

HOUSE BILL 1108

C7

0lr2938
CF SB 938

By: **Carroll County Delegation**

Introduced and read first time: February 17, 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 **Carroll County – Gaming**

3 FOR the purpose of authorizing certain nonprofit organizations in Carroll County to
4 conduct a gaming contest that is a card game, card tournament, or casino night;
5 authorizing the county commissioners to issue a permit to conduct a gaming
6 contest; specifying certain conditions under which a permit holder may conduct
7 a gaming contest; restricting a permit holder from conducting more than a
8 certain number of gaming contests in a calendar year; specifying the purposes
9 for which certain proceeds may be used; specifying the time when a gaming
10 contest may be conducted; requiring a participant to use wagering tokens for
11 wagering under certain conditions; prohibiting a permit holder from taking
12 certain actions; requiring a permit holder to submit to the Sheriff's Office a
13 certain financial report within a certain time; authorizing the county
14 commissioners to adopt certain regulations; imposing certain penalties; defining
15 certain terms; and generally relating to card games, card tournaments, and
16 casino nights in Carroll County.

17 BY repealing and reenacting, with amendments,
18 Article – Criminal Law
19 Section 13–906 and 13–909
20 Annotated Code of Maryland
21 (2002 Volume and 2009 Supplement)

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

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 **Article – Criminal Law**

2 13–906.

3 (a) Notwithstanding § 13–903 of this subtitle, a person may not conduct a
4 card game, dice game, roulette, or casino night unless the person is:

5 **(1)** a senior center site council that conducts a card game under
6 subsection (b) of this section; **OR**

7 **(2)** **A QUALIFIED ORGANIZATION THAT OBTAINS A PERMIT FROM**
8 **THE COUNTY COMMISSIONERS TO CONDUCT A ~~CARD GAME, CARD TOURNAMENT,~~**
9 **~~OR CASINO NIGHT~~ GAMING CONTEST UNDER SUBSECTION (C) OF THIS SECTION.**

10 (b) (1) A senior center site council may conduct a card game in a senior
11 center 5 days per week, excluding Sunday.

12 (2) A senior center site council may not:

13 (i) award a prize of money exceeding \$5 to a winner in each
14 session; and

15 (ii) charge a participant more than \$1 to play one session.

16 (3) All money that remains after prizes are awarded shall be
17 distributed to the senior center site council.

18 **(c) (1) (i) IN THIS SUBSECTION THE FOLLOWING WORDS HAVE**
19 **THE MEANINGS INDICATED.**

20 **(ii) “CASINO NIGHT” INCLUDES THE PLAY OF CARD GAMES,**
21 **DICE GAMES, AND ROULETTE.**

22 **(iii) “GAMING CONTEST” MEANS A CARD GAME, CARD**
23 **TOURNAMENT, OR CASINO NIGHT.**

24 **(iv) “PERMIT” MEANS A PERMIT TO CONDUCT A GAMING**
25 **CONTEST.**

26 **(v) “QUALIFIED ORGANIZATION” MEANS A BONA FIDE:**

27 **1. AMATEUR ATHLETIC ORGANIZATION;**

28 **2. CHARITABLE ORGANIZATION;**

- 1 3. CIVIC ORGANIZATION;
- 2 4. FRATERNAL ORGANIZATION;
- 3 5. HOSPITAL;
- 4 6. RELIGIOUS ORGANIZATION;
- 5 7. VOLUNTEER FIRE COMPANY; OR
- 6 8. WAR VETERANS' ORGANIZATION.

7 (2) THE COUNTY COMMISSIONERS MAY ISSUE A PERMIT TO
8 CONDUCT A ~~CARD GAME, CARD TOURNAMENT, OR CASINO NIGHT~~ GAMING
9 CONTEST UNDER THIS SUBSECTION ONLY TO AN APPLICANT THAT IS A
10 QUALIFIED ORGANIZATION AND MEETS THE REQUIREMENTS OF THIS
11 SUBSECTION.

12 (3) (I) A GAMING CONTEST SHALL BE MANAGED AND
13 OPERATED ONLY BY THE MEMBERS OF THE QUALIFIED ORGANIZATION THAT
14 HOLDS THE PERMIT.

15 (II) A GAMING CONTEST MAY ONLY BE HELD IN A
16 STRUCTURE OR AT A LOCATION THAT IS OWNED, LEASED, OR OCCUPIED BY THE
17 QUALIFIED ORGANIZATION THAT HOLDS THE PERMIT.

