C72lr1415

By: Senator Guzzone

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Assigned to: Budget and Taxation

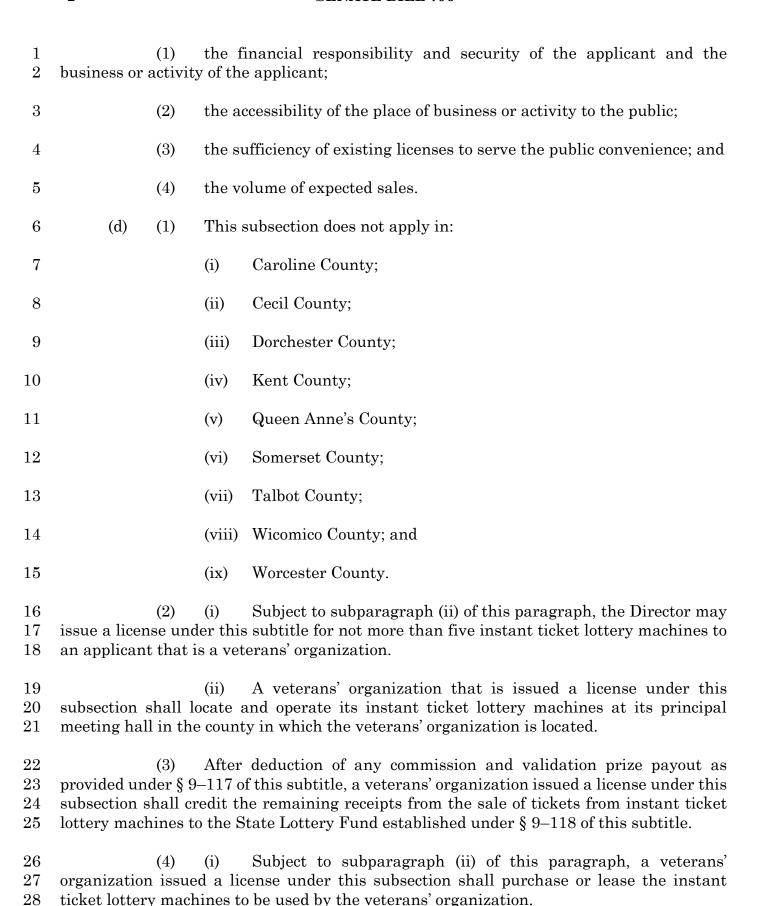
	A BILL ENTITLED
1	AN ACT concerning
2 3	Instant Ticket Lottery Machines – Veterans' Organizations – Repeal of the Pre-Printed Ticket Requirement
4 5 6	FOR the purpose of altering a requirement that the State Lottery and Gaming Control Agency ensure that certain instant ticket lottery machines operate in a certain manner; and generally relating to instant ticket lottery machines.
7 8 9 10 11	BY repealing and reenacting, with amendments, Article – State Government Section 9–112 Annotated Code of Maryland (2021 Replacement Volume)
12 13	SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:
14	Article - State Government
15	9–112.
16 17 18	(a) In this section, "veterans' organization" means an organization that is tax exempt and organized as a veterans' organization under § 501(c)(19) or § 501(c)(4) of the Internal Revenue Code.
19 20	(b) Except as provided in subsection (d) of this section, in accordance with the regulations of the Agency and this subtitle, the Director shall issue licenses to the persons

23(c) Before issuing a license to an applicant, the Director shall consider such 24 factors as:

and governmental units that will best serve the public convenience and promote the sale of

State lottery tickets or shares.





- 1 (ii) An organization may not use receipts from the sale of tickets 2 from instant ticket lottery machines that would otherwise be credited to the State Lottery 3 Fund for the costs of purchasing or leasing instant ticket lottery machines.
  - (5) The Director may adopt regulations to implement the provisions of this subsection that include restricting the location of instant ticket lottery machines in areas of a veterans' organization's public meeting hall that is accessible to the public.
- [(6) The Agency shall ensure that the element of chance in the conduct of the gaming through the instant ticket lottery machines established under this subsection is consistent with the holding in the case of Chesapeake Amusements Inc. v. Riddle, 363 Md. 16 (2001), in that the element of chance must be wholly within the pre-printed instant lottery ticket, and that player enhancements in an instant ticket lottery machine may not affect the element of chance being wholly within the pre-printed instant lottery ticket.]
- 13 (6) THE AGENCY SHALL ENSURE THAT THE INSTANT TICKET
  14 LOTTERY MACHINES AUTHORIZED UNDER THIS SUBSECTION OPERATE IN THE SAME
  15 MANNER AS THE ELECTRONIC INSTANT BINGO MACHINES ALLOWED UNDER § 12–308
  16 OF THE CRIMINAL LAW ARTICLE.
- 17 (e) The Director may not issue a license to:

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- 18 (1) a person or governmental unit to engage in business primarily as a 19 licensed agent; or
- 20 (2) an individual who is under the age of 21 years.
- 21 (f) The Commission may hear and decide an appeal of a denial of a license.
- SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2022.