

HOUSE BILL 980

C7

0lr2148

By: **Harford County Delegation**

Introduced and read first time: February 12, 2010

Assigned to: Ways and Means

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 24, 2010

CHAPTER _____

1 AN ACT concerning

2 **Harford County – Casino Events**

3 FOR the purpose of creating in Harford County a permit that authorizes certain
4 nonprofit organizations to conduct a casino event; specifying certain standards
5 and requirements that organizations must meet to be issued a permit;
6 specifying a certain maximum number of events an organization may hold in a
7 year and the location and hours for conducting a casino event; authorizing
8 certain games to be conducted at a casino event under certain circumstances;
9 specifying the maximum bet a single individual may place on a game; specifying
10 that alcoholic beverages may be served or sold under certain conditions;
11 prohibiting profits or proceeds from being paid to certain persons or after
12 certain costs are deducted for purposes other than the purposes of the
13 organization; requiring the holder of a permit to meet certain financial
14 reporting requirements; authorizing the Sheriff of Harford County to refuse to
15 issue a permit under certain conditions; requiring the Sheriff to adopt certain
16 regulations; providing a certain penalty; defining a certain term; and generally
17 relating to casino ~~night~~ events in Harford County.

18 BY renumbering

19 Article – Criminal Law

20 Section 13–1512

21 to be Section 13–1513

22 Annotated Code of Maryland

23 (2002 Volume and 2009 Supplement)

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 BY adding to
 2 Article – Criminal Law
 3 Section 13–1512
 4 Annotated Code of Maryland
 5 (2002 Volume and 2009 Supplement)

6 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
 7 MARYLAND, That Section(s) 13–1512 of Article – Criminal Law of the Annotated
 8 Code of Maryland be renumbered to be Section(s) 13–1513.

9 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland
 10 read as follows:

11 **Article – Criminal Law**

12 **13–1512.**

13 (A) IN THIS SECTION, “CASINO EVENT” MEANS AN EVENT THAT
 14 INVOLVES A CARD GAME, DICE GAME, OR ROULETTE, ~~OR FILMS OR VIDEO~~
 15 ~~RECORDINGS OF HORSE RACES.~~

16 (B) AN ORGANIZATION SHALL BE ISSUED A PERMIT FROM THE SHERIFF
 17 BEFORE THE ORGANIZATION MAY CONDUCT A CASINO EVENT.

18 (C) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS
 19 SUBSECTION, AN ORGANIZATION IS ELIGIBLE TO BE ISSUED A PERMIT IF:

20 (I) THE ORGANIZATION QUALIFIES AS A NONPROFIT
 21 ORGANIZATION UNDER § 501(C)(3) OF THE INTERNAL REVENUE CODE, HAS
 22 BEEN LOCATED IN THE COUNTY FOR AT LEAST 1 YEAR BEFORE APPLYING FOR
 23 THE PERMIT, AND IS A BONA FIDE:

24 1. STATE-CHARTERED VETERANS ORGANIZATION
 25 THAT IS AUTHORIZED BY A NATIONALLY CHARTERED VETERANS ORGANIZATION;

26 2. TAX-SUPPORTED VOLUNTEER FIRE COMPANY; OR

27 3. ORGANIZATION THAT INTENDS TO RAISE MONEY
 28 FOR AN EXCLUSIVELY CHARITABLE, AMATEUR ATHLETIC, OR EDUCATIONAL
 29 PURPOSE SPECIFICALLY DESCRIBED IN THE PERMIT APPLICATION; OR

30 (II) THE ORGANIZATION IS A NONPROFIT RELIGIOUS GROUP
 31 THAT HAS CONDUCTED RELIGIOUS SERVICES AT A FIXED LOCATION IN THE
 32 COUNTY FOR AT LEAST 3 YEARS BEFORE APPLYING FOR THE PERMIT.

1 **(2) A COLLEGE OR HIGH SCHOOL FRATERNITY OR SORORITY OR**
2 **ANY OTHER ORGANIZATION WHOSE MEMBERSHIP IS RESTRICTED LARGELY TO**
3 **STUDENTS OR GRADUATES OF AN EDUCATIONAL INSTITUTION OR**
4 **PROFESSIONAL SCHOOL DOES NOT QUALIFY FOR A PERMIT.**

5 **(D) TO BE ISSUED A PERMIT, AN ORGANIZATION SHALL:**

6 **(1) SUBMIT AN APPLICATION TO THE SHERIFF OF THE COUNTY**
7 **ON A FORM THAT THE SHERIFF REQUIRES;**

8 **(2) STATE ON THE APPLICATION FORM THE PURPOSE FOR WHICH**
9 **THE PROCEEDS OF THE CASINO EVENT WILL BE USED; AND**

10 **(3) PAY THE PERMIT FEE THAT THE SHERIFF DETERMINES.**

11 **(E) (1) (I) A HOLDER OF A PERMIT MAY CONDUCT NOT MORE THAN**
12 **FOUR CASINO EVENTS IN A CALENDAR YEAR.**

13 **(II) A PERMIT IS NOT TRANSFERABLE.**

14 **(2) A CASINO EVENT MAY BE HELD ONLY:**

15 **(I) BETWEEN 4 P.M. TO 1 A.M.; AND**

16 **(II) IN A STRUCTURE OR AT A LOCATION THAT IS OWNED,**
17 **LEASED, OR OCCUPIED BY THE HOLDER OF THE PERMIT.**

18 **(3) A SEPARATE PERMIT IS REQUIRED FOR EACH CASINO EVENT.**

19 **(4) (I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH,**
20 **BINGO, INSTANT BINGO, A RAFFLE, A PADDLE WHEEL, OR A 50/50 RAFFLE MAY**
21 **BE INCLUDED IN THE GAMES CONDUCTED AT A CASINO EVENT.**

