

HOUSE BILL 764

C7

6lr2868
CF SB 521

By: ~~Delegates Saab, Beidle, Carey, Chang, Frush, S. Howard, Kipke, Malone, McMillan, Simonaire, and Sophocleus~~ Anne Arundel County Delegation

Introduced and read first time: February 8, 2016

Assigned to: Ways and Means

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 25, 2016

CHAPTER _____

1 AN ACT concerning

2 **Anne Arundel County – Charitable Gaming**

3 FOR the purpose of authorizing certain organizations in Anne Arundel County to conduct
4 a card game, card tournament, or casino event under certain circumstances;
5 requiring an organization to obtain a permit from the County Department of
6 Inspections and Permits before conducting a card game, card tournament, or casino
7 event; requiring an organization that seeks a permit to meet certain requirements;
8 specifying that a card game, card tournament, or casino event may be managed and
9 ~~organized~~ operated by certain organizations; requiring an individual who
10 participates in or volunteers as an operator of a card game, card tournament, or
11 casino event to be of a certain age; specifying that a permit holder may receive a
12 certain maximum number of permits in a calendar year; ~~providing a certain time~~
13 ~~limit on a card game, card tournament, or casino event;~~ specifying that a permit is
14 not transferable; requiring that proceeds from a card game, card tournament, or
15 casino event be used for certain purposes and may not be used for certain other
16 purposes ~~subject to a certain exception;~~ specifying that the operation of a card game,
17 card tournament, or casino event may ~~not occur during a certain time~~ be authorized
18 only during certain times; authorizing a permit holder under this Act to charge only
19 a preset entrance fee; requiring participants in a card game, card tournament, or
20 casino event to use tokens and not cash for wagering under certain circumstances;
21 authorizing the serving or sale of alcoholic beverages under certain circumstances;
22 prohibiting a permit holder from exchanging tokens under certain circumstances;
23 requiring a permit holder to submit a financial report and certain information about
24 winners of certain prizes to the County Department of Inspections and Permits

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 under certain circumstances; authorizing the County Executive and County Council
2 to adopt certain regulations; providing a certain penalty; defining certain terms; and
3 generally relating to gaming in Anne Arundel County.

4 BY repealing and reenacting, without amendments,
5 Article – Criminal Law
6 Section 13–401
7 Annotated Code of Maryland
8 (2012 Replacement Volume and 2015 Supplement)

9 BY repealing and reenacting, with amendments,
10 Article – Criminal Law
11 Section 13–404 and 13–408
12 Annotated Code of Maryland
13 (2012 Replacement Volume and 2015 Supplement)

14 BY adding to
15 Article – Criminal Law
16 Section 13–404.1
17 Annotated Code of Maryland
18 (2012 Replacement Volume and 2015 Supplement)

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

21 **Article – Criminal Law**

22 13–401.

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

24 (b) (1) “Casino event” means any event that involves a card game, dice game,
25 or roulette game.

26 (2) “Casino event” does not include a card game or dice game that is played
27 for tokens for which no cash prize is offered or awarded.

28 (c) “Gaming event” means a carnival, bazaar, raffle, or other organized gaming
29 event.

30 13–404.

31 [A] EXCEPT AS PROVIDED IN § 13–404.1 OF THIS SUBTITLE, A person may not
32 conduct a casino event in the county.

33 **13–404.1.**

1 (A) IN THIS SECTION, "PERMIT" MEANS A PERMIT TO CONDUCT A CARD
2 GAME, CARD TOURNAMENT, OR CASINO EVENT.

3 (B) BEFORE AN ORGANIZATION MAY CONDUCT A CARD GAME, CARD
4 TOURNAMENT, OR CASINO EVENT, THE ORGANIZATION SHALL OBTAIN A PERMIT
5 FROM THE COUNTY DEPARTMENT OF INSPECTIONS AND PERMITS.

