

HOUSE BILL 1288

C7

0lr3101

By: **Delegate Weir**

Introduced and read first time: February 18, 2010

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 (p)(1)
16 Annotated Code of Maryland
17 (2009 Replacement Volume)

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

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 issue 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; and

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.

10 **(E) (1) IN ADDITION TO THE FIVE VIDEO LOTTERY OPERATION**
11 **LICENSES THAT MAY BE AWARDED UNDER SUBSECTION (A)(1) OF THIS SECTION,**
12 **THE COMMISSION MAY AWARD VIDEO LOTTERY OPERATION LICENSES**
13 **THROUGHOUT THE STATE TO:**

14 **(I) A HOLDER OF A CLASS B OR CLASS D ALCOHOLIC**
15 **BEVERAGES LICENSE THAT IN THE LICENSED ESTABLISHMENT OFFERS A**
16 **KENO-TYPE GAME TO THE PUBLIC;**

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

21 **(III) A NONPROFIT FRATERNAL ORGANIZATION THAT HOLDS**
22 **AN ALCOHOLIC BEVERAGES LICENSE.**

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

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

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

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

31 **(4) THE COMMISSION SHALL ADOPT REGULATIONS TO CARRY**
32 **OUT THIS SUBSECTION.**

1 9-1A-36.

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

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

10 (p) (1) Nothing in this subtitle may be construed to require the Video
11 Lottery Facility Location Commission to issue all [five] video lottery operation licenses
12 authorized under this subtitle.

13 SECTION 2. AND BE IT FURTHER ENACTED, That this Act is contingent on
14 the passage of Chapter ___ (S.B. ___/H.B. ___)(0lr2961) of the Acts of the General
15 Assembly of 2010, a constitutional amendment, and its ratification by the voters of the
16 State.

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