

SENATE BILL 101

L2

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CF 7lr1525

By: **Senator Waugh**

Introduced and read first time: January 13, 2017

Assigned to: Budget and Taxation

A BILL ENTITLED

1 AN ACT concerning

2 **St. Mary's County – Licensing and Operation of Amusement Devices – Repeal**

3 FOR the purpose of repealing certain provisions of law that relate to the licensing and
4 operation of certain amusement devices in St. Mary's County.

5 BY repealing

6 The Public Local Laws of St. Mary's County
7 Section 77–1 through 77–4 and the chapter “Chapter 77. Licenses”
8 Article 19 – Public Local Laws of Maryland
9 (2007 Edition and March 2014 Supplement, as amended)

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

12 **Article 19 – St. Mary's County**

13 **[Chapter 77. Licenses.]**

14 **[77–1.**

15 Nothing contained in Article 27, §§ 288 to 307, inclusive, of the Annotated Code of
16 Maryland (1939 Edition), title “Crimes and Punishments,” subtitle “Gambling,” shall be
17 construed as prohibiting, penalizing or making unlawful the keeping, maintenance,
18 operation or distribution for operation, in St. Mary's County, by any person, firm or
19 corporation, on and after December 9, 1947, of any mechanical or electrical amusement
20 devices which require the insertion of a coin or token for their operation and which offer an
21 award to the operator based in whole or in part upon chance or his skill, provided that said
22 mechanical or electrical amusement devices or machines are licensed by the person, firm
23 or corporation who owns or operates the premises upon which said amusement devices are
24 maintained for the use of the public as hereinafter provided in this chapter; provided,

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



however, that any bona fide charitable or veterans organization and any bona fide company may own and operate not more than five (5) such devices for which no license fee shall be required where all the proceeds of such devices are devoted to the exclusive benefit of such organization or company and such devices are maintained solely in the club room or regular meeting place of such organization or company, and provided further, that any bona fide religious or volunteer firemen's organization may operate on not more than two (2) dates in any calendar year up to ten (10) such devices without license at any carnival or social where the proceeds of such devices are devoted to the exclusive benefit of such organization.]

[77-2.

The County Commissioners of St. Mary's County are authorized to impose upon such of the machines and devices described in Section 137 as they shall designate a gross receipts tax in such amount as they shall prescribe upon the total income received from the operation of such machines and devices. The County Commissioners are further authorized to impose, by resolution, an annual license fee at not more than fifty dollars (\$50.00) for each machine so designated, in addition to said gross receipts tax. Said County Commissioners are authorized to prescribe by regulation what persons or organizations shall be eligible to apply for such licenses and operate such machines or devices, the form of application for such licenses, limitations upon the number of machines licensed for any one (1) licensee, types of licenses, the period during which such licenses shall be effective and other matters with respect to the operation, licensing and taxing of said machines by gross receipts tax and license fees as aforesaid.]

[77-3.

The revenues derived from the taxes and fees imposed by Section 138 shall become a part of the general funds of St. Mary's County.]

[77-4.

If the County Commissioners of St. Mary's County shall determine that any licensee under this chapter has permitted any such licensed machine or device to be operated or played by any person under sixteen (16) years of age, said County Commissioners shall suspend all licenses of such licensee held under this chapter for a period of not exceeding sixty (60) days for his first such offense, and for any subsequent offense such licenses shall be revoked and such licensee shall not be eligible for another license for a period of not exceeding two (2) years.]

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2017.