

HOUSE BILL 1378

C7

8lr3491
CF SB 900

By: **Delegates Turner, Buckel, Ebersole, C. Howard, Patterson, and Wilkins**

Introduced and read first time: February 9, 2018

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Gaming – Fantasy Competitions – Prohibition on Operation of Electronic Device**

3 FOR the purpose of prohibiting a person from operating a certain kiosk or machine that
4 offers fantasy competition to the public; and generally relating to the regulation of
5 fantasy competition.

6 BY repealing and reenacting, with amendments,
7 Article – Criminal Law
8 Section 12–114
9 Annotated Code of Maryland
10 (2012 Replacement Volume and 2017 Supplement)

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

Article – Criminal Law

14 12–114.

15 (a) In this section, “fantasy competition” includes any online fantasy or simulated
16 game or contest such as fantasy sports, in which:

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

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

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (4) no winning outcome is based:

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

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

5 (b) **(1)** Notwithstanding the provisions of this or any other title, **AND EXCEPT**
6 **AS PROVIDED UNDER PARAGRAPH (2) OF THIS SUBSECTION**, the prohibitions against
7 betting, wagering, and gambling do not apply to participation in a fantasy competition.

8 **(2) A PERSON IN THE STATE MAY NOT OPERATE A KIOSK OR MACHINE**
9 **PHYSICALLY LOCATED IN A PLACE OF BUSINESS THAT OFFERS FANTASY**
10 **COMPETITION TO THE PUBLIC.**

11 (c) The Comptroller may adopt regulations to carry out the provisions of this
12 section.

13 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
14 October 1, 2018.