

SENATE BILL 938

C7

0lr2937
CF HB 1108

By: **Carroll County Senators**

Introduced and read first time: February 17, 2010

Assigned to: Rules

A BILL ENTITLED

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:

24 **Article – Criminal Law**

25 13–906.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

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

5 (2) A QUALIFIED ORGANIZATION THAT OBTAINS A PERMIT FROM
6 THE COUNTY COMMISSIONERS TO CONDUCT A CARD GAME, CARD TOURNAMENT,
7 OR CASINO NIGHT UNDER SUBSECTION (C) OF THIS SECTION.

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

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

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

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

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

16 (c) (1) (I) IN THIS SUBSECTION THE FOLLOWING WORDS HAVE
17 THE MEANINGS INDICATED.

18 (II) “CASINO NIGHT” INCLUDES THE PLAY OF CARD GAMES,
19 DICE GAMES, AND ROULETTE.

20 (III) “GAMING CONTEST” MEANS A CARD GAME, CARD
21 TOURNAMENT, OR CASINO NIGHT.

22 (IV) “PERMIT” MEANS A PERMIT TO CONDUCT A GAMING
23 CONTEST.

24 (V) “QUALIFIED ORGANIZATION” MEANS A BONA FIDE:

25 1. AMATEUR ATHLETIC ORGANIZATION;

26 2. CHARITABLE ORGANIZATION;

27 3. CIVIC ORGANIZATION;

28 4. FRATERNAL ORGANIZATION;

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

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

9 **(3) (I) A GAMING CONTEST SHALL BE MANAGED AND**
10 **OPERATED ONLY BY THE MEMBERS OF THE QUALIFIED ORGANIZATION THAT**
11 **HOLDS THE PERMIT.**

12 **(II) A MANAGER OR AN OPERATOR OF A GAMING CONTEST**
13 **AND AN INDIVIDUAL THAT PARTICIPATES IN A GAMING CONTEST SHALL BE AT**
14 **LEAST 18 YEARS OLD.**

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

17 **(II) PROCEEDS FROM A GAMING CONTEST:**

18 **1. MAY BE USED ONLY TO BENEFIT CHARITY OR TO**
19 **FURTHER THE PURPOSE OF THE QUALIFIED ORGANIZATION; AND**

20 **2. MAY NOT PERSONALLY BENEFIT AN INDIVIDUAL**
21 **OR A GROUP OF INDIVIDUALS.**

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

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

27 **(6) A PERMIT IS NOT TRANSFERABLE.**

28 **(7) (I) A PERMIT HOLDER MAY CHARGE ONLY A PRESET**
29 **ENTRANCE FEE FOR A GAMING CONTEST.**

1 **(II) A PARTICIPANT IN A GAMING CONTEST:**

2 **1. SHALL RECEIVE WAGERING TOKENS IN EXCHANGE**
3 **FOR THE ENTRANCE FEE; AND**

4 **2. MAY PURCHASE ADDITIONAL WAGERING TOKENS**
5 **DURING THE GAMING CONTEST IF THEIR TOTAL COST DOES NOT EXCEED 50%**
6 **OF THE ENTRANCE FEE.**

7 **(III) A PERMIT HOLDER SHALL ALLOW ONLY WAGERING**
8 **TOKENS AND NOT CASH TO BE USED FOR WAGERING.**

9 **(8) A PERMIT HOLDER CONDUCTING A GAMING CONTEST MAY**
10 **NOT:**

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

13 **(II) EXCHANGE MERCHANDISE THAT WAS RECEIVED FOR**
14 **WAGERING TOKENS FOR MONEY OR AN ITEM OF MERCHANDISE HAVING A VALUE**
15 **THAT IS DIFFERENT FROM THE FAIR RETAIL MARKET VALUE OF THE ITEM OF**
16 **MERCHANDISE THAT WAS RECEIVED FOR THE WAGERING TOKENS.**

17 **(9) WITHIN 60 DAYS AFTER CONDUCTING A GAMING CONTEST, A**
18 **PERMIT HOLDER SHALL SUBMIT TO THE SHERIFF'S OFFICE A FINANCIAL**
19 **REPORT THAT LISTS THE RECEIPTS AND EXPENDITURES FOR THE GAMING**
20 **CONTEST.**

21 **(10) THE COUNTY COMMISSIONERS MAY ADOPT REGULATIONS**
22 **FOR:**

23 **(I) THE ISSUING OF PERMITS;**

24 **(II) ESTABLISHING A PERMIT FEE; AND**

25 **(III) THE CONDUCT AND MANAGEMENT OF A GAMING**
26 **CONTEST.**

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

31 13-909.

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

4 (b) A person who violates this section is guilty of a misdemeanor and on
5 conviction is subject to imprisonment not exceeding 1 year or a fine not exceeding
6 \$1,000 or both.

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