC INTEREST AND ACCOMPLISH THE POLICIES ESTABLISHED BY THIS SUBTITLE.

(C) FOR ALL LICENSES REQUIRED UNDER THIS SUBTITLE, IF AN APPLICANT HOLDS A VALID LICENSE IN ANOTHER STATE AND THE COMMISSION DETERMINES THAT THE LICENSING STANDARDS OF THE OTHER STATE ARE COMPREHENSIVE AND THOROUGH AND PROVIDE SIMILAR AND ADEQUATE SAFEGUARDS TO THOSE PROVIDED IN THIS SUBTITLE, THE COMMISSION MAY:

(1) WAIVE SOME OR ALL OF THE REQUIREMENTS OF THIS SUBTITLE;

AND

1 (2) ISSUE A LICENSE TO THAT APPLICANT.

2 (D) (1) ~~ON~~ EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS  
 3 SUBSECTION, ON THE REQUEST OF AN APPLICANT, THE COMMISSION MAY GRANT AN  
 4 EXEMPTION OR A WAIVER OF A LICENSING REQUIREMENT OR GROUNDS FOR DENIAL  
 5 OF A LICENSE IF THE COMMISSION DETERMINES THAT THE REQUIREMENT OR  
 6 GROUNDS FOR DENIAL OF A LICENSE AS APPLIED TO THE APPLICANT ARE NOT  
 7 NECESSARY TO PROTECT THE PUBLIC INTEREST OR ACCOMPLISH THE POLICIES  
 8 ESTABLISHED BY THIS SUBTITLE.

9 (2) ON GRANTING TO AN APPLICANT AN EXEMPTION OR A WAIVER  
 10 UNDER THIS SUBSECTION, OR AT ANY TIME AFTER AN EXEMPTION OR A WAIVER HAS  
 11 BEEN GRANTED, THE COMMISSION MAY:

12 (I) LIMIT OR PLACE RESTRICTIONS ON THE EXEMPTION OR  
 13 WAIVER AS THE COMMISSION CONSIDERS NECESSARY IN THE PUBLIC INTEREST;  
 14 AND

15 (II) REQUIRE THE PERSON THAT IS GRANTED THE EXEMPTION  
 16 OR WAIVER TO COOPERATE WITH THE COMMISSION AND TO PROVIDE THE  
 17 COMMISSION WITH ANY ADDITIONAL INFORMATION REQUIRED BY THE  
 18 COMMISSION AS A CONDITION OF THE WAIVER OR EXEMPTION.

19 (3) EXCEPT AS PROVIDED UNDER THIS SUBTITLE OR IN REGULATION,  
 20 THE COMMISSION MAY NOT GRANT AN EXEMPTION OR A WAIVER OF A LICENSING  
 21 REQUIREMENT ADOPTED BY THE SPORTS WAGERING APPLICATION REVIEW  
 22 COMMISSION IN ACCORDANCE WITH § 9-1E-15(H)(2) OF THIS SUBTITLE TO  
 23 IMPLEMENT REMEDIAL MEASURES BASED ON THE FINDINGS OF A STUDY OF THE  
 24 SPORTS WAGERING INDUSTRY AND MARKET.

25 9-1E-06.

26 (A) (1) ~~THE~~ ON AN AWARD OF A LICENSE BY THE SPORTS WAGERING  
 27 APPLICATION REVIEW COMMISSION ESTABLISHED UNDER § 9-1E-15 OF THIS  
 28 SUBTITLE ~~MAY~~, THE COMMISSION SHALL:

29 (I) ISSUE A CLASS A SPORTS WAGERING FACILITY LICENSE TO  
 30 AN APPLICANT THAT MEETS THE REQUIREMENTS FOR LICENSURE UNDER THIS  
 31 SUBTITLE WHO IS:

32 1. A VIDEO LOTTERY OPERATOR ~~OR~~;

33 2. A HORSE RACING LICENSEE; OR



1                   **3. A. THE OWNER OF A STADIUM IN PRINCE**  
 2 **GEORGE'S COUNTY THAT IS PRIMARILY USED FOR PROFESSIONAL FOOTBALL;**

3                   **B. THE OWNER OF A PROFESSIONAL FOOTBALL**  
 4 **FRANCHISE THAT IS A LESSEE OF A STADIUM IN BALTIMORE CITY; OR**

5                   **C. THE OWNER OF A PROFESSIONAL MAJOR LEAGUE**  
 6 **BASEBALL FRANCHISE THAT IS A LESSEE OF A STADIUM IN BALTIMORE CITY;**

7                   **(II) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, ISSUE**  
 8 **NOT MORE THAN ~~FIVE~~ 10 CLASS B SPORTS WAGERING FACILITY LICENSES TO ANY**  
 9 **APPLICANT WHO MEETS THE REQUIREMENTS FOR LICENSURE UNDER THIS**  
 10 **SUBTITLE; AND**

11                   **(III) ISSUE NOT MORE THAN ~~10~~ 15 MOBILE SPORTS WAGERING**  
 12 **LICENSES TO ANY APPLICANT WHO MEETS THE REQUIREMENTS FOR LICENSURE**  
 13 **UNDER THIS SUBTITLE.**

14                   **(2) THE SPORTS WAGERING APPLICATION REVIEW COMMISSION**  
 15 **ESTABLISHED UNDER § ~~9-1E-15~~ OF THIS SUBTITLE MAY NOT ~~ISSUE~~ AWARD A CLASS**  
 16 **B SPORTS WAGERING FACILITY LICENSE TO AN APPLICANT:**

17                   **(I) WHO IS ELIGIBLE TO APPLY FOR A CLASS A SPORTS**  
 18 **WAGERING FACILITY LICENSE UNDER PARAGRAPH (1) OF THIS SUBSECTION;**

19                   **(II) WHO HOLDS A CLASS A SPORTS WAGERING FACILITY**  
 20 **LICENSE; OR**

21                   **(III) WHOSE SPORTS WAGERING FACILITY WILL BE LOCATED:**

22                   **1. WITHIN A 15-MILE RADIUS OF A CLASS A SPORTS**  
 23 **WAGERING FACILITY LOCATED IN ALLEGANY COUNTY, CECIL COUNTY, OR**  
 24 **WORCESTER COUNTY; OR**

25                   **2. WITHIN A ~~10-MILE~~ 1.5-MILE RADIUS OF ~~ANY~~ A CLASS**  
 26 **A SPORTS WAGERING FACILITY LOCATED IN A COUNTY NOT DESCRIBED UNDER ITEM**  
 27 **1 OF THIS ITEM OR ANY OTHER CLASS B SPORTS WAGERING FACILITY.**

28                   **(3) A FOR-PROFIT ENTITY, NONPROFIT ORGANIZATION, OR**  
 29 **PUBLIC-PRIVATE PARTNERSHIP OPERATING AT THE RACING LOCATION DESCRIBED**  
 30 **UNDER TITLE 11, SUBTITLE 7 OF THE BUSINESS REGULATION ARTICLE LOCATED**  
 31 **ON LANDS OWNED BY THE DEPARTMENT OF NATURAL RESOURCES MAY APPLY FOR**  
 32 **A CLASS B SPORTS WAGERING FACILITY LICENSE.**

1           ~~(3)~~ (4)       ~~AN~~ IN ADDITION TO ANY OTHER PERSON, AN APPLICANT  
2 FOR OR HOLDER OF A CLASS A SPORTS WAGERING FACILITY LICENSE OR A CLASS B  
3 SPORTS WAGERING FACILITY LICENSE MAY APPLY FOR A MOBILE SPORTS  
4 WAGERING LICENSE UNDER THIS SUBSECTION.

5           (B)   AN APPLICANT FOR A SPORTS WAGERING LICENSE SHALL PAY TO THE  
6 COMMISSION AN APPLICATION FEE OF:

7           (1)   \$250,000 FOR A CLASS A SPORTS WAGERING FACILITY LICENSE;

8           (2)   \$50,000 FOR A CLASS B SPORTS WAGERING FACILITY LICENSE;

9 AND

10          (3)   \$500,000 FOR A MOBILE SPORTS WAGERING LICENSE.

11          (C)   THE HOLDER OF A SPORTS WAGERING LICENSE SHALL PAY TO THE  
12 COMMISSION AN ANNUAL LICENSE FEE OF:

13          (1)   \$50,000 FOR A CLASS A SPORTS WAGERING FACILITY LICENSE;

14          (2)   \$10,000 FOR A CLASS B SPORTS WAGERING FACILITY LICENSE;

15 AND

16          (3)   \$100,000 FOR A MOBILE SPORTS WAGERING LICENSE.

17          (D)   (1)   THE TERM OF A SPORTS WAGERING LICENSE UNDER THIS  
18 SECTION IS 5 YEARS.

19               (2)   ON APPLICATION BY THE SPORTS WAGERING LICENSEE AND  
20 PAYMENT OF THE LICENSE RENEWAL FEE UNDER PARAGRAPH (3) OF THIS  
21 SUBSECTION, THE COMMISSION ~~MAY~~ SHALL RENEW FOR 5 YEARS A SPORTS  
22 WAGERING LICENSE IF THE LICENSEE COMPLIES WITH ALL STATUTORY AND  
23 REGULATORY REQUIREMENTS.

