

HOUSE BILL 940

C7

1lr2168

By: **The Speaker**

Introduced and read first time: February 2, 2021

Assigned to: Ways and Means

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 2, 2021

CHAPTER _____

1 AN ACT concerning

2 **Gaming – Regulation of Fantasy Gaming Competitions and Implementation of**
3 **Sports Wagering**

4 FOR the purpose of requiring certain fantasy competition operators to register with the
5 State Lottery and Gaming Control Commission under certain circumstances;
6 authorizing the State Lottery and Gaming Control Commission to impose a certain
7 fee for the registration of a fantasy competition operator; requiring a fantasy
8 competition operator to pay ~~certain fees and~~ a certain percentage of the proceeds
9 from fantasy competitions to the State Lottery and Gaming Control Commission;
10 requiring the State Lottery and Gaming Control Commission to distribute the
11 proceeds from fantasy competitions in a certain manner; altering the authorized uses
12 of the Problem Gambling Fund; authorizing certain license holders to accept wagers
13 on certain sporting events from certain individuals and by certain methods at certain
14 locations; requiring the State Lottery and Gaming Control Commission to regulate
15 sports wagering in the State; requiring the State Lottery and Gaming Control
16 Commission to consider the use of certain technology to carry out certain duties;
17 requiring certain persons to apply to the State Lottery and Gaming Control
18 Commission for certain licenses; requiring certain fees for the issuance and renewal
19 of certain licenses; providing for the terms of certain licenses; providing that certain
20 applicants and licensees are subject to certain minority business participation goals;
21 authorizing the State Lottery and Gaming Control Commission to provide waivers
22 or exemptions from certain licensing requirements under certain circumstances;
23 requiring applicants for certain licenses to pay certain fees set by the State Lottery
24 and Gaming Control Commission; providing for the distribution of certain licensing
25 fees collected by the State Lottery and Gaming Control Commission; providing that

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 certain applicants and licensees have a certain responsibility; requiring certain
2 applicants and licensees to provide certain information, assistance, and cooperation;
3 requiring applicants and licensees to establish certain qualification criteria,
4 including the existence of a certain labor peace agreement; establishing certain
5 procedures and requirements for the issuance of certain licenses; authorizing the
6 State Lottery and Gaming Control Commission to grant or deny certain licenses;
7 authorizing the State Lottery and Gaming Control Commission to deny, suspend, or
8 revoke a license and reprimand or fine a licensee under certain circumstances;
9 authorizing the State Lottery and Gaming Control Commission to impose a certain
10 penalty under certain circumstances; authorizing certain sports wagering licensees
11 to enter into certain agreements for the operation of online sports wagering;
12 providing that an individual may register for online sports wagering either in person
13 or online; prohibiting certain individuals from making a wager and certain sports
14 wagering licensees from accepting a wager from certain individuals; requiring
15 certain sports wagering licensees to establish certain procedures, provide certain
16 safeguards, and report certain information to the State Lottery and Gaming Control
17 Commission; authorizing the State Lottery and Gaming Control Commission to
18 prohibit certain types or forms of wagering or certain individuals from wagering at
19 the request of certain interested parties under certain circumstances; requiring the
20 State Lottery and Gaming Control Commission to respond to certain requests from
21 certain interested parties by a certain time; providing for the accounting and
22 distribution of certain sports wagering proceeds and certain unclaimed winning
23 wagers; requiring the State Lottery and Gaming Control Commission to adopt
24 certain regulations; requiring the State Lottery and Gaming Control Commission to
25 report annually to the Governor and the General Assembly on certain matters on or
26 before a certain date; establishing a Sports Wagering Application Review
27 Commission, its membership, and certain eligibility requirements for membership;
28 providing for certain reimbursements and staffing; authorizing the Sports Wagering
29 Application Review Commission to award not more than a certain number of certain
30 sports wagering licenses; requiring ~~the State Lottery and Gaming Control~~
31 ~~Commission and~~ the Sports Wagering Application Review Commission, in
32 consultation with certain entities, to evaluate a certain study of the sports wagering
33 industry, make a certain determination relating to certain business participation in
34 the sports wagering industry, evaluate certain race-neutral programs and other
35 methods, and adopt certain regulations; requiring the Sports Wagering Application
36 Review Commission, in a certain manner, to seek to achieve racial, ethnic, and
37 gender diversity when awarding certain licenses and to conduct certain outreach to
38 certain small, minority, and women business owners and entrepreneurs for certain
39 purposes; providing for the termination of the Sports Wagering Application Review
40 Commission; authorizing the Governor to reconstitute the Sports Wagering
41 Application Review Commission under certain circumstances; requiring a certain
42 certification agency, in consultation with the Office of the Attorney General and the
43 Governor's Office of Small, Minority, and Women Business Affairs, to initiate a
44 certain analysis; requiring a certain certification agency to submit a certain report
45 to the Legislative Policy Committee on or before a certain date; declaring the intent
46 of the General Assembly; making conforming changes; defining certain terms; and
47 generally relating to wagering on fantasy competitions and sporting events.