6 (C) TO QUALIFY FOR A PERMIT, AN ORGANIZATION SHALL BE:

7 (1) A BONA FIDE:

8 ~~(1)~~ (I) AMATEUR ATHLETIC ORGANIZATION THAT IS AN
9 ACCREDITED NONPROFIT;

10 ~~(2)~~ CHARITABLE ORGANIZATION;

11 ~~(3)~~ CIVIC ORGANIZATION;

12 ~~(4)~~ FRATERNAL ORGANIZATION;

13 ~~(5)~~ HOSPITAL;

14 ~~(6)~~ RELIGIOUS ORGANIZATION;

15 (II) CHAMBER OF COMMERCE;

16 (III) HOSPITAL FOUNDATION;

17 (IV) PARENT-TEACHER ASSOCIATION OR ORGANIZATION FOR A
18 SCHOOL IN THE COUNTY;

19 (V) CHARITABLE NONPROFIT FOUNDATION THAT PROVIDES
20 SUPPORT TO MILITARY PERSONNEL AND FAMILIES OF MILITARY PERSONNEL;

21 (VI) CHARITABLE NONPROFIT ORGANIZATION THAT PROVIDES
22 VOCATIONAL TRAINING FOR DEVELOPMENTALLY DISABLED INDIVIDUALS;

23 ~~(7)~~ (VII) VOLUNTEER FIRE COMPANY; OR

24 ~~(8)~~ (VIII) WAR VETERANS' ORGANIZATION; AND

25 (2) AN ORGANIZATION THAT HAS BEEN LOCATED IN THE COUNTY FOR
26 AT LEAST 3 YEARS BEFORE THE ORGANIZATION APPLIES FOR A PERMIT UNDER THIS
27 SECTION.

(D) (1) A CARD GAME, CARD TOURNAMENT, OR CASINO EVENT MAY BE:

(I) MANAGED AND OPERATED BY THE ORGANIZATION THAT IS THE PERMIT HOLDER; OR

(II) MANAGED BY THE ORGANIZATION THAT IS THE PERMIT HOLDER AND OPERATED BY ANOTHER ORGANIZATION LISTED IN SUBSECTION (C) OF THIS SECTION.

(2) (I) AN OPERATOR OF A CARD GAME, CARD TOURNAMENT, OR CASINO EVENT MAY NOT RECEIVE COMPENSATION.

(II) TO VOLUNTEER AS AN OPERATOR OF A CARD GAME, CARD TOURNAMENT, OR CASINO EVENT, AN INDIVIDUAL SHALL BE AT LEAST 18 YEARS OLD.

(III) TO PARTICIPATE IN A CARD GAME, CARD TOURNAMENT, OR CASINO EVENT, AN INDIVIDUAL SHALL BE AT LEAST 21 YEARS OLD.

(E) ~~(1)~~ AN ORGANIZATION THAT IS THE PERMIT HOLDER MAY RECEIVE NOT MORE THAN ~~FOUR PERMITS~~ ONE PERMIT IN A CALENDAR YEAR.

~~(2) A CARD GAME, CARD TOURNAMENT, OR CASINO EVENT MAY NOT LAST LONGER THAN 24 CONSECUTIVE HOURS.~~

(F) A PERMIT IS NOT TRANSFERABLE.

(G) ~~(1)~~ PROCEEDS FROM A CARD GAME, CARD TOURNAMENT, OR CASINO EVENT CONDUCTED UNDER THIS SECTION:

~~(1)~~ (1) SHALL BE USED TO BENEFIT A CHARITY OR TO FURTHER THE PURPOSE OF THE PERMIT HOLDER; AND

~~(1)~~ (2) ~~EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION,~~ MAY NOT BE USED FOR THE FINANCIAL BENEFIT OR PERSONAL USE OF AN INDIVIDUAL OR A GROUP OF INDIVIDUALS.

~~(2) ON APPROVAL OF THE COUNTY EXECUTIVE OR DESIGNEE OF THE COUNTY EXECUTIVE, PROCEEDS MAY BE USED TO BENEFIT A FAMILY WITH MEDICAL NEEDS.~~

(H) A PERMIT MAY ~~NOT~~ AUTHORIZE THE OPERATION OF A CARD GAME, CARD TOURNAMENT, OR CASINO EVENT ~~AFTER 1 A.M. ON SUNDAY ONLY~~ ON SUNDAY ONLY:

1 **(1) MONDAY, TUESDAY, WEDNESDAY, THURSDAY, FRIDAY, OR**
2 **SATURDAY BETWEEN 4 P.M. AND 2 A.M. THE FOLLOWING DAY; OR**

3 **(2) SUNDAY BETWEEN 4 P.M. AND MIDNIGHT.**

4 **(I) (1) AN ORGANIZATION THAT IS THE PERMIT HOLDER MAY CHARGE**
5 **ONLY A PRESET ENTRANCE FEE FOR A CARD GAME, CARD TOURNAMENT, OR CASINO**
6 **EVENT.**