22 **(II) A CASINO EVENT MAY NOT CONSIST EXCLUSIVELY OF**
23 **ONLY A GAME SPECIFIED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH.**

24 **(F) (1) THE MAXIMUM BET A SINGLE INDIVIDUAL MAY PLACE ON ANY**
25 **GAME CONDUCTED DURING A CASINO EVENT IS \$10.**

26 **(2) A HOLDER OF A PERMIT MAY SERVE OR SELL ALCOHOLIC**
27 **BEVERAGES AT A CASINO EVENT ONLY IF THE HOLDER IS ISSUED THE PROPER**
28 **LICENSE BY THE BOARD OF LICENSE COMMISSIONERS FOR HARFORD COUNTY.**

29 **(3) THE HOLDER OF A PERMIT MAY AWARD PRIZES OF MONEY OR**
30 **MERCHANDISE.**

1 **(G) AN ORGANIZATION MAY RENT OR PURCHASE NECESSARY**
2 **EQUIPMENT AND SUPPLIES TO CONDUCT A CASINO EVENT BUT MAY NOT ENTER**
3 **INTO A LEASE OR OTHER AGREEMENT TO SHARE PROFITS FROM THE CASINO**
4 **EVENT.**

5 **(H) (1) A CASINO EVENT SHALL BE MANAGED AND OPERATED**
6 **PERSONALLY BY MEMBERS OF THE ORGANIZATION CONDUCTING THE EVENT**
7 **WITHOUT THE ASSISTANCE OF ANY OUTSIDE WORKER, INCLUDING A PAID OR**
8 **PROFESSIONAL CASINO OPERATOR, MANAGER, OR SUPPLIER OF EQUIPMENT.**

9 **(2) A MEMBER OF THE ORGANIZATION MAY NOT RECEIVE OR BE**
10 **PAID ANY OF THE PROCEEDS FROM THE CASINO EVENT FOR PERSONAL USE OR**
11 **BENEFIT.**

12 **(3) A PERSON MAY NOT RECEIVE A SALARY, COMMISSION, OR**
13 **COMPENSATION OF ANY KIND FOR MANAGING THE CASINO EVENT OR**
14 **OPERATING A GAME PLAYED IN THE CASINO EVENT.**

15 **(4) A PERSON OTHER THAN THE HOLDER OF THE PERMIT MAY**
16 **NOT RECEIVE OR BE PAID ANY PROCEEDS.**

17 **(I) AFTER COSTS INCURRED IN CONDUCTING A CASINO EVENT ARE**
18 **DEDUCTED, PROCEEDS FROM A CASINO EVENT MAY BE USED ONLY FOR THE**
19 **PURPOSES OF THE ORGANIZATION.**

20 **(J) (1) WITHIN 30 DAYS AFTER A CASINO EVENT, THE HOLDER OF**
21 **THE PERMIT SHALL SUBMIT TO THE SHERIFF A FINANCIAL REPORT THAT LISTS**
22 **ALL OF THE RECEIPTS AND EXPENDITURES FOR THE EVENT.**

23 **(2) THE REPORT SHALL CONTAIN A FULL ACCOUNTING OF THE**
24 **PROCEEDS AND EXPENSES OF THE EVENT.**

25 **(3) THE SHERIFF OR THE OFFICE OF THE STATE'S ATTORNEY**
26 **MAY REQUIRE THE HOLDER OF THE PERMIT TO PRODUCE ALL FINANCIAL**
27 **RECORDS OF THE EVENT.**

28 **(4) THE HOLDER OF THE PERMIT SHALL KEEP ALL FINANCIAL**
29 **RECORDS OF THE CASINO EVENT FOR AT LEAST 2 YEARS AFTER THE CASINO**
30 **EVENT.**

31 **(5) THE SHERIFF MAY REFUSE TO ISSUE A PERMIT TO AN**
32 **APPLICANT WHO HAS FAILED TO FILE A REQUIRED REPORT FROM A PREVIOUS**
33 **EVENT OR IS LATE IN FILING FEDERAL OR STATE TAX REPORTS.**

1 **(K) THE SHERIFF SHALL ADOPT REGULATIONS TO CARRY OUT THIS**
2 **SECTION.**

3 **(L) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A**
4 **MISDEMEANOR AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT**
5 **EXCEEDING 1 YEAR OR A FINE NOT EXCEEDING \$1,000 OR BOTH.**

6 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
7 July 1, 2010.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.