

Department of Legislative Services
Maryland General Assembly
2023 Session

FISCAL AND POLICY NOTE
Third Reader - Revised

House Bill 1288
Ways and Means

(Delegate Charles)

Budget and Taxation

Video Lottery Employee Licenses - Crimes of Moral Turpitude - Alterations

This bill exempts an applicant for a video lottery employee license from disqualification for conviction, active parole, or probation within the prior seven years or current prosecution for any crimes involving moral turpitude under the laws of the United States or of any state, if the conviction, active parole, probation, or prosecution involves a nonviolent misdemeanor offense, other than a crime involving gambling, for which the applicant participated in and completed a problem-solving court program. Problem-solving courts are those under the Office of Problem-Solving Courts, or a comparable program from another court system. **The bill takes effect July 1, 2023.**

Fiscal Summary

State Effect: None. Altering the qualifications for video lottery employee licenses is not anticipated to significantly alter the number of license applications and, thus, associated administrative costs and fee revenues are not substantially affected. Court system caseloads and costs are not anticipated to be substantially affected.

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law: To be employed by a video lottery operation licensee, an individual must hold a valid video lottery employee license or temporary video lottery employee license issued by the State Lottery and Gaming Control Commission (SLGCC). SLGCC must deny a video lottery employee license to an applicant for several causes, including but not limited

to the applicant's (1) conviction, active parole, or probation for any crime involving moral turpitude or gambling under the laws of the United States or any state within the prior seven years or (2) current prosecution for any crime involving moral turpitude or gambling under the laws of the United States or any state, but at the request of the applicant, SLGCC may defer a decision on the application during the pendency of the charge.

While there is no specific provision of Maryland law that defines moral turpitude, a 1996 Attorney General's opinion described a crime of moral turpitude as a crime "for which fraudulent intent is a requisite element of proof." Black's Law Dictionary defines "moral turpitude" as "conduct that is contrary to justice, honesty, or morality" and especially "an act that demonstrates depravity."

State Fiscal Effect: Altering the qualifications for video lottery operation employee licenses is not anticipated to significantly alter the number of license applications received by SLGCC. If the bill does alter the number of applications received, fee revenues will cover any associated additional costs.

The Administrative Office of the Courts advises that the bill may increase requests for access to problem-solving courts in Maryland, but that the exact impact is difficult to project due to the uncertainty in the potential increase in requests and the involvement of related parties such as the local state's attorney or the public defender's office. However, the Judiciary does not anticipate that the bill would have a significant fiscal or operational impact on the trial courts.

Additional Information

Prior Introductions: Similar legislation has not been introduced within the last three years.

Designated Cross File: None.

Information Source(s): Judiciary (Administrative Office of the Courts); Department of Public Safety and Correctional Services; Maryland State Lottery and Gaming Control Agency; Department of Legislative Services

Fiscal Note History:
js/jrb

First Reader - March 10, 2023

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