18 ~~(II)~~ (III) A MANAGER OR AN OPERATOR OF A GAMING
19 CONTEST AND AN INDIVIDUAL THAT PARTICIPATES IN A GAMING CONTEST
20 SHALL BE AT LEAST 18 YEARS OLD.

21 (4) (I) A QUALIFIED ORGANIZATION MAY CONDUCT NOT MORE
22 THAN FOUR GAMING CONTESTS PER CALENDAR YEAR IN THE COUNTY.

23 (II) PROCEEDS FROM A GAMING CONTEST:

24 1. MAY BE USED ONLY TO BENEFIT CHARITY OR TO
25 FURTHER THE PURPOSE OF THE QUALIFIED ORGANIZATION; AND

26 2. MAY NOT PERSONALLY BENEFIT AN INDIVIDUAL
27 OR A GROUP OF INDIVIDUALS.

28 (5) (I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS
29 PARAGRAPH, A GAMING CONTEST MAY NOT LAST LONGER THAN 24
30 CONSECUTIVE HOURS.

1 (II) A GAMING CONTEST MAY NOT BE CONDUCTED ON
2 SUNDAY AFTER 1 A.M.

3 (6) A PERMIT IS NOT TRANSFERABLE.

4 (7) (I) A PERMIT HOLDER MAY CHARGE ONLY A PRESET
5 ENTRANCE FEE FOR A GAMING CONTEST.

6 (II) A PARTICIPANT IN A GAMING CONTEST:

7 1. SHALL RECEIVE WAGERING TOKENS IN EXCHANGE
8 FOR THE ENTRANCE FEE; AND

9 2. MAY PURCHASE ADDITIONAL WAGERING TOKENS
10 DURING THE GAMING CONTEST IF THEIR TOTAL COST DOES NOT EXCEED 50%
11 OF THE ENTRANCE FEE.

12 (III) A PERMIT HOLDER SHALL ALLOW ONLY WAGERING
13 TOKENS AND NOT CASH TO BE USED FOR WAGERING.

14 (8) A PERMIT HOLDER CONDUCTING A GAMING CONTEST MAY
15 NOT:

16 (I) EXCHANGE WAGERING TOKENS FOR MONEY OR AN ITEM
17 OF MERCHANDISE THAT IS WORTH MORE THAN \$10,000; OR

18 (II) EXCHANGE MERCHANDISE THAT WAS RECEIVED FOR
19 WAGERING TOKENS FOR MONEY OR AN ITEM OF MERCHANDISE HAVING A VALUE
20 THAT IS DIFFERENT FROM THE FAIR RETAIL MARKET VALUE OF THE ITEM OF
21 MERCHANDISE THAT WAS RECEIVED FOR THE WAGERING TOKENS.

22 (9) WITHIN 60 DAYS AFTER CONDUCTING A GAMING CONTEST, A
23 PERMIT HOLDER SHALL SUBMIT TO THE SHERIFF'S OFFICE A FINANCIAL
24 REPORT THAT LISTS THE RECEIPTS AND EXPENDITURES FOR THE GAMING
25 CONTEST.

26 (10) THE COUNTY COMMISSIONERS MAY ADOPT REGULATIONS
27 FOR:

28 (I) THE ISSUING OF PERMITS;

29 (II) ESTABLISHING A PERMIT FEE; AND

30 (III) THE CONDUCT AND MANAGEMENT OF A GAMING
31 CONTEST.

1 **(11) IN ADDITION TO THE PENALTIES IMPOSED UNDER § 13-909**
 2 **OF THIS SUBTITLE, A PERSON THAT VIOLATES THIS SUBSECTION SHALL BE**
 3 **PROHIBITED FROM RECEIVING A PERMIT FOR A PERIOD NOT EXCEEDING 5**
 4 **YEARS.**

5 13-909.

6 (a) A person may not knowingly operate or attempt to operate **A GAMING**
 7 **CONTEST AS DEFINED IN § 13-906(C) OF THIS SUBTITLE OR** a gaming event in
 8 violation of this subtitle.

9 (b) A person who violates this section is guilty of a misdemeanor and on
 10 conviction is subject to imprisonment not exceeding 1 year or a fine not exceeding
 11 \$1,000 or both.

12 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
 13 July 1, 2010.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.