

HOUSE BILL 928

C7
HB 1288/10 – W&M

2lr1703

By: **Delegate Weir**
Introduced and read first time: February 10, 2012
Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Video Lottery Terminals – Increase in Number of Terminals and Licensees**

3 FOR the purpose of increasing the number of video lottery operation licenses and video
4 lottery terminals that may be awarded by the Video Lottery Facility Location
5 Commission; authorizing the awarding of video lottery operation licenses to
6 holders of certain alcoholic beverages licenses in the State; limiting the number
7 of video lottery terminals that may be operated in one licensed establishment;
8 authorizing the Commission to replace certain video gaming devices with video
9 lottery terminals; making this Act contingent on the passage and ratification of
10 a certain constitutional amendment; requiring the Commission to adopt certain
11 regulations; and generally relating to the operation of video lottery terminals in
12 the State.

13 BY repealing and reenacting, with amendments,
14 Article – State Government
15 Section 9–1A–05(a) and 9–1A–36(f), (g), and (q)(1)
16 Annotated Code of Maryland
17 (2009 Replacement Volume and 2011 Supplement)

18 BY adding to
19 Article – State Government
20 Section 9–1A–05(e)
21 Annotated Code of Maryland
22 (2009 Replacement Volume and 2011 Supplement)

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

25 **Article – State Government**

26 9–1A–05.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter deleted from existing law.



1 (a) The Video Lottery Facility Location Commission established under §
2 9–1A–36 of this subtitle may not:

3 (1) **EXCEPT AS PROVIDED IN SUBSECTION (E) OF THIS SECTION,**
4 award more than five video lottery operation licenses;

5 (2) **EXCEPT AS PROVIDED IN SUBSECTION (E) OF THIS SECTION,**
6 award more than 15,000 video lottery terminals for operation at video lottery facilities
7 in the State;

8 (3) subject to the requirements of § 9–1A–36(h) and (i) of this subtitle,
9 award more than 4,750 terminals for operation at any video lottery facility; and

10 (4) for a location in Allegany County:

11 (i) award a video lottery operation license to an applicant that
12 does not agree to purchase the Rocky Gap Lodge and Resort; and

13 (ii) notwithstanding § 9–1A–36(i)(2) of this subtitle, award more
14 than 1,000 video lottery terminals for operation at a video lottery facility in Allegany
15 County.

16 **(E) (1) IN ADDITION TO THE FIVE VIDEO LOTTERY OPERATION**
17 **LICENSES THAT MAY BE AWARDED UNDER SUBSECTION (A)(1) OF THIS SECTION,**
18 **THE COMMISSION MAY AWARD VIDEO LOTTERY OPERATION LICENSES**
19 **THROUGHOUT THE STATE TO:**

20 **(I) A HOLDER OF A CLASS B OR CLASS D ALCOHOLIC**
21 **BEVERAGES LICENSE THAT IN THE LICENSED ESTABLISHMENT OFFERS A**
22 **KENO–TYPE GAME TO THE PUBLIC;**

23 **(II) A HOLDER OF A CLASS B OR CLASS D ALCOHOLIC**
24 **BEVERAGES LICENSE THAT OFFERS TO THE PUBLIC IN THE LICENSED**
25 **ESTABLISHMENT A VIDEO GAMING DEVICE THAT IS OPERATED TO PROVIDE**
26 **AMUSEMENT OR ENTERTAINMENT ONLY; AND**

27 **(III) A NONPROFIT FRATERNAL ORGANIZATION THAT HOLDS**
28 **AN ALCOHOLIC BEVERAGES LICENSE.**

29 **(2) THE COMMISSION MAY NOT AUTHORIZE MORE THAN:**

30 **(I) A TOTAL OF 5,000 VIDEO LOTTERY TERMINALS TO BE**
31 **OPERATED BY PERSONS SPECIFIED IN PARAGRAPH (1) OF THIS SUBSECTION; OR**

1 **(II) FOUR VIDEO LOTTERY TERMINALS TO BE OPERATED IN**
2 **ONE LICENSED ESTABLISHMENT.**

3 **(3) THE COMMISSION MAY REPLACE UP TO FOUR VIDEO GAMING**
4 **DEVICES SPECIFIED IN PARAGRAPH (1)(II) OF THIS SUBSECTION WITH THE**
5 **SAME NUMBER OF VIDEO LOTTERY TERMINALS.**

6 **(4) THE COMMISSION SHALL ADOPT REGULATIONS TO CARRY**
7 **OUT THIS SUBSECTION.**

8 9-1A-36.

9 (f) **[The] EXCEPT AS PROVIDED IN § 9-1A-05(E) OF THIS SUBTITLE,**
10 **THE** Video Lottery Facility Location Commission may award not more than five video
11 lottery operation licenses to qualified applicants, through a competitive process
12 consistent with the process for competitive sealed proposals under Title 13 of the State
13 Finance and Procurement Article.

14 (g) **[The] EXCEPT AS PROVIDED IN § 9-1A-05(E) OF THIS SUBTITLE,**
15 **THE** Video Lottery Facility Location Commission may not award more than one video
16 lottery facility operation license in a single county or Baltimore City.

17 (q) (1) Nothing in this subtitle may be construed to require the Video
18 Lottery Facility Location Commission to award all **[five]** video lottery operation
19 licenses authorized under this subtitle.

20 SECTION 2. AND BE IT FURTHER ENACTED, That this Act is contingent on
21 the passage of Chapter ___ (S.B. ___/H.B. ___)(2lr1702) of the Acts of the General
22 Assembly of 2012, a constitutional amendment, and its ratification by the voters of the
23 State.

24 SECTION 3. AND BE IT FURTHER ENACTED, That, subject to the provisions
25 of Section 2 of this Act, this Act shall take effect on the proclamation of the Governor
26 that the constitutional amendment, having received a majority of the votes cast at the
27 general election, has been adopted by the people of Maryland.