

HOUSE BILL 454

C7
HB 1125/12 – W&M

3lr0768

By: **Howard County Delegation**

Introduced and read first time: January 28, 2013

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Howard County – Casino Events – Authorized**

3 **Ho. Co. 8–13**

4 FOR the purpose of authorizing certain organizations to hold certain casino events in
5 Howard County at certain intervals of time; requiring an organization to obtain
6 a permit from the Howard County Department of Inspections, Licenses, and
7 Permits before operating a casino event; requiring the Howard County
8 Executive to forward a recommendation to the Howard County Council
9 concerning the fee to be charged for a permit; requiring the County Council to
10 adopt by resolution the amount of the permit fee; specifying the types of
11 organizations eligible to conduct a casino event; requiring a permit holder for a
12 casino event to ensure that certain standards are met; prohibiting a permit
13 holder from offering cumulative money prizes in excess of a certain amount;
14 specifying certain prohibited acts and reporting requirements for a permit
15 holder for a casino event; requiring the Department to adopt certain regulations
16 governing casino events; altering in Howard County the application of certain
17 general provisions of law governing gaming in the State; establishing certain
18 exceptions to prohibitions against conducting a casino event or operating or
19 awarding prizes using certain gaming devices; defining a certain term; and
20 generally relating to casino events in Howard County.

21 BY repealing and reenacting, with amendments,
22 Article – Criminal Law
23 Section 13–1601, 13–1603, and 13–1604
24 Annotated Code of Maryland
25 (2012 Replacement Volume and 2012 Supplement)

26 BY adding to
27 Article – Criminal Law
28 Section 13–1602.1

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 Annotated Code of Maryland
2 (2012 Replacement Volume and 2012 Supplement)

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

5 **Article – Criminal Law**

6 13–1601.

7 (a) This subtitle applies only in Howard County.

8 (b) (1) Except as provided in paragraph (2) of this subsection, Subtitle 2 of
9 this title applies in Howard County.

10 (2) Subtitle 2 of this title does not apply to bingo regulated under §
11 13–1602 of this subtitle **OR A CASINO EVENT REGULATED UNDER § 13–1602.1 OF**
12 **THIS SUBTITLE.**

13 **13–1602.1.**

14 (A) IN THIS SECTION, “DEPARTMENT” MEANS THE HOWARD COUNTY
15 DEPARTMENT OF INSPECTIONS, LICENSES, AND PERMITS.

16 (B) (1) BEFORE AN ORGANIZATION LISTED IN SUBSECTION (D) OF
17 THIS SECTION MAY OPERATE A CASINO EVENT, THE ORGANIZATION SHALL
18 OBTAIN A PERMIT FROM THE DEPARTMENT.

19 (2) (I) ON THE RECOMMENDATION OF THE DEPARTMENT, THE
20 COUNTY EXECUTIVE SHALL FORWARD TO THE COUNTY COUNCIL A
21 RECOMMENDATION FOR THE FEE TO BE CHARGED FOR A PERMIT UNDER THIS
22 SECTION.

23 (II) THE COUNTY COUNCIL SHALL ADOPT BY RESOLUTION
24 THE AMOUNT OF THE PERMIT FEE.

25 (C) SUBJECT TO SUBSECTIONS (D) AND (E) OF THIS SECTION, AN
26 ORGANIZATION MAY CONDUCT:

27 (1) ONE CASINO EVENT THAT INCLUDES A CARD GAME DURING
28 EACH CALENDAR MONTH; AND

29 (2) ONE CASINO EVENT THAT INCLUDES ROULETTE DURING EACH
30 CALENDAR YEAR.

1 **(D) TO CONDUCT A CASINO EVENT UNDER SUBSECTION (C) OF THIS**
2 **SECTION, AN ORGANIZATION SHALL BE A BONA FIDE:**

3 **(1) VOLUNTEER FIRE COMPANY; OR**

4 **(2) WAR VETERANS' ORGANIZATION.**

5 **(E) (1) A PERMIT HOLDER FOR A CASINO EVENT THAT INCLUDES A**
6 **CARD GAME OR ROULETTE SHALL ENSURE THAT:**

7 **(I) AN INDIVIDUAL OR GROUP OF INDIVIDUALS DOES NOT**
8 **BENEFIT FINANCIALLY FROM THE HOLDING OF THE CASINO EVENT;**

9 **(II) AN INDIVIDUAL OR GROUP OF INDIVIDUALS DOES NOT**
10 **RECEIVE ANY OF THE PROCEEDS OF THE CASINO EVENT FOR PERSONAL USE OR**
11 **BENEFIT;**