- 1 BY renumbering
2 Article – State Government
3 Section 9–1D–01(b) and 9–1D–01(c), respectively
4 to be Section 9–1D–02 and 9–1D–05, respectively
5 Annotated Code of Maryland
6 (2014 Replacement Volume and 2020 Supplement)
- 7 BY repealing and reenacting, without amendments,
8 Article – Education
9 Section 5–219(b)
10 Annotated Code of Maryland
11 (2018 Replacement Volume and 2020 Supplement)
- 12 BY repealing and reenacting, with amendments,
13 Article – Education
14 Section 5–219(f)
15 Annotated Code of Maryland
16 (2018 Replacement Volume and 2020 Supplement)
- 17 BY repealing and reenacting, without amendments,
18 Article – State Government
19 Section 9–1A–01(a) and (k)
20 Annotated Code of Maryland
21 (2014 Replacement Volume and 2020 Supplement)
- 22 BY repealing and reenacting, with amendments,
23 Article – State Government
24 Section 9–1A–03, 9–1A–33(b), and 9–1D–01(a)
25 Annotated Code of Maryland
26 (2014 Replacement Volume and 2020 Supplement)
- 27 BY repealing and reenacting, with amendments,
28 Article – State Government
29 Section 9–1D–02 and 9–1D–05
30 Annotated Code of Maryland
31 (2014 Replacement Volume and 2020 Supplement)
32 (As enacted by Section 1 of this Act)
- 33 BY adding to
34 Article – State Government
35 Section 9–1D–03 and 9–1D–04; and 9–1E–01 through 9–1E–15 to be under the new
36 subtitle “Subtitle 1E. Sports Wagering”
37 Annotated Code of Maryland
38 (2014 Replacement Volume and 2020 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That Section(s) 9–1D–01(b) and 9–1D–01(c), respectively, of Article – State Government of the Annotated Code of Maryland be renumbered to be Section(s) 9–1D–02 and 9–1D–05, respectively.

SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Education

5–219.

(b) There is The Blueprint for Maryland’s Future Fund.

(f) The Fund consists of:

(1) Revenue distributed to the Fund under **TITLE 9, SUBTITLES 1D AND 1E OF THE STATE GOVERNMENT ARTICLE AND §§ 2–605.1 and 2–1303** of the Tax – General Article;

(2) Money appropriated in the State budget for the Fund; and

(3) Any other money from any other source accepted for the benefit of the Fund.

Article – State Government

9–1A–01.

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

(k) “Commission” means the State Lottery and Gaming Control Commission.

9–1A–03.

(a) Except as provided in subsection (b) of this section, any additional forms or expansion of commercial gaming other than as expressly provided in this subtitle **AND SUBTITLE 1E OF THIS TITLE** are prohibited.

(b) This subtitle, including the authority provided to the Commission under this subtitle, does not apply to:

(1) lotteries conducted under Subtitle 1 of this title;

(2) wagering on horse racing conducted under Title 11 of the Business Regulation Article;

(3) the operation of slot machines as provided under Titles 12 and 13 of the Criminal Law Article; or

(4) other gaming conducted under Titles 12 and 13 of the Criminal Law Article.

9–1A–33.

(b) (1) (i) There is a Problem Gambling Fund in the Maryland Department of Health.

(ii) The purpose of the Fund is primarily to provide funding for problem gambling treatment and prevention programs, including:

1. inpatient and residential services;
2. outpatient services;
3. intensive outpatient services;
4. continuing care services;
5. educational services;
6. services for victims of domestic violence; and
7. other preventive or rehabilitative services or treatment.

(2) The Problem Gambling Fund is a special, nonlapsing fund that is not subject to § 7–302 of the State Finance and Procurement Article.

(3) Money in the Problem Gambling Fund shall be invested and reinvested by the Treasurer, and interest and earnings shall accrue to the Fund.

(4) Except as provided in paragraph (5) of this subsection, expenditures from the Problem Gambling Fund shall be made only by the Maryland Department of Health to:

(i) establish a 24–hour hotline for compulsive and problem gamblers and to provide counseling and other support services for compulsive and problem gamblers;

(ii) establish an outreach program for compulsive and problem gamblers, including individuals who requested placement on the voluntary exclusion list established by the Commission under § 9–1A–24 of this subtitle, for the purpose of participating in problem gambling treatment and prevention programs; [and]

(iii) develop and implement free or reduced cost problem gambling treatment and prevention programs, including the programs established under Title 19, Subtitle 8 of the Health – General Article; AND

(IV) DEVELOP AND IMPLEMENT FREE OR REDUCED COST PROBLEM GAMBLING TREATMENT AND PREVENTION PROGRAMS TARGETED AT INDIVIDUALS WITH PROBLEM GAMBLING ISSUES RELATED TO SPORTS WAGERING, PARTICIPATION IN FANTASY COMPETITIONS, AND OTHER FORMS OF WAGERING, WHETHER LEGAL OR ILLEGAL, CONDUCTED IN THE STATE OR THROUGH ONLINE MEANS.

(5) After satisfying the requirements of paragraph (4) of this subsection, any unspent funds in the Problem Gambling Fund may be expended by the Maryland Department of Health on drug and other addiction treatment services.

(6) Expenditures from the Problem Gambling Fund shall be made in accordance with an appropriation approved by the General Assembly in the annual State budget or by the budget amendment procedure provided for in § 7–209 of the State Finance and Procurement Article.

9–1D–01.

(a) In this [section, “fantasy”] **SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.**

(B) “COMMISSION” HAS THE MEANING STATED IN § 9–1A–01 OF THIS TITLE.

(C) “ENTRY FEE” MEANS CASH OR CASH EQUIVALENTS THAT A FANTASY COMPETITION PLAYER IS REQUIRED TO PAY TO A FANTASY COMPETITION OPERATOR IN ORDER TO PARTICIPATE IN A FANTASY COMPETITION.

(D) “FANTASY competition” includes any online fantasy or simulated game or contest such as fantasy sports, in which:

(1) participants own, manage, or coach imaginary teams;

(2) all prizes and awards offered to winning