24               (3)   THE LICENSE RENEWAL FEE IS EQUAL TO 1% OF THE LICENSEE'S  
25 AVERAGE ANNUAL ~~GROSS SPORTS WAGERING REVENUES~~ PROCEEDS FROM SPORTS  
26 WAGERING FOR THE PRECEDING 5-YEAR 3-YEAR PERIOD LESS ANY PROCEEDS  
27 REMITTED BY THE LICENSEE IN ACCORDANCE WITH § 9-1E-12 OF THIS SUBTITLE.

28          (E)   A SPORTS WAGERING LICENSEE MAY NOT BEGIN ACCEPTING WAGERS  
29 ON SPORTING EVENTS UNTIL THE APPLICATION FEE UNDER SUBSECTION (B) OF  
30 THIS SECTION IS PAID IN FULL.

1 9-1E-07.

2 (A) AN APPLICANT FOR A LICENSE UNDER THIS SUBTITLE SHALL SUBMIT TO  
3 THE COMMISSION ~~AN APPLICATION, ON OR BEFORE THE DATE SET BY THE~~  
4 COMMISSION:

5 (1) AN APPLICATION IN THE FORM THAT THE COMMISSION  
6 REQUIRES; AND

7 (2) IF THE APPLICANT IS APPLYING FOR A SPORTS WAGERING  
8 LICENSE, AN AFFIDAVIT ATTESTING TO:

9 (I) THE NUMBER OF MINORITY AND WOMEN OWNERS OF THE  
10 APPLICANT;

11 (II) THE OWNERSHIP INTEREST OF ANY MINORITY AND WOMEN  
12 OWNERS OF THE APPLICANT;

13 (III) THE NUMBER OF MINORITY AND WOMEN EMPLOYEES OF  
14 THE APPLICANT; AND

15 (IV) ANY OTHER INFORMATION CONSIDERED NECESSARY BY  
16 THE COMMISSION OR THE SPORTS WAGERING APPLICATION REVIEW COMMISSION  
17 ESTABLISHED UNDER § 9-1E-15 OF THIS SUBTITLE.

18 ~~(2) ON OR BEFORE THE DATE SET BY THE COMMISSION.~~

19 (B) (1) ~~A SPORTS WAGERING LICENSEE IS SUBJECT TO:~~

20 ~~(I) THE MINORITY BUSINESS PARTICIPATION GOAL~~  
21 ~~ESTABLISHED FOR A UNIT BY THE SPECIAL SECRETARY FOR THE OFFICE OF SMALL,~~  
22 ~~MINORITY, AND WOMEN BUSINESS AFFAIRS UNDER § 14-302(A)(1)(II) OF THE~~  
23 ~~STATE FINANCE AND PROCUREMENT ARTICLE; AND~~

24 ~~(II) ANY OTHER CORRESPONDING PROVISIONS OF LAW UNDER~~  
25 ~~TITLE 14, SUBTITLE 3 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.~~

26 ~~(2) THE MINORITY BUSINESS PARTICIPATION GOAL APPLIES TO:~~

27 ~~(I) CONSTRUCTION RELATED TO SPORTS WAGERING; AND~~

28 ~~(II) PROCUREMENT RELATED TO THE OPERATION OF SPORTS~~  
29 ~~WAGERING, INCLUDING PROCUREMENT OF EQUIPMENT AND ONGOING SERVICES.~~

1           **(B) (1) THE FINDINGS AND EVIDENCE RELIED ON BY THE GENERAL**  
2 **ASSEMBLY FOR THE CONTINUATION OF THE MINORITY BUSINESS ENTERPRISE**  
3 **PROGRAM UNDER TITLE 14, SUBTITLE 3 OF THE STATE FINANCE AND**  
4 **PROCUREMENT ARTICLE ARE INCORPORATED IN THIS SUBSECTION.**

5           **(2) TO THE EXTENT PRACTICABLE AND AUTHORIZED BY THE UNITED**  
6 **STATES CONSTITUTION, A SPORTS WAGERING LICENSEE SHALL COMPLY WITH THE**  
7 **STATE'S MINORITY BUSINESS ENTERPRISE PROGRAM.**

8           **(3) (I) ON OR BEFORE 6 MONTHS AFTER THE ISSUANCE OF A**  
9 **SPORTS WAGERING LICENSE UNDER THIS SUBTITLE, THE GOVERNOR'S OFFICE OF**  
10 **SMALL, MINORITY, AND WOMEN BUSINESS AFFAIRS, IN CONSULTATION WITH THE**  
11 **OFFICE OF THE ATTORNEY GENERAL AND THE SPORTS WAGERING LICENSEE,**  
12 **SHALL ESTABLISH A CLEAR PLAN FOR SETTING REASONABLE AND APPROPRIATE**  
13 **MINORITY BUSINESS ENTERPRISE PARTICIPATION GOALS AND PROCEDURES FOR**  
14 **THE PROCUREMENT OF GOODS AND SERVICES RELATED TO SPORTS WAGERING,**  
15 **INCLUDING PROCUREMENT OF CONSTRUCTION, EQUIPMENT, AND ONGOING**  
16 **SERVICES.**

17           **(II) TO THE EXTENT PRACTICABLE, THE GOALS AND**  
18 **PROCEDURES SPECIFIED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH SHALL BE**  
19 **BASED ON THE REQUIREMENTS OF TITLE 14, SUBTITLE 3 OF THE STATE FINANCE**  
20 **AND PROCUREMENT ARTICLE AND THE REGULATIONS IMPLEMENTING THAT**  
21 **SUBTITLE.**

22           ~~(3)~~ **(4) ON OR AFTER JULY 1, 2024, THE PROVISIONS OF THIS**  
23 **SUBSECTION AND ANY REGULATIONS ADOPTED UNDER THIS SUBSECTION SHALL BE**  
24 **OF NO EFFECT AND MAY NOT BE ENFORCED.**

25           **(C) (1) THIS SUBSECTION DOES NOT APPLY TO THE APPLICATION OR**  
26 **LICENSE RENEWAL FEES FOR A SPORTS WAGERING LICENSE REQUIRED UNDER §**  
27 **9-1E-06 OF THIS SUBTITLE.**

28           **(2) (I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE**  
29 **COMMISSION SHALL ADOPT REGULATIONS THAT ESTABLISH AN APPLICATION FEE**  
30 **AND LICENSE RENEWAL FEE FOR A LICENSE UNDER THIS SUBTITLE.**

31           **(II) THE APPLICATION FEE FOR AN ONLINE SPORTS WAGERING**  
32 **OPERATOR LICENSE MAY NOT BE LESS THAN \$5,000.**

33           **(3) AN APPLICANT SHALL SUBMIT THE APPLICATION FEE WITH THE**  
34 **APPLICATION.**

35           **(4) THE TERM OF THE LICENSE IS 5 YEARS.**

1 (D) ON A PROPERLY APPROVED TRANSMITTAL PREPARED BY THE  
2 COMMISSION, THE COMPTROLLER SHALL PAY THE FOLLOWING AMOUNTS FROM  
3 THE ~~INITIAL LICENSE APPLICATION~~ FEES, ANNUAL LICENSE FEES, AND LICENSE  
4 RENEWAL FEES COLLECTED BY THE COMMISSION UNDER THIS SECTION AND §  
5 9-1E-06 OF THIS SUBTITLE:

6 (1) AN AMOUNT TO THE STATE LOTTERY AND GAMING CONTROL  
7 AGENCY NECESSARY TO REIMBURSE THE AGENCY FOR EXPENSES RELATED TO  
8 PERFORMING BACKGROUND INVESTIGATIONS AND OTHER ACTIVITIES RELATED TO  
9 THE ISSUANCE AND RENEWAL OF SPORTS WAGERING LICENSES; AND

10 (2) THE REMAINDER TO THE BLUEPRINT FOR MARYLAND'S FUTURE  
11 FUND ESTABLISHED UNDER § 5-219 OF THE EDUCATION ARTICLE.

12 (E) (1) APPLICANTS AND LICENSEES SHALL HAVE THE AFFIRMATIVE  
13 RESPONSIBILITY TO ESTABLISH BY CLEAR AND CONVINCING EVIDENCE THE  
14 APPLICANT'S OR LICENSEE'S QUALIFICATIONS.

15 (2) APPLICANTS AND LICENSEES SHALL PROVIDE INFORMATION  
16 REQUIRED BY THIS SUBTITLE AND SATISFY REQUESTS FOR INFORMATION RELATING  
17 TO QUALIFICATIONS IN THE FORM SPECIFIED BY THE COMMISSION, IF APPLICABLE.

18 (3) (I) APPLICANTS AND LICENSEES SHALL:

19 1. PROVIDE ASSISTANCE OR INFORMATION REQUIRED  
20 BY THE COMMISSION; AND

21 2. COOPERATE IN AN INQUIRY, AN INVESTIGATION, OR A  
22 HEARING CONDUCTED BY THE COMMISSION.