12 **(III) THE CASINO EVENT IS MANAGED PERSONALLY BY THE**
13 **MEMBERS OF THE PERMIT HOLDER;**

14 **(IV) A PARENT, A SUBSIDIARY, OR AN AFFILIATE OF THE**
15 **ORGANIZATION SPONSORING THE EVENT HAS NOT SPONSORED A CASINO EVENT**
16 **WITHIN THE CALENDAR MONTH OR CALENDAR YEAR, AS APPROPRIATE; AND**

17 **(V) THE CASINO EVENT IS CONDUCTED BETWEEN 4 P.M.**
18 **AND 1 A.M.**

19 **(2) A PERSON THAT HOLDS A CASINO EVENT THAT INCLUDES A**
20 **CARD GAME OR ROULETTE MAY NOT:**

21 **(I) OFFER OR AWARD CUMULATIVE MONEY PRIZES IN**
22 **EXCESS OF \$5,000 AT THE EVENT;**

23 **(II) ALLOW A PLAYER TO BET MORE THAN \$10 IN TOKENS IN**
24 **ANY ONE GAME WITHIN THE CALENDAR MONTH OR CALENDAR YEAR, AS**
25 **APPROPRIATE;**

26 **(III) EXCHANGE TOKENS USED IN WAGERING FOR AN ITEM**
27 **OF MERCHANDISE THAT IS WORTH MORE THAN \$1,000; OR**

28 **(IV) EXCHANGE MERCHANDISE THAT WAS RECEIVED FOR**
29 **TOKENS THAT WERE USED IN WAGERING FOR:**

1 **1. MONEY; OR**

2 **2. AN ITEM OF MERCHANDISE HAVING A VALUE THAT**
 3 **IS DIFFERENT FROM THE FAIR RETAIL MARKET VALUE OF THE ITEM OF**
 4 **MERCHANDISE THAT WAS RECEIVED FOR THE TOKENS.**

5 **(3) (I) WITHIN 60 DAYS AFTER HOLDING A CASINO EVENT**
 6 **THAT INCLUDES A CARD GAME OR ROULETTE, THE HOLDER OF THE PERMIT FOR**
 7 **THE EVENT SHALL SUBMIT TO THE DEPARTMENT A FINANCIAL REPORT THAT**
 8 **LISTS THE RECEIPTS AND EXPENDITURES FOR THE CASINO EVENT.**

9 **(II) BEFORE THE PERMIT HOLDER SUBMITS THE REPORT TO**
 10 **THE DEPARTMENT, THE PERMIT HOLDER SHALL SUBMIT THE REPORT TO THE**
 11 **COUNTY POLICE DEPARTMENT FOR REVIEW.**

12 **(F) (1) THE DEPARTMENT SHALL ADOPT REGULATIONS TO GOVERN:**

13 **(I) THE ISSUANCE OF A PERMIT TO CONDUCT A CASINO**
 14 **EVENT; AND**

15 **(II) THE CONDUCT AND MANAGEMENT OF A CASINO EVENT**
 16 **IN A MANNER DESIGNED TO PREVENT FRAUD AND PROTECT THE PUBLIC.**

17 **(2) THE REGULATIONS SHALL REQUIRE THAT A SEPARATE**
 18 **PERMIT BE ISSUED FOR EACH CASINO EVENT TO BE CONDUCTED.**

19 13–1603.

20 A qualified organization under Subtitle 2 of this title may award prizes in
 21 money or merchandise using:

22 (1) a paddle wheel;

23 (2) a wheel of fortune;

24 (3) a chance book;

25 (4) bingo; or

26 (5) any other gaming device [except] **OTHER THAN:**

27 (i) a card game **OR ROULETTE, EXCEPT AS PROVIDED IN §**
 28 **13–1602.1 OF THIS SUBTITLE; OR**

1 (ii) a dice game[; or

2 (iii) roulette].

3 13-1604.

4 Notwithstanding Subtitle 2 of this title **AND EXCEPT AS PROVIDED IN §**
5 **13-1602.1 OF THIS SUBTITLE**, a person may not conduct a casino night or operate
6 any of the following gaming devices:

7 (1) a card game;

8 (2) a dice game; or

9 (3) roulette.

10 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
11 October 1, 2013.