

HOUSE BILL 1231

C7

4lr3048

By: **Delegate Stukes**

Introduced and read first time: February 7, 2014

Assigned to: Ways and Means

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 11, 2014

CHAPTER _____

1 AN ACT concerning

2 **Baltimore City – Charitable Gaming Events – Nonprofit Organizations**

3 FOR the purpose of authorizing in Baltimore City a nonprofit organization to hold a
4 charitable gaming event under certain conditions; authorizing a charitable
5 gaming event to include card games, dice games, and roulette; requiring that a
6 nonprofit organization be issued a permit before conducting a charitable event;
7 requiring that a person who works as an operator of the charitable gaming
8 event be named on the permit; requiring the Baltimore City Police
9 Commissioner to take certain actions before issuing a permit; requiring the
10 Commissioner to make certain permit applications a matter of public record;
11 prohibiting an individual or a group of individuals from receiving certain
12 benefits; allowing permit holders to pay for certain goods and services; limiting
13 the number of charitable gaming events that permit holders may conduct in a
14 calendar year; requiring permit holders to submit certain documents to the
15 Commissioner and the State Comptroller; prohibiting permit holders from
16 offering or awarding certain prizes; requiring the Commissioner to adopt certain
17 regulations; making a violation of this Act a misdemeanor; providing a certain
18 penalty; defining certain terms; making this Act contingent on the taking effect
19 of another Act; and generally relating to charitable gaming events in Baltimore
20 City.

21 BY repealing and reenacting, without amendments,

22 Article – Criminal Law

23 Section 13–501(a) and (b) and 13–502

24 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.



1 (2012 Replacement Volume and 2013 Supplement)

2 BY adding to

3 Article – Criminal Law

4 Section 13–505.1

5 Annotated Code of Maryland

6 (2012 Replacement Volume and 2013 Supplement)

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

9 **Article – Criminal Law**

10 13–501.

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

12 (b) “Commissioner” means the Baltimore City Police Commissioner.

13 13–502.

14 This subtitle applies only in Baltimore City.

15 **13–505.1.**

16 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE
17 MEANINGS INDICATED.

18 (2) “CHARITABLE GAMING EVENT” MEANS AN EVENT THAT
19 INCLUDES A CARD GAME, A DICE GAME, AND ROULETTE.

20 (3) “NONPROFIT ORGANIZATION” MEANS AN ORGANIZATION IN
21 BALTIMORE CITY THAT IS:

22 (I) A RELIGIOUS ORGANIZATION;

23 (II) A FRATERNAL ORGANIZATION;

24 (III) A CIVIC ORGANIZATION;

25 (IV) A VETERANS’ HOSPITAL;

26 (V) AN AMATEUR ATHLETIC ORGANIZATION IN WHICH ALL
27 PLAYING MEMBERS ARE UNDER THE AGE OF 18 YEARS; OR

28 (VI) A CHARITABLE ORGANIZATION.

1 **(B) (1) (I) A NONPROFIT ORGANIZATION SHALL BE ISSUED A**
2 **PERMIT BY THE COMMISSIONER BEFORE THE NONPROFIT ORGANIZATION MAY**
3 **CONDUCT A CHARITABLE GAMING EVENT.**

4 **(II) A PERSON WHO WORKS AS AN OPERATOR OF THE**
5 **CHARITABLE GAMING EVENT SHALL BE NAMED ON THE PERMIT WITH THE**
6 **NONPROFIT ORGANIZATION.**

7 **(2) BEFORE THE COMMISSIONER MAY ISSUE A PERMIT FOR A**
8 **CHARITABLE GAMING EVENT, THE COMMISSIONER SHALL REVIEW THE**
9 **CHARACTER OF THE NONPROFIT ORGANIZATION APPLYING FOR THE PERMIT TO**
10 **ASCERTAIN THAT THE ORGANIZATION MEETS THE REQUIREMENTS OF THIS**
11 **SUBTITLE.**

12 **(3) THE COMMISSIONER SHALL MAKE ANY APPLICATION FOR A**
13 **PERMIT AND THE ACTION TAKEN BY THE COMMISSIONER ON THAT**
14 **APPLICATION A MATTER OF PUBLIC RECORD.**

15 **(C) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS**
16 **SUBSECTION, A NONPROFIT ORGANIZATION CONDUCTING A CHARITABLE**
17 **GAMING EVENT MAY NOT ALLOW AN INDIVIDUAL OR A GROUP OF INDIVIDUALS**
18 **TO:**

19 **(I) BENEFIT FINANCIALLY FROM THE CHARITABLE GAMING**
20 **EVENT; OR**

21 **(II) RECEIVE ANY OF THE PROCEEDS OF THE CHARITABLE**
22 **GAMING EVENT FOR PERSONAL USE OR BENEFIT.**

23 **(2) A NONPROFIT ORGANIZATION MAY PAY THE COST OF GOODS**
24 **AND OTHER SERVICES ESSENTIAL TO THE OPERATION OF THE CHARITABLE**
25 **GAMING EVENT.**

26 **(D) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, A**
27 **NONPROFIT ORGANIZATION MAY NOT CONDUCT MORE THAN THREE**
28 **CHARITABLE GAMING EVENTS IN A CALENDAR YEAR.**

29 **(2) WITHIN 60 DAYS AFTER HOLDING A CHARITABLE GAMING**
30 **EVENT, THE NONPROFIT ORGANIZATION SHALL SUBMIT TO THE COMMISSIONER**
31 **AND TO THE STATE COMPTROLLER A REPORT THAT LISTS THE RECEIPTS AND**
32 **EXPENSES FOR THE CHARITABLE GAMING EVENT TO DETERMINE THE AMOUNT**
33 **OF THE ADMISSIONS AND AMUSEMENT TAX THAT IS DUE.**

1 **(E) THE NONPROFIT ORGANIZATION THAT HOLDS A CHARITABLE**
 2 **GAMING EVENT MAY NOT:**

3 ~~**(1) OFFER OR AWARD A MONEY PRIZE OF MORE THAN \$500 TO A**~~
 4 ~~**PLAYER OF A CARD GAME OR DICE GAME OR ROULETTE; OR**~~

5 ~~**(2) OFFER OR AWARD MERCHANDISE OF NOT MORE THAN \$1,000**~~
 6 ~~**TO A PLAYER OF A CARD GAME OR DICE GAME OR ROULETTE.**~~

7 **(F) THE COMMISSIONER SHALL ADOPT REGULATIONS FOR:**

8 **(1) THE ISSUANCE OF A PERMIT FOR A CHARITABLE GAMING**
 9 **EVENT; AND**

10 **(2) THE CONDUCT AND MANAGEMENT OF A CHARITABLE GAMING**
 11 **EVENT TO PREVENT FRAUD AND TO PROTECT THE PUBLIC.**

12 **(G) A PERSON WHO KNOWINGLY CONDUCTS OR ATTEMPTS TO CONDUCT**
 13 **A CHARITABLE GAMING EVENT IN VIOLATION OF THIS SECTION IS GUILTY OF A**
 14 **MISDEMEANOR AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT**
 15 **EXCEEDING 1 YEAR OR A FINE NOT EXCEEDING \$1,000 OR BOTH.**

16 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
 17 October 1, 2014, contingent on the taking effect of Chapter ____ (H.B. 1140) of the Acts
 18 of the General Assembly of 2014, and if Chapter ____ (H.B. 1140) does not become
 19 effective, this Act shall be null and void without the necessity of further action by the
 20 General Assembly.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.