23 (II) ON ISSUANCE OF A FORMAL REQUEST TO ANSWER OR  
24 PRODUCE INFORMATION, EVIDENCE, OR TESTIMONY, IF AN APPLICANT OR A  
25 LICENSEE REFUSES TO COMPLY, THE APPLICATION OR LICENSE MAY BE DENIED,  
26 SUSPENDED, OR REVOKED BY THE COMMISSION.

27 (4) (I) IF THE APPLICANT IS AN INDIVIDUAL, THE APPLICANT  
28 SHALL BE PHOTOGRAPHED AND FINGERPRINTED FOR IDENTIFICATION AND  
29 INVESTIGATION PURPOSES.

30 (II) IF THE APPLICANT IS NOT AN INDIVIDUAL, THE  
31 COMMISSION BY REGULATION MAY ESTABLISH THE CATEGORIES OF INDIVIDUALS  
32 WHO SHALL BE PHOTOGRAPHED AND FINGERPRINTED FOR IDENTIFICATION AND  
33 INVESTIGATION PURPOSES.

1           **(5) (I) APPLICANTS AND LICENSEES SHALL INFORM THE**  
2 **COMMISSION OF AN ACT OR OMISSION THAT THE PERSON KNOWS OR SHOULD KNOW**  
3 **CONSTITUTES A VIOLATION OF THIS SUBTITLE OR THE REGULATIONS ADOPTED**  
4 **UNDER THIS SUBTITLE.**

5           **(II) APPLICANTS AND LICENSEES MAY NOT DISCRIMINATE**  
6 **AGAINST A PERSON WHO IN GOOD FAITH INFORMS THE COMMISSION OF AN ACT OR**  
7 **OMISSION THAT THE PERSON BELIEVES CONSTITUTES A VIOLATION OF THIS**  
8 **SUBTITLE OR THE REGULATIONS ADOPTED UNDER THIS SUBTITLE.**

9           **(6) APPLICANTS AND LICENSEES SHALL PRODUCE INFORMATION,**  
10 **DOCUMENTATION, AND ASSURANCES TO ESTABLISH THE FOLLOWING**  
11 **QUALIFICATION CRITERIA BY CLEAR AND CONVINCING EVIDENCE:**

12           **(I) THE FINANCIAL STABILITY, INTEGRITY, AND**  
13 **RESPONSIBILITY OF THE APPLICANT OR LICENSEE;**

14           **(II) THE INTEGRITY OF ANY FINANCIAL BACKERS, INVESTORS,**  
15 **MORTGAGEES, BONDHOLDERS, AND HOLDERS OF OTHER EVIDENCES OF**  
16 **INDEBTEDNESS THAT BEAR A RELATION TO THE APPLICATION;**

17           **(III) THE APPLICANT'S OR LICENSEE'S GOOD CHARACTER,**  
18 **HONESTY, AND INTEGRITY;**

19           **(IV) SUFFICIENT BUSINESS ABILITY AND EXPERIENCE OF THE**  
20 **APPLICANT OR LICENSEE; AND**

21           **(V) THAT:**

22                   **1. UNLESS THE APPLICANT OR LICENSEE ALREADY HAS**  
23 **A COLLECTIVE BARGAINING AGREEMENT, THE APPLICANT OR LICENSEE HAS**  
24 **ENTERED INTO A LABOR PEACE AGREEMENT WITH EACH LABOR ORGANIZATION**  
25 **THAT IS ACTIVELY ENGAGED IN REPRESENTING OR ATTEMPTING TO REPRESENT**  
26 **SPORTS WAGERING INDUSTRY WORKERS IN THE STATE;**

27                   **2. THE LABOR PEACE AGREEMENT IS VALID AND**  
28 **ENFORCEABLE UNDER 29 U.S.C. § 158;**

29                   **3. THE LABOR PEACE AGREEMENT PROTECTS THE**  
30 **STATE'S REVENUES BY PROHIBITING THE LABOR ORGANIZATION AND ITS MEMBERS**  
31 **FROM ENGAGING IN PICKETING, WORK STOPPAGES, BOYCOTTS, AND ANY OTHER**  
32 **ECONOMIC INTERFERENCE WITH THE OPERATION OF SPORTS WAGERING WITHIN**  
33 **THE FIRST 5 YEARS OF THE EFFECTIVE DATE OF A SPORTS WAGERING LICENSE; AND**

1                   4.     THE LABOR PEACE AGREEMENT APPLIES TO ALL  
2 OPERATIONS CONDUCTED BY THE APPLICANT OR LICENSEE AT A FACILITY OR  
3 LOCATION WHERE SPORTS WAGERING IS CONDUCTED.

4           (F)   (1)   ON THE FILING OF AN APPLICATION FOR ANY LICENSE REQUIRED  
5 UNDER THIS SUBTITLE AND ANY SUPPLEMENTAL INFORMATION REQUIRED BY THE  
6 COMMISSION, THE COMMISSION SHALL CONDUCT A BACKGROUND INVESTIGATION  
7 ON THE QUALIFICATIONS OF THE APPLICANT AND ANY PERSON WHO IS REQUIRED  
8 TO BE QUALIFIED UNDER THIS SUBTITLE AS A CONDITION OF A LICENSE.

9           (2)   THE COMMISSION MAY REFER AN APPLICATION FOR A LICENSE  
10 TO AN APPROVED VENDOR UNDER § 9-1A-20 OF THIS TITLE TO CONDUCT THE  
11 BACKGROUND INVESTIGATION FOR THE COMMISSION.

12          (G)   (1)   AFTER RECEIVING THE RESULTS OF THE BACKGROUND  
13 INVESTIGATION, THE COMMISSION MAY EITHER GRANT A LICENSE TO AN  
14 APPLICANT WHOM THE COMMISSION DETERMINES TO BE QUALIFIED OR DENY THE  
15 LICENSE TO AN APPLICANT WHOM THE COMMISSION DETERMINES TO BE NOT  
16 QUALIFIED OR DISQUALIFIED.

17          (2)   IF AN APPLICATION FOR A LICENSE IS DENIED, THE COMMISSION  
18 SHALL PREPARE AND FILE AN ORDER DENYING THE LICENSE WITH A STATEMENT OF  
19 THE REASONS FOR THE DENIAL, INCLUDING THE SPECIFIC FINDINGS OF FACT.

20          (H)   (1)   AN INDIVIDUAL MAY NOT KNOWINGLY GIVE FALSE INFORMATION  
21 OR MAKE A MATERIAL MISSTATEMENT IN AN APPLICATION REQUIRED FOR ANY  
22 LICENSE UNDER THIS SUBTITLE OR IN ANY SUPPLEMENTAL INFORMATION  
23 REQUIRED BY THE COMMISSION.

24          (2)   AN INDIVIDUAL WHO VIOLATES THIS SECTION IS GUILTY OF A  
25 MISDEMEANOR AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT  
26 EXCEEDING 3 YEARS OR A FINE NOT EXCEEDING \$5,000 OR BOTH.

27   9-1E-08.

28          (A)   THE COMMISSION MAY DENY A LICENSE TO AN APPLICANT FOR A  
29 LICENSE UNDER § 9-1E-05 OF THIS SUBTITLE, REPRIMAND OR FINE A LICENSEE, OR  
30 SUSPEND OR REVOKE A LICENSE FOR A VIOLATION OF:

31           (1)   THIS SUBTITLE;

32           (2)   A REGULATION ADOPTED UNDER THIS SUBTITLE; OR

1           **(3) A CONDITION THAT THE COMMISSION SETS.**

2           **(B) FOR EACH VIOLATION SPECIFIED IN SUBSECTION (A) OF THIS SECTION,**  
3 **THE COMMISSION MAY IMPOSE A PENALTY NOT EXCEEDING \$5,000.**

4           **(C) EACH DAY THAT A PERSON IS IN VIOLATION UNDER THIS SECTION**  
5 **SHALL BE CONSIDERED A SEPARATE VIOLATION.**

6           **(D) TO DETERMINE THE AMOUNT OF THE PENALTY IMPOSED UNDER**  
7 **SUBSECTION (B) OF THIS SECTION, THE COMMISSION SHALL CONSIDER:**

8           **(1) THE SERIOUSNESS OF THE VIOLATION;**

9           **(2) THE HARM CAUSED BY THE VIOLATION; AND**

10           **(3) THE GOOD FAITH OR LACK OF GOOD FAITH OF THE PERSON WHO**  
11 **COMMITTED THE VIOLATION.**

12           **(E) EXCEPT AS OTHERWISE PROVIDED IN THIS SUBTITLE, NOTHING**  
13 **CONTAINED IN THIS SUBTITLE ABROGATES OR LIMITS THE CRIMINAL LAWS OF THE**  
14 **STATE OR LIMITS THE AUTHORITY OF THE GENERAL ASSEMBLY TO ENACT**  
15 **STATUTES ESTABLISHING CRIMINAL OFFENSES AND PENALTIES RELATING TO**  
16 **SPORTS WAGERING OPERATIONS.**

