

HOUSE BILL 1192

C7

(4lr3103)

ENROLLED BILL

— Ways and Means/Budget and Taxation —

Introduced by **Delegates Feldmark, Griffith, Atterbeary, Bartlett, Buckel, Davis, Hill, J. Long, Roberts, Stewart, Terrasa, Wu, and Ziegler**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this _____ day of _____ at _____ o'clock, _____ M.

Speaker.

CHAPTER _____

1 AN ACT concerning

2 **Video Lottery ~~Employee Licenses~~ *Facility Operations* – Crimes of Moral**
3 ***Turpitude and Value of Table Game Chips* – Alterations**

4 FOR the purpose of altering the circumstances under which the State Lottery and Gaming
5 Control Commission is required to disqualify an applicant who committed a certain
6 crime involving moral turpitude from holding a video lottery employee license;
7 *altering the definition of “value” as it relates to crimes involving theft to include the*
8 *face value of a chip designated for use in table games; and generally relating to the*
9 licensure of video lottery employees *and theft of table game chips.*

10 *BY repealing and reenacting, without amendments,*

11 *Article – Criminal Law*

12 *Section 7-103(a) and (b)*

13 *Annotated Code of Maryland*

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.

Italics indicate opposite chamber/conference committee amendments.



1 (2021 Replacement Volume and 2023 Supplement)

2 BY adding to

3 Article – Criminal Law

4 Section 7–103(g)

5 Annotated Code of Maryland

6 (2021 Replacement Volume and 2023 Supplement)

7 BY repealing and reenacting, without amendments,

8 Article – State Government

9 Section 9–1A–14(a)

10 Annotated Code of Maryland

11 (2021 Replacement Volume and 2023 Supplement)

12 BY repealing and reenacting, with amendments,

13 Article – State Government

14 Section 9–1A–14(c)

15 Annotated Code of Maryland

16 (2021 Replacement Volume and 2023 Supplement)

17 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

18 That the Laws of Maryland read as follows:

19 Article – Criminal Law

20 7–103.

21 (a) In this section, “value” means:

22 (1) the market value of the property or service at the time and place of the
23 crime; or

24 (2) if the market value cannot satisfactorily be ascertained, the cost of the
25 replacement of the property or service within a reasonable time after the crime.

26 (b) The value of property or service under this part shall be determined in
27 accordance with this section.

28 (G) THE VALUE OF A CHIP DESIGNATED FOR USE IN A TABLE GAME
29 AUTHORIZED UNDER TITLE 9, SUBTITLE 1A OF THE STATE GOVERNMENT ARTICLE
30 IS:

31 (1) THE FACE VALUE DEPICTED ON THE CHIP; OR

1 (2) IF NO FACE VALUE IS DEPICTED ON THE CHIP, THE VALUE
2 DESIGNATED BY THE MARYLAND LOTTERY AND GAMING CONTROL COMMISSION
3 BASED ON THE COLOR OF THE CHIP.

4 **Article – State Government**

5 9–1A–14.

6 (a) Unless an individual holds a valid video lottery employee license or temporary
7 video lottery employee license issued by the Commission, the individual may not be
8 employed by a video lottery operation licensee as a video lottery employee.

9 (c) (1) The Commission shall deny a video lottery employee license to an
10 applicant who is disqualified due to:

11 (i) the applicant’s failure to prove the applicant’s good character,
12 honesty, and integrity;

13 (ii) the applicant’s lack of expertise or training to be a video lottery
14 employee;

15 (iii) except as provided in [paragraph (2)] **PARAGRAPHS (2) AND (3)**
16 of this subsection, the applicant’s conviction, active parole, or probation for any crime
17 involving moral turpitude or gambling under the laws of the United States or any state
18 within the prior 7 years;

19 (iv) except as provided in [paragraph (2)] **PARAGRAPHS (2) AND (3)**
20 of this subsection, the applicant’s current prosecution for any crime involving moral
21 turpitude or gambling under the laws of the United States or any state, but, at the request
22 of the applicant, the Commission may defer a decision on the application during the
23 pendency of the charge;

24 (v) pursuit by the applicant of economic gain in an occupational
25 manner or context that is in violation of the laws of the State, if the pursuit creates a
26 reasonable belief that participation of the applicant in video lottery operations would be
27 inimical to the policies of this subtitle;

28 (vi) identification of the applicant as a career offender or a member
29 of a career offender cartel or an associate of a career offender or career offender cartel in a
30 manner that creates a reasonable belief that the association is of a nature as to be inimical
31 to the policies of this subtitle;

32 (vii) willful defiance by the applicant or a person that is required to
33 be qualified under this subtitle as a condition of a license of a legislative investigatory body
34 or other official investigatory body of the United States or a jurisdiction within the United

1 States when the body is engaged in the investigation of crimes relating to gambling, official
2 corruption, or organized crime activity; and

3 (viii) any other reason established in the regulations of the
4 Commission as a reason for denying a license.

5 (2) (i) In this paragraph, “problem–solving court” means a
6 problem–solving court under the Office of Problem–Solving Courts, or a comparable
7 program from another state court system, that provides a collaborative, therapeutic,
8 nonadversarial approach to judicial supervision of eligible offenders, including a drug court,
9 DUI court, veterans’ court, mental health court, or reentry court.

10 (ii) An applicant is not disqualified from licensure under paragraph
11 (1)(iii) or (iv) of this subsection if the conviction, active parole, probation, or prosecution
12 involves a nonviolent misdemeanor offense, other than a crime involving gambling, for
13 which the applicant participated in and completed a problem–solving court program.

14 **(3) AN APPLICANT IS NOT DISQUALIFIED FROM LICENSURE UNDER**
15 **PARAGRAPH (1)(III) OR (IV) OF THIS SUBSECTION IF:**

16 **(I) THE CONVICTION, ACTIVE PAROLE, PROBATION, OR**
17 **PROSECUTION INVOLVES A NONVIOLENT MISDEMEANOR OFFENSE, OTHER THAN A**
18 **CRIME INVOLVING GAMBLING;**

19 **(II) THE APPLICANT WILL NOT BE EMPLOYED BY THE VIDEO**
20 **LOTTERY OPERATION LICENSEE IN THE OPERATION OF GAMING OR SECURITY; AND**

21 **(III) THE VIDEO LOTTERY OPERATION LICENSEE REQUESTS**
22 **THAT THE COMMISSION ISSUE THE LICENSE NOTWITHSTANDING THE CONVICTION,**
23 **ACTIVE PAROLE, PROBATION, OR PROSECUTION.**

24 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
25 1, 2024.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.