7 **(2) PARTICIPANTS IN A CARD GAME, CARD TOURNAMENT, OR CASINO**
8 **EVENT SHALL RECEIVE TOKENS FOR WAGERING IN EXCHANGE FOR THE ENTRANCE**
9 **FEE.**

10 **(3) A PARTICIPANT MAY PURCHASE ADDITIONAL TOKENS, AT A TOTAL**
11 **COST NOT EXCEEDING 100% OF THE ENTRANCE FEE, DURING A CARD GAME, CARD**
12 **TOURNAMENT, OR CASINO EVENT.**

13 **(4) AN ORGANIZATION THAT IS THE PERMIT HOLDER MAY NOT ALLOW**
14 **CASH TO BE USED FOR WAGERING.**

15 **(5) A HOLDER OF A PERMIT MAY SERVE OR SELL ALCOHOLIC**
16 **BEVERAGES AT A CARD GAME, CARD TOURNAMENT, OR CASINO EVENT ONLY IF THE**
17 **HOLDER IS ISSUED THE PROPER ALCOHOLIC BEVERAGES LICENSE BY THE BOARD**
18 **OF LICENSE COMMISSIONERS OF ANNE ARUNDEL COUNTY.**

19 **(J) AN ORGANIZATION THAT IS THE PERMIT HOLDER MAY NOT EXCHANGE**
20 **TOKENS USED FOR WAGERING FOR:**

21 **(1) AN ITEM OF MERCHANDISE THAT IS WORTH MORE THAN ~~\$10,000~~**
22 **\$5,000;**

23 **(2) MONEY; OR**

24 **(3) AN ITEM OF MERCHANDISE HAVING A VALUE THAT IS DIFFERENT**
25 **FROM THE FAIR MARKET RETAIL VALUE OF THE ITEM OF MERCHANDISE THAT WAS**
26 **RECEIVED FOR THE TOKENS.**

27 **(K) WITHIN 60 DAYS AFTER HOLDING A CARD GAME, CARD TOURNAMENT,**
28 **OR CASINO EVENT, THE ORGANIZATION THAT IS THE PERMIT HOLDER SHALL SUBMIT**
29 **TO THE COUNTY DEPARTMENT OF INSPECTIONS AND PERMITS:**

30 **(1) A FINANCIAL REPORT THAT LISTS THE RECEIPTS AND**
31 **EXPENDITURES FOR THE CARD GAME, CARD TOURNAMENT, OR CASINO EVENT; AND**

1 **(2) THE NAME, ADDRESS, AND SOCIAL SECURITY NUMBER OF A**
 2 **PARTICIPANT THAT IS DECLARED THE WINNER AT A CARD GAME, CARD**
 3 **TOURNAMENT, OR CASINO EVENT OF A PRIZE FOR WHICH THE ISSUANCE OF**
 4 **INTERNAL REVENUE SERVICE FORM W-2G OR A SUBSTANTIALLY EQUIVALENT**
 5 **FORM IS REQUIRED.**

6 **(L) AN ORGANIZATION THAT IS FOUND TO HAVE VIOLATED THIS SECTION IS**
 7 **INELIGIBLE TO RECEIVE A PERMIT UNDER THIS SECTION FOR A PERIOD OF 5 YEARS.**

8 **(M) THE COUNTY EXECUTIVE MAY ADOPT REGULATIONS TO CARRY OUT**
 9 **THIS SECTION, INCLUDING REGULATIONS TO GOVERN:**

10 **(1) THE ISSUING OF PERMITS; AND**

11 **(2) THE CONDUCT AND MANAGEMENT OF A CARD GAME, CARD**
 12 **TOURNAMENT, OR CASINO EVENT IN A MANNER TO PREVENT FRAUD AND PROTECT**
 13 **THE PUBLIC.**

14 **(N) THE COUNTY COUNCIL MAY ADOPT REGULATIONS TO GOVERN PERMIT**
 15 **FEES UNDER THIS SECTION.**

16 13-408.

17 (a) A person may not knowingly operate or attempt to operate a gaming event in
 18 the county in violation of § 13-403 [or], § 13-404, **OR § 13-404.1** of this subtitle.

19 (b) A person who violates this section is guilty of a misdemeanor and on conviction
 20 is subject to imprisonment not exceeding 6 months or a fine not exceeding \$1,000 or both.

21 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
 22 October 1, 2016.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.