17 **9-1E-09.**

18           **(A) A SPORTS WAGERING FACILITY LICENSEE MAY ACCEPT WAGERS ON**  
19 **SPORTING EVENTS THAT ARE MADE:**

20           **(1) BY AN INDIVIDUAL PHYSICALLY PRESENT:**

21           **(I) IN A VIDEO LOTTERY FACILITY, IF THE SPORTS WAGERING**  
22 **LICENSEE IS A VIDEO LOTTERY OPERATOR;**

23           **(II) AT PIMLICO RACE COURSE, ON LIVE RACING DAYS OR DAYS**  
24 **ON WHICH AN EVENT WITH AN ANTICIPATED ATTENDANCE OF AT LEAST 2,000**  
25 **INDIVIDUALS IS HELD, OR A RACE TRACK LOCATED AT LAUREL PARK ~~OR IN~~**  
26 **TIMONIUM, IF THE SPORTS WAGERING LICENSEE IS A HORSE RACING LICENSEE**  
27 **UNDER TITLE 11, SUBTITLE 5, PART II OF THE BUSINESS REGULATION ARTICLE;**

28           **(III) AT THE MARYLAND STATE FAIRGROUNDS IN TIMONIUM, IF**  
29 **THE SPORTS WAGERING LICENSEE IS A HORSE RACING LICENSEE UNDER TITLE 11,**  
30 **SUBTITLE 5, PART III OF THE BUSINESS REGULATION ARTICLE;**



1 (IV) AT A FACILITY IDENTIFIED IN THE PERMIT ISSUED UNDER  
 2 TITLE 11, SUBTITLE 8, PART III OF THE BUSINESS REGULATION ARTICLE TO HOLD  
 3 SATELLITE SIMULCAST BETTING IN CHARLES COUNTY, IF THE SPORTS WAGERING  
 4 LICENSEE IS A HORSE RACING LICENSEE;

5 (V) SUBJECT TO SUBSECTION (D) OF THIS SECTION, AT A  
 6 STADIUM PRIMARILY USED FOR PROFESSIONAL FOOTBALL OR PROFESSIONAL  
 7 MAJOR LEAGUE BASEBALL, IF THE SPORTS WAGERING LICENSEE IS THE OWNER OR  
 8 A LESSEE OF THE STADIUM; OR

9 ~~(H)~~ (VI) SUBJECT TO SUBSECTION (E) OF THIS SECTION, AT  
 10 THE FACILITY IDENTIFIED IN THE APPLICATION APPROVED BY THE SPORTS  
 11 WAGERING APPLICATION REVIEW COMMISSION, IF THE SPORTS WAGERING  
 12 LICENSEE IS A HOLDER OF A CLASS B SPORTS WAGERING FACILITY LICENSE; OR

13 ~~(IV) SUBJECT TO SUBSECTION (D) OF THIS SECTION, AT A~~  
 14 ~~STADIUM PRIMARILY USED FOR PROFESSIONAL FOOTBALL OR PROFESSIONAL~~  
 15 ~~BASEBALL IF THE SPORTS WAGERING LICENSEE IS THE OPERATOR OF A VIDEO~~  
 16 ~~LOTTERY FACILITY LOCATED IN THE SAME COUNTY AS THE STADIUM; OR~~

17 (2) ON A SELF-SERVICE KIOSK OR MACHINE, APPROVED BY THE  
 18 COMMISSION, LOCATED IN A FACILITY OR AT A LOCATION IDENTIFIED UNDER ITEM  
 19 (1) OF THIS SUBSECTION.

20 (B) A MOBILE SPORTS WAGERING LICENSEE MAY ACCEPT WAGERS ON  
 21 SPORTING EVENTS THAT ARE MADE THROUGH ONLINE SPORTS WAGERING BY AN  
 22 INDIVIDUAL PHYSICALLY LOCATED IN THE STATE.

23 (C) TO PARTICIPATE IN ONLINE SPORTS WAGERING UNDER THIS SECTION,  
 24 AN INDIVIDUAL SHALL REGISTER:

25 (1) ~~IF THE MOBILE SPORTS WAGERING LICENSEE IS ALSO A SPORTS~~  
 26 ~~WAGERING FACILITY LICENSEE,~~ IN PERSON AT A FACILITY OR LOCATION IDENTIFIED  
 27 UNDER SUBSECTION (A)(1) OF THIS SECTION; OR

28 (2) ONLINE USING A WEBSITE OR MOBILE APPLICATION APPROVED  
 29 BY THE COMMISSION.

30 (D) A SPORTS WAGERING LICENSEE AUTHORIZED TO ACCEPT IN-PERSON  
 31 WAGERS AT A STADIUM UNDER SUBSECTION (A)(1)(IV) (A)(1)(V) OF THIS SECTION;

32 ~~(1)~~ MAY ACCEPT WAGERS AT THE STADIUM ONLY IN TICKETED AREAS  
 33 AND ONLY ON LIVE GAME DAYS AND DAYS ON WHICH AN EVENT WITH AN  
 34 ANTICIPATED ATTENDANCE OF AT LEAST 10,000 INDIVIDUALS IS HELD; AND

1           ~~(2) SHALL OWN OR LEASE THE SPORTS WAGERING EQUIPMENT AT~~  
2 ~~THE STADIUM AND SHALL, WITH ITS EMPLOYEES, OPERATE THE EQUIPMENT.~~

3           (E) A SPORTS WAGERING FACILITY LICENSEE AUTHORIZED TO ACCEPT  
4 IN-PERSON WAGERS AT THE RACING LOCATION DESCRIBED UNDER TITLE 11,  
5 SUBTITLE 7 OF THE BUSINESS REGULATION ARTICLE LOCATED ON LANDS OWNED  
6 BY THE DEPARTMENT OF NATURAL RESOURCES MAY ONLY ACCEPT WAGERS IN THE  
7 SPECIAL EVENT ZONE.

8 9-1E-10.

9           (A) (1) A MOBILE SPORTS WAGERING LICENSEE:

10                           (I) MAY CONDUCT AND OPERATE ONLINE SPORTS WAGERING;  
11 OR

12                           (II) SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION AND  
13 SUBSECTION (B) OF THIS SECTION, MAY ENTER INTO A CONTRACT WITH AN ONLINE  
14 SPORTS WAGERING OPERATOR TO CONDUCT ONLINE SPORTS WAGERING ON ITS  
15 BEHALF.

16           (2) A PERSON OTHER THAN THE MOBILE SPORTS WAGERING  
17 LICENSEE MAY NOT CONDUCT ONLINE SPORTS WAGERING, EXCEPT FOR TESTING  
18 PURPOSES, UNTIL THE PERSON RECEIVES FROM THE COMMISSION AN ONLINE  
19 SPORTS WAGERING LICENSE.

20           (3) (I) A MOBILE SPORTS WAGERING LICENSEE MAY NOT  
21 CONTRACT WITH MORE THAN ONE ONLINE SPORTS WAGERING OPERATOR TO  
22 CONDUCT ONLINE SPORTS WAGERING ON THE LICENSEE'S BEHALF.

23                           (II) ALL MOBILE SPORTS WAGERING LICENSEES THAT ARE  
24 RELATED ENTITIES ARE TREATED AS A SINGLE MOBILE SPORTS WAGERING  
25 LICENSEE FOR PURPOSES OF THE LIMITATION UNDER SUBPARAGRAPH (I) OF THIS  
26 PARAGRAPH.

27           (B) (1) THE DUTIES AND RESPONSIBILITIES OF AN ONLINE SPORTS  
28 WAGERING OPERATOR MAY NOT BE ASSIGNED, DELEGATED, SUBCONTRACTED, OR  
29 TRANSFERRED TO A THIRD PARTY WITHOUT THE PRIOR APPROVAL OF THE  
30 COMMISSION.

31           (2) A THIRD PARTY MUST BE LICENSED AS AN ONLINE SPORTS  
32 WAGERING OPERATOR BEFORE OFFERING ONLINE SPORTS WAGERING.

1           **(C) AN ONLINE SPORTS WAGERING OPERATOR MAY CONDUCT ONLINE**  
2 **SPORTS WAGERING ON BEHALF OF MORE THAN ONE MOBILE SPORTS WAGERING**  
3 **LICENSEE.**

4 **9-1E-11.**

5           **(A) AN INDIVIDUAL MAY NOT WAGER ON A SPORTING EVENT AND A SPORTS**  
6 **WAGERING LICENSEE MAY NOT ACCEPT A WAGER FROM AN INDIVIDUAL ON A**  
7 **SPORTING EVENT IF THE INDIVIDUAL:**

8                   **(1) IS UNDER THE AGE OF 21 YEARS;**

9                   **(2) IS NOT PHYSICALLY PRESENT IN THE STATE;**

10                   **(3) IS AN ATHLETE, A COACH, A REFEREE, OR A DIRECTOR OR AN**  
11 **EMPLOYEE OF A SPORTS GOVERNING ENTITY OR ANY OF ITS MEMBER TEAMS;**

12                   **(4) IS THE DIRECT OR INDIRECT LEGAL OR BENEFICIAL OWNER OF**  
13 **10% OR MORE OF A SPORTS GOVERNING ENTITY OR ANY OF ITS MEMBER TEAMS IF**  
14 **ANY MEMBER TEAM OF THAT SPORTS GOVERNING ENTITY PARTICIPATES IN THE**  
15 **SPORTING EVENT;**

16                   **(5) HAS ACCESS TO CERTAIN TYPES OF EXCLUSIVE INFORMATION ON**  
17 **ANY SPORTING EVENT OVERSEEN BY THAT INDIVIDUAL'S SPORTS GOVERNING**  
18 **ENTITY;**

19                   **(6) HOLDS A POSITION OF AUTHORITY OR INFLUENCE SUFFICIENT TO**  
20 **EXERT INFLUENCE OVER THE PARTICIPANTS IN A SPORTING EVENT, INCLUDING**  
21 **COACHES, MANAGERS, HANDLERS, OR ATHLETIC TRAINERS;**

22                   **(7) IS IDENTIFIED ON A MANDATORY OR VOLUNTARY SPORTS**  
23 **WAGERING EXCLUSION LIST MAINTAINED BY THE COMMISSION;**

24                   **(8) IS THE OPERATOR, DIRECTOR, OFFICER, OWNER, OR EMPLOYEE**  
25 **OF THE SPORTS WAGERING LICENSEE OR ONLINE SPORTS WAGERING OPERATOR OR**  
26 **ANY RELATIVE OF THE LICENSEE OR OPERATOR LIVING IN THE SAME HOUSEHOLD**  
27 **AS THE LICENSEE OR OPERATOR;**

28                   **(9) HAS ACCESS TO NONPUBLIC CONFIDENTIAL INFORMATION HELD**  
29 **BY THE SPORTS WAGERING LICENSEE OR ONLINE SPORTS WAGERING OPERATOR; OR**

30                   **(10) IS A CATEGORY OF INDIVIDUALS PROHIBITED BY THE**  
31 **COMMISSION UNDER SUBSECTION (E) OF THIS SECTION FROM WAGERING ON A**  
32 **SPORTING EVENT.**

1           **(B) FOR ONLINE SPORTS WAGERING, A MOBILE SPORTS WAGERING**  
2 **LICENSEE SHALL:**

3                   **(1) HAVE IN PLACE TECHNICAL AND OPERATIONAL MEASURES TO**  
4 **PREVENT ACCESS BY INDIVIDUALS WHO ARE UNDERAGE OR PHYSICALLY LOCATED**  
5 **OUTSIDE THE STATE, INCLUDING:**

6                           **(I) AGE VERIFICATION PROCEDURES, WHICH MAY REQUIRE**  
7 **THE USE OF A REPUTABLE INDEPENDENT THIRD PARTY THAT IS IN THE BUSINESS**  
8 **OF VERIFYING AN INDIVIDUAL'S PERSONALLY IDENTIFIABLE INFORMATION; AND**

9                           **(II) THE USE OF GEOLOCATION TECHNOLOGY TO VERIFY A**  
10 **BETTOR'S GEOGRAPHIC LOCATION;**

11                   **(2) INCLUDE ON ITS ONLINE SPORTS WAGERING WEBSITE A**  
12 **DESCRIPTION OF THE POSSIBLE REPERCUSSIONS FOR AN UNDERAGE OR**  
13 **OUT-OF-STATE BETTOR, WHICH MAY INCLUDE IMMEDIATE STOPPAGE OF PLAY,**  
14 **ACCOUNT CLOSURE, AND FORFEITURE AND CONFISCATION OF WINNINGS; AND**

15                   **(3) ESTABLISH PROCEDURES TO PREVENT PROHIBITED INDIVIDUALS**  
16 **FROM WAGERING ON SPORTING EVENTS.**

17           **(C) A SPORTS WAGERING LICENSEE SHALL:**

18                   **(1) PROMPTLY REPORT TO THE COMMISSION:**

19                           **(I) ANY CRIMINAL OR DISCIPLINARY PROCEEDINGS AGAINST**  
20 **THE LICENSEE OR ITS EMPLOYEES IN CONNECTION WITH THE LICENSEE'S SPORTS**  
21 **WAGERING OPERATION;**

22                           **(II) ANY ABNORMAL BETTING ACTIVITY OR PATTERNS THAT**  
23 **MAY INDICATE A CONCERN ABOUT THE INTEGRITY OF A SPORTING EVENT;**

24                           **(III) ANY OTHER CONDUCT WITH THE POTENTIAL TO CORRUPT**  
25 **THE OUTCOME OF A SPORTING EVENT FOR PURPOSES OF FINANCIAL GAIN,**  
26 **INCLUDING MATCH FIXING; AND**

27                           **(IV) ANY SUSPICIOUS OR ILLEGAL WAGERING ACTIVITIES,**  
28 **INCLUDING THE USE OF FUNDS DERIVED FROM ILLEGAL ACTIVITY, WAGERS TO**  
29 **CONCEAL OR LAUNDER FUNDS DERIVED FROM ILLEGAL ACTIVITY, USE OF AGENTS**  
30 **TO PLACE WAGERS, OR USE OF FALSE IDENTIFICATION; AND**

1           **(2) MAINTAIN RECORDS OF SPORTS WAGERING OPERATIONS IN**  
2 **ACCORDANCE WITH REGULATIONS ADOPTED BY THE COMMISSION.**

3           **(D) THE COMMISSION IS AUTHORIZED TO SHARE ANY INFORMATION UNDER**  
4 **THIS SECTION WITH ANY LAW ENFORCEMENT AGENCY, SPORTS TEAM, SPORTS**  
5 **GOVERNING ENTITY, OR REGULATORY AGENCY THE COMMISSION DEEMS**  
6 **APPROPRIATE.**

7           **(E) (1) IN THIS SUBSECTION, “INTERESTED PARTY” MEANS:**

8                   **(I) A SPORTS WAGERING LICENSEE;**

9                   **(II) A PROFESSIONAL SPORTS TEAM, LEAGUE, ASSOCIATION, OR**  
10 **GOVERNING ENTITY; OR**

11                   **(III) AN INSTITUTION OF HIGHER EDUCATION.**

12           **(2) IF AN INTERESTED PARTY BELIEVES THAT A TYPE OR FORM OF**  
13 **WAGERING OR A CATEGORY OF INDIVIDUALS WAGERING ON SPORTING EVENTS IS**  
14 **CONTRARY TO PUBLIC POLICY, IS UNFAIR TO CONSUMERS, OR AFFECTS THE**  
15 **INTEGRITY OF A PARTICULAR SPORT OR THE SPORTS WAGERING INDUSTRY, THE**  
16 **INTERESTED PARTY MAY SUBMIT TO THE COMMISSION, IN WRITING, A REQUEST TO**  
17 **PROHIBIT THE TYPE OR FORM OF SPORTS WAGERING OR THE CATEGORY OF**  
18 **INDIVIDUALS FROM WAGERING ON SPORTING EVENTS.**

19           **(3) ~~THE~~ AFTER CONDUCTING A PUBLIC HEARING ON A REQUEST**  
20 **SUBMITTED UNDER PARAGRAPH (2) OF THIS SUBSECTION, THE COMMISSION MAY**  
21 **GRANT A THE REQUEST SUBMITTED UNDER PARAGRAPH (2) OF THIS SUBSECTION**  
22 **ON A SHOWING OF GOOD CAUSE BY THE INTERESTED PARTY.**

23           **(4) THE COMMISSION SHALL RESPOND TO A REQUEST UNDER THIS**  
24 **SUBSECTION CONCERNING A PARTICULAR SPORTING EVENT BEFORE THE START OF**  
25 **THE SPORTING EVENT TO THE GREATEST EXTENT FEASIBLE, OR AS SOON AS**  
26 **PRACTICABLE.**

27 **9-1E-12.**

28           **(A) (1) THE COMMISSION SHALL ACCOUNT TO THE COMPTROLLER FOR**  
29 **ALL OF THE REVENUE UNDER THIS SUBTITLE.**

30           **(2) THE PROCEEDS FROM SPORTS WAGERING, LESS THE AMOUNT**  
31 **RETAINED BY THE LICENSEE UNDER SUBSECTION (B)(1) OF THIS SECTION, SHALL**  
32 **BE UNDER THE CONTROL OF THE COMPTROLLER AND DISTRIBUTED AS PROVIDED**  
33 **UNDER SUBSECTION (B) OF THIS SECTION.**

1 (B) (1) (I) EXCEPT AS PROVIDED IN SUBPARAGRAPHS (II) AND (III) OF  
2 THIS PARAGRAPH, ALL PROCEEDS FROM SPORTS WAGERING SHALL BE  
3 ELECTRONICALLY TRANSFERRED ~~DAILY~~ MONTHLY INTO THE STATE LOTTERY FUND  
4 ESTABLISHED UNDER SUBTITLE 1 OF THIS TITLE.

5 (II) A SPORTS WAGERING FACILITY LICENSEE SHALL RETAIN  
6 85% OF THE PROCEEDS FROM SPORTS WAGERING CONDUCTED AT THE LOCATIONS  
7 DESCRIBED IN § 9-1E-09(A) OF THIS SUBTITLE.

8 (III) A MOBILE SPORTS WAGERING LICENSEE SHALL RETAIN:

9 1. OF THE FIRST \$5,000,000 OF PROCEEDS FROM  
10 ONLINE SPORTS WAGERING RECEIVED BY THE SPORTS WAGERING LICENSEE  
11 DURING THE CALENDAR YEAR, 85% OF THE PROCEEDS; AND

12 2. OF ANY PROCEEDS FROM ONLINE SPORTS WAGERING  
13 RECEIVED BY THE SPORTS WAGERING LICENSEE DURING THE CALENDAR YEAR  
14 EXCEEDING \$5,000,000, 82.5% OF THE PROCEEDS.

15 (2) ALL PROCEEDS FROM SPORTS WAGERING IN THE STATE LOTTERY  
16 FUND ESTABLISHED UNDER SUBTITLE 1 OF THIS TITLE SHALL BE DISTRIBUTED ON  
17 A MONTHLY BASIS, ON A PROPERLY APPROVED TRANSMITTAL PREPARED BY THE  
18 COMMISSION TO THE BLUEPRINT FOR MARYLAND'S FUTURE FUND ESTABLISHED  
19 UNDER § 5-219 OF THE EDUCATION ARTICLE.

20 (C) A WINNING WAGER ON A SPORTING EVENT THAT IS NOT CLAIMED BY THE  
21 WINNER WITHIN 182 DAYS AFTER THE WAGER IS WON SHALL:

22 (1) BECOME THE PROPERTY OF THE STATE; AND

23 (2) BE DISTRIBUTED TO ~~THE BLUEPRINT FOR MARYLAND'S FUTURE~~  
24 ~~FUND ESTABLISHED UNDER § 5-219 OF THE EDUCATION ARTICLE~~ THE PROBLEM  
25 GAMBLING FUND ESTABLISHED UNDER § 9-1A-33 OF THIS TITLE.

26 (D) IF A SPORTS WAGERING LICENSEE RETURNS TO SUCCESSFUL PLAYERS  
27 MORE THAN THE AMOUNT OF MONEY WAGERED ~~ON ANY DAY~~ IN ANY MONTH, THE  
28 LICENSEE MAY SUBTRACT THAT AMOUNT FROM THE PROCEEDS OF UP TO ~~90~~  
29 ~~FOLLOWING DAYS~~ THE THREE FOLLOWING MONTHS.

30 9-1E-13.

31 (A) ALL WAGERS ON SPORTING EVENTS AUTHORIZED UNDER THIS  
32 SUBTITLE SHALL BE INITIATED, RECEIVED, AND OTHERWISE MADE WITHIN THE

1 STATE UNLESS OTHERWISE DETERMINED BY THE COMMISSION IN ACCORDANCE  
2 WITH APPLICABLE FEDERAL AND STATE LAWS.

3 (B) CONSISTENT WITH THE INTENT OF THE UNITED STATES CONGRESS AS  
4 ARTICULATED IN THE UNLAWFUL INTERNET GAMBLING ENFORCEMENT ACT OF  
5 2006, THE INTERMEDIATE ROUTING OF ELECTRONIC DATA RELATING TO A LAWFUL  
6 INTRASTATE WAGER AUTHORIZED UNDER THIS SUBTITLE MAY NOT DETERMINE THE  
7 LOCATION IN WHICH THE WAGER IS INITIATED, RECEIVED, OR OTHERWISE MADE.

8 (C) NOTWITHSTANDING THE PROVISIONS OF THIS SUBTITLE, A WAGER ON A  
9 SPORTING EVENT MAY BE ACCEPTED OR POOLED WITH A WAGER FROM AN  
10 INDIVIDUAL WHO IS NOT PHYSICALLY PRESENT IN THE STATE IF THE COMMISSION  
11 DETERMINES THAT ACCEPTING OR POOLING THE WAGER IS NOT INCONSISTENT  
12 WITH FEDERAL LAW OR THE LAW OF THE JURISDICTION, INCLUDING ANY FOREIGN  
13 NATION, IN WHICH THE INDIVIDUAL IS LOCATED, OR THAT SUCH WAGERING IS  
14 CONDUCTED IN ACCORDANCE WITH A RECIPROCAL AGREEMENT TO WHICH THE  
15 STATE IS A PARTY THAT IS NOT INCONSISTENT WITH FEDERAL LAW.

16 9-1E-14.

17 (A) ON OR BEFORE JULY 1 EACH YEAR, EACH SPORTS WAGERING LICENSEE  
18 SHALL REPORT TO THE COMMISSION ON:

19 (1) THE NUMBER OF MINORITY AND WOMEN OWNERS OF THE  
20 APPLICANT;

21 (2) THE OWNERSHIP INTEREST OF ANY MINORITY AND WOMEN  
22 OWNERS OF THE APPLICANT;

23 (3) THE NUMBER OF MINORITY AND WOMEN EMPLOYEES OF THE  
24 APPLICANT; AND

25 (4) ANY OTHER INFORMATION CONSIDERED NECESSARY BY THE  
26 COMMISSION.

27 (B) ON OR BEFORE DECEMBER 1 EACH YEAR, THE COMMISSION SHALL  
28 REPORT TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2-1257 OF THIS ARTICLE,  
29 TO THE GENERAL ASSEMBLY ON:

30 (1) THE OPERATION OF SPORTS WAGERING IN THE STATE; AND

31 (2) SPORTS WAGERING REVENUES FROM THE IMMEDIATELY  
32 PRECEDING FISCAL YEAR, INCLUDING THE HANDLE, HOLD, HOLD PERCENTAGE,  
33 AND PROCEEDS, BROKEN DOWN BY CATEGORIES DEFINED BY THE COMMISSION.

1 **9-1E-15.**

2 (A) **THERE IS A SPORTS WAGERING APPLICATION REVIEW COMMISSION.**

3 (B) (1) **THE SPORTS WAGERING APPLICATION REVIEW COMMISSION**  
4 **CONSISTS OF THE FOLLOWING SEVEN MEMBERS:**

5 (I) **THE CHAIR OF THE COMMISSION, OR THE CHAIR'S**  
6 **DESIGNEE;**

7 (II) **TWO MEMBERS APPOINTED BY THE GOVERNOR;**

8 (III) **TWO MEMBERS APPOINTED BY THE PRESIDENT OF THE**  
9 **SENATE, WHO MAY NOT BE MEMBERS OF THE SENATE; AND**

10 (IV) **TWO MEMBERS APPOINTED BY THE SPEAKER OF THE**  
11 **HOUSE, WHO MAY NOT BE MEMBERS OF THE HOUSE OF DELEGATES.**

12 (2) **THE MEMBERSHIP OF THE SPORTS WAGERING APPLICATION**  
13 **REVIEW COMMISSION APPOINTED UNDER THIS SUBSECTION SHOULD REFLECT THE**  
14 **RACE, GENDER, AND GEOGRAPHIC DIVERSITY OF THE POPULATION OF THE STATE.**

15 (3) **THE GOVERNOR SHALL DESIGNATE A CHAIR OF THE SPORTS**  
16 **WAGERING APPLICATION REVIEW COMMISSION FROM AMONG THE MEMBERS**  
17 **DESCRIBED UNDER PARAGRAPH (1)(I) AND (II) OF THIS SUBSECTION.**

18 (4) **THE GOVERNOR, IN CONSULTATION WITH THE PRESIDENT OF**  
19 **THE SENATE AND THE SPEAKER OF THE HOUSE, MAY REMOVE A MEMBER OF THE**  
20 **SPORTS WAGERING APPLICATION REVIEW COMMISSION FOR INEFFICIENCY,**  
21 **MISCONDUCT IN OFFICE, OR NEGLECT OF DUTY.**

22 (C) **A MEMBER OF THE SPORTS WAGERING APPLICATION REVIEW**  
23 **COMMISSION:**

24 (1) **SHALL BE AT LEAST 21 YEARS OLD;**

25 (2) **SHALL BE A CITIZEN OF THE UNITED STATES;**

26 (3) **SHALL BE A RESIDENT OF THE STATE;**

27 (4) **SHALL BE KNOWLEDGEABLE AND EXPERIENCED IN FISCAL**  
28 **MATTERS AND SHALL HAVE AT LEAST 10 YEARS OF SUBSTANTIAL EXPERIENCE:**



1 (I) AS AN EXECUTIVE WITH FIDUCIARY RESPONSIBILITIES IN  
2 CHARGE OF A LARGE ORGANIZATION OR FOUNDATION;

3 (II) IN AN ACADEMIC FIELD RELATING TO FINANCE OR  
4 ECONOMICS; OR

5 (III) AS AN ECONOMIST, A FINANCIAL ANALYST, OR AN  
6 ACCOUNTANT, OR AS A PROFESSIONAL IN A SIMILAR PROFESSION RELATING TO  
7 FISCAL MATTERS OR ECONOMICS;

8 (5) MAY NOT HAVE BEEN CONVICTED OF OR GRANTED PROBATION  
9 BEFORE JUDGMENT FOR A SERIOUS CRIME OR A CRIME THAT INVOLVES GAMBLING  
10 OR MORAL TURPITUDE;

11 (6) MAY NOT HAVE AN OFFICIAL RELATIONSHIP TO A PERSON THAT IS  
12 APPLYING FOR OR HOLDS A LICENSE UNDER THIS SUBTITLE OR SUBTITLE 1D OF  
13 THIS TITLE;

14 (7) MAY NOT HAVE ANY DIRECT OR INDIRECT FINANCIAL INTEREST,  
15 OWNERSHIP, OR MANAGEMENT, INCLUDING HOLDING ANY STOCKS, BONDS, OR  
16 OTHER SIMILAR FINANCIAL INTERESTS IN ANY GAMING ACTIVITIES, INCLUDING  
17 HORSE RACING, VIDEO LOTTERY TERMINALS, FANTASY COMPETITIONS, OR  
18 LOTTERY;

19 (8) MAY NOT RECEIVE OR SHARE IN, DIRECTLY OR INDIRECTLY, THE  
20 RECEIPTS OR PROCEEDS OF ANY GAMING ACTIVITIES, INCLUDING HORSE RACING  
21 OR LOTTERY;

22 (9) MAY NOT HAVE A BENEFICIAL INTEREST IN ANY CONTRACT FOR  
23 THE MANUFACTURE OR SALE OF GAMING DEVICES, THE CONDUCT OF ANY GAMING  
24 ACTIVITY, OR THE PROVISION OF ANY INDEPENDENT CONSULTING SERVICES IN  
25 CONNECTION WITH ANY GAMING ESTABLISHMENT OR GAMING ACTIVITY;

26 (10) MAY NOT BE AN ELECTED OFFICIAL OF STATE OR LOCAL  
27 GOVERNMENT; AND

28 (11) SHALL FILE A FINANCIAL DISCLOSURE STATEMENT WITH THE  
29 STATE ETHICS COMMISSION IN ACCORDANCE WITH TITLE 15, SUBTITLE 6 OF THIS  
30 ARTICLE.

31 (D) A MEMBER OF THE SPORTS WAGERING APPLICATION REVIEW  
32 COMMISSION:

1 (1) MAY NOT RECEIVE COMPENSATION FOR SERVING ON THE SPORTS  
2 WAGERING LICENSE REVIEW COMMISSION; BUT

3 (2) IS ENTITLED TO REIMBURSEMENT FOR EXPENSES UNDER THE  
4 STANDARD STATE TRAVEL REGULATIONS, AS PROVIDED IN THE STATE BUDGET.

5 (E) (1) THE COMMISSION AND THE DEPARTMENT OF LEGISLATIVE  
6 SERVICES SHALL PROVIDE STAFF TO THE SPORTS WAGERING APPLICATION  
7 REVIEW COMMISSION.

8 (2) THE DEPARTMENT OF LEGISLATIVE SERVICES SHALL CONTRACT  
9 WITH AN INDEPENDENT CONSULTANT THAT HAS AT LEAST 10 YEARS OF  
10 SUBSTANTIAL EXPERIENCE IN CONSULTING ON MATTERS RELATING TO THE GAMING  
11 INDUSTRY TO ASSIST THE SPORTS WAGERING APPLICATION REVIEW COMMISSION  
12 IN THE REVIEW AND ANALYSIS OF APPLICATIONS SUBMITTED UNDER THIS SECTION.

13 (F) THE SPORTS WAGERING APPLICATION REVIEW COMMISSION:

14 (1) SHALL REVIEW APPLICATIONS FOR ~~LICENSURE~~ SPORTS  
15 WAGERING LICENSES SUBMITTED IN ACCORDANCE WITH § 9-1E-06 OF THIS  
16 SUBTITLE; AND

17 (2) MAY AWARD NOT MORE THAN ~~FIVE~~ 10 CLASS B SPORTS WAGERING  
18 FACILITY LICENSES AND ~~40~~ 15 MOBILE SPORTS WAGERING LICENSES TO QUALIFIED  
19 APPLICANTS, THROUGH A COMPETITIVE PROCESS CONSISTENT WITH THE PROCESS  
20 FOR COMPETITIVE SEALED PROPOSALS UNDER TITLE 13 OF THE STATE FINANCE  
21 AND PROCUREMENT ARTICLE.

22 (G) NOTHING IN THIS SUBTITLE MAY BE CONSTRUED TO PREEMPT THE  
23 EXCLUSIVE AUTHORITY OF THE SPORTS WAGERING APPLICATION REVIEW  
24 COMMISSION TO AWARD SPORTS WAGERING LICENSES IN ACCORDANCE WITH THIS  
25 SUBTITLE.

26 (H) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, THE SPORTS  
27 WAGERING APPLICATION REVIEW COMMISSION SHALL ADOPT REGULATIONS  
28 GOVERNING THE EVALUATION OF APPLICATIONS FOR ~~LICENSURE~~ SPORTS  
29 WAGERING LICENSES SUBMITTED IN ACCORDANCE WITH § 9-1E-06 OF THIS  
30 SUBTITLE.

31 (2) THE SPORTS WAGERING APPLICATION REVIEW COMMISSION, IN  
32 CONSULTATION WITH THE CERTIFICATION AGENCY AS DEFINED IN § 14-301 OF THE  
33 STATE FINANCE AND PROCUREMENT ARTICLE, THE GOVERNOR'S OFFICE OF  
34 SMALL, MINORITY, AND WOMEN BUSINESS AFFAIRS, AND THE OFFICE OF THE  
35 ATTORNEY GENERAL, SHALL:

1 (I) EVALUATE A STUDY OF THE SPORTS WAGERING INDUSTRY  
2 AND MARKET TO DETERMINE WHETHER THERE IS A COMPELLING INTEREST TO  
3 IMPLEMENT REMEDIAL MEASURES, IN ADDITION TO THE APPLICATION OF THE  
4 STATE MINORITY BUSINESS ENTERPRISE PROGRAM UNDER TITLE 14, SUBTITLE 3  
5 OF THE STATE FINANCE AND PROCUREMENT ARTICLE OR A SIMILAR PROGRAM, TO  
6 ASSIST MINORITIES AND WOMEN IN THE SPORTS WAGERING INDUSTRY;

7 (II) EVALUATE RACE-NEUTRAL PROGRAMS OR OTHER  
8 METHODS THAT MAY BE USED TO ADDRESS THE NEEDS OF ~~MINORITY AND WOMEN~~  
9 APPLICANTS MINORITIES, WOMEN, AND MINORITY AND WOMEN-OWNED  
10 BUSINESSES SEEKING TO PARTICIPATE IN THE SPORTS WAGERING INDUSTRY,  
11 INCLUDING THROUGH THE OWNERSHIP OF ENTITIES LICENSED TO CONDUCT  
12 SPORTS WAGERING UNDER THIS SUBTITLE; AND

13 (III) ADOPT REGULATIONS TO IMPLEMENT REMEDIAL  
14 MEASURES, IF NECESSARY AND TO THE EXTENT PERMITTED BY STATE AND FEDERAL  
15 LAW, BASED ON THE FINDINGS OF THE STUDY EVALUATED UNDER ITEM (I) OF THIS  
16 PARAGRAPH.

17 (3) THE SPORTS WAGERING APPLICATION REVIEW COMMISSION  
18 SHALL:

19 (I) TO THE EXTENT PERMITTED BY FEDERAL AND STATE LAW,  
20 ACTIVELY SEEK TO ACHIEVE RACIAL, ETHNIC, AND GENDER DIVERSITY WHEN  
21 AWARDING LICENSES; AND

22 (II) ENCOURAGE APPLICANTS WHO QUALIFY AS A MINORITY  
23 BUSINESS ENTERPRISE, AS DEFINED IN § 14-301 OF THE STATE FINANCE AND  
24 PROCUREMENT ARTICLE, OR WHO ARE SMALL, MINORITY, OR WOMEN-OWNED  
25 BUSINESS ENTITIES TO APPLY FOR SPORTS WAGERING LICENSES UNDER THIS  
26 SUBTITLE.

27 (I) (1) IF AN APPLICANT IS SEEKING INVESTORS IN THE ENTITY  
28 APPLYING FOR A SPORTS WAGERING LICENSE, THE APPLICANT SHALL TAKE THE  
29 FOLLOWING STEPS BEFORE BEING AWARDED A LICENSE BY THE SPORTS WAGERING  
30 APPLICATION REVIEW COMMISSION:

31 (I) MAKE SERIOUS, GOOD-FAITH EFFORTS TO SOLICIT AND  
32 INTERVIEW A REASONABLE NUMBER OF MINORITY AND WOMEN INVESTORS; AND

33 (II) AS PART OF THE APPLICATION, SUBMIT A STATEMENT THAT  
34 LISTS THE NAMES AND ADDRESSES OF ALL MINORITY AND WOMEN INVESTORS

1 INTERVIEWED AND WHETHER OR NOT ANY OF THOSE INVESTORS HAVE PURCHASED  
2 AN EQUITY SHARE IN THE ENTITY SUBMITTING AN APPLICATION.

3 (2) IF AN APPLICANT IS AWARDED A LICENSE BY THE SPORTS  
4 WAGERING APPLICATION REVIEW COMMISSION, THE APPLICANT SHALL SIGN A  
5 MEMORANDUM OF UNDERSTANDING WITH THE SPORTS WAGERING APPLICATION  
6 REVIEW COMMISSION THAT REQUIRES THE AWARDEE TO AGAIN MAKE SERIOUS,  
7 GOOD-FAITH EFFORTS TO INTERVIEW MINORITY AND WOMEN INVESTORS IN ANY  
8 FUTURE ATTEMPTS TO RAISE VENTURE CAPITAL OR ATTRACT NEW INVESTORS TO  
9 THE ENTITY AWARDED THE LICENSE.

10 (3) THE GOVERNOR'S OFFICE OF SMALL, MINORITY, AND WOMEN  
11 BUSINESS AFFAIRS, IN CONSULTATION WITH THE OFFICE OF THE ATTORNEY  
12 GENERAL, SHALL PROVIDE ASSISTANCE TO ALL POTENTIAL APPLICANTS AND  
13 POTENTIAL MINORITY AND WOMEN INVESTORS TO SATISFY THE REQUIREMENTS  
14 UNDER PARAGRAPHS (1)(I) AND (2) OF THIS SUBSECTION.

15 (J) THE SPORTS WAGERING APPLICATION REVIEW COMMISSION MAY NOT  
16 AWARD A SPORTS WAGERING LICENSE TO A PERSON THAT IS NOT QUALIFIED UNDER  
17 THIS SECTION OR THIS SUBTITLE.

18 (K) (1) THE SPORTS WAGERING APPLICATION REVIEW COMMISSION  
19 SHALL REFER TO THE STATE LOTTERY AND GAMING CONTROL COMMISSION THE  
20 NAME AND ALL RELEVANT INFORMATION CONCERNING A PERSON THAT MAKES AN  
21 APPLICATION UNDER THIS SECTION.

22 (2) ON RECEIPT OF THE INFORMATION IN PARAGRAPH (1) OF THIS  
23 SUBSECTION, THE STATE LOTTERY AND GAMING CONTROL COMMISSION SHALL  
24 EVALUATE WHETHER AN APPLICANT IS QUALIFIED TO HOLD A SPORTS WAGERING  
25 LICENSE UNDER THIS SUBTITLE.

26 (3) ON COMPLETION OF ITS DETERMINATION, THE STATE LOTTERY  
27 AND GAMING CONTROL COMMISSION SHALL NOTIFY THE SPORTS WAGERING  
28 APPLICATION REVIEW COMMISSION OF ITS EVALUATION AS TO WHETHER AN  
29 APPLICANT IS QUALIFIED TO HOLD A SPORTS WAGERING LICENSE UNDER THIS  
30 SUBTITLE.

31 (L) AFTER AN AWARD OF A SPORTS WAGERING LICENSE UNDER THIS  
32 SECTION, THE SPORTS WAGERING APPLICATION REVIEW COMMISSION SHALL  
33 NOTIFY THE STATE LOTTERY AND GAMING CONTROL COMMISSION OF THE  
34 SUCCESSFUL APPLICANTS.

35 (M) AFTER AN AWARD OF A SPORTS WAGERING LICENSE UNDER THIS  
36 SECTION, THE STATE LOTTERY AND GAMING CONTROL COMMISSION SHALL:

1           **(1) ISSUE THE SPORTS WAGERING LICENSE; AND**

2           **(2) BE RESPONSIBLE FOR ALL MATTERS RELATING TO REGULATION**  
3 **OF THE LICENSEE.**

4           **(N) (1) AN UNSUCCESSFUL APPLICANT FOR A SPORTS WAGERING**  
5 **LICENSE UNDER THIS SECTION MAY SEEK, UNDER TITLE 15 OF THE STATE FINANCE**  
6 **AND PROCUREMENT ARTICLE, REVIEW BY THE STATE BOARD OF CONTRACT**  
7 **APPEALS OF THE AWARDING OF THE SPORTS WAGERING LICENSE BY THE SPORTS**  
8 **WAGERING APPLICATION REVIEW COMMISSION.**

9           **(2) A PROCEEDING UNDER THIS SUBSECTION SHALL:**

10           **(I) TAKE PRECEDENCE ON THE BOARD'S DOCKET;**

11           **(II) BE HEARD AT THE EARLIEST PRACTICABLE DATE; AND**

12           **(III) BE EXPEDITED IN EVERY WAY.**

13           **(O) (1) NOTHING IN THIS SUBTITLE MAY BE CONSTRUED TO REQUIRE THE**  
14 **SPORTS WAGERING APPLICATION REVIEW COMMISSION TO AWARD ALL ~~FIVE~~ 10**  
15 **CLASS B SPORTS WAGERING FACILITY LICENSES OR ALL ~~10~~ 15 MOBILE SPORTS**  
16 **WAGERING LICENSES AUTHORIZED UNDER THIS SUBTITLE.**

17           **(2) NOTWITHSTANDING ANY OF THE PROVISIONS OF THIS SUBTITLE,**  
18 **THE SPORTS WAGERING APPLICATION REVIEW COMMISSION MAY NOT AWARD A**  
19 **SPORTS WAGERING LICENSE UNDER THIS SUBTITLE UNLESS THE SPORTS**  
20 **WAGERING APPLICATION REVIEW COMMISSION DETERMINES AND DECLARES THAT**  
21 **AN APPLICANT SELECTED FOR AWARD OF THE LICENSE IS IN THE PUBLIC INTEREST**  
22 **AND IS CONSISTENT WITH THE PURPOSES OF THIS SUBTITLE.**

23           **(P) THE SPORTS WAGERING APPLICATION REVIEW COMMISSION MAY**  
24 **AWARD A SPORTS WAGERING LICENSE THAT IS REVOKED OR SURRENDERED**  
25 **UTILIZING THE CRITERIA ESTABLISHED IN THIS SUBTITLE.**

26           **(Q) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION,**  
27 **THE SPORTS WAGERING APPLICATION REVIEW COMMISSION SHALL TERMINATE**  
28 **ON JANUARY 1, 2028.**

29           **(2) THE GOVERNOR MAY RECONSTITUTE THE SPORTS WAGERING**  
30 **APPLICATION REVIEW COMMISSION, WHICH SHALL INCLUDE THE APPOINTMENT OF**  
31 **NEW MEMBERS BASED ON THE CRITERIA ESTABLISHED UNDER SUBSECTIONS (B)**  
32 **AND (C) OF THIS SECTION:**

1 (I) 1 YEAR PRIOR TO THE EXPIRATION OF A SPORTS WAGERING  
2 LICENSE; OR

3 (II) FOLLOWING THE REVOCATION OR SURRENDER OF A SPORTS  
4 WAGERING LICENSE.

5 SECTION 3. AND BE IT FURTHER ENACTED, That it is the intent of the General  
6 Assembly that the Sports Wagering Application Review Commission established under §  
7 9–1E–15 of the State Government Article, as enacted by Section 2 of this Act, shall:

8 (1) evaluate the studies of the sports and event wagering industry  
9 conducted by National Economic Research Associates, Inc., and Keen Independent  
10 Research and any other information that the Commission deems necessary;

11 (2) examine the factors examined and remedial measures implemented by  
12 the Natalie M. LaPrade Medical Cannabis Commission with respect to the licensure of  
13 medical cannabis growers, processors, and dispensaries and determine whether similar  
14 factors and remedial measures may be applied to the sports wagering industry; and

15 (3) in order to maintain the competitiveness of the State's gaming program,  
16 conduct its work as expeditiously as possible and in a manner that is in the best interests  
17 of Maryland and its citizens.

18 SECTION 4. AND BE IT FURTHER ENACTED, That the certification agency  
19 designated by the Board of Public Works under § 14–303(b) of the State Finance and  
20 Procurement Article to certify and decertify minority business enterprises, in consultation  
21 with the Office of the Attorney General and the Governor's Office of Small, Minority, and  
22 Women Business Affairs, shall:

23 (1) initiate an analysis of the following to evaluate compliance with any  
24 federal and constitutional requirements:

25 (i) the Minority Business Enterprise Program requirements of §  
26 ~~10A-404 of the State Finance and Procurement Article and § 9–1E–07(b) of the State~~  
27 Government Article, as enacted by Section 2 of this Act;

28 (ii) any remedial measures implemented in accordance with §  
29 9–1E–15 of the State Government Article, as enacted by Section 2 of this Act; and

30 (iii) the disparity study submitted pursuant to Chapter 340 of the  
31 Acts of the General Assembly of 2017 ~~to evaluate compliance with the requirements of any~~  
32 ~~federal and constitutional requirements and;~~ and

33 (2) submit a report on the analysis to the Legislative Policy Committee of  
34 the General Assembly, in accordance with § 2–1257 of the State Government Article, on or  
35 before December 1, 2023.

1 SECTION 5. AND BE IT FURTHER ENACTED, That this Act shall take effect June  
2 1, 2021.

Approved:

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Governor.

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Speaker of the House of Delegates.

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President of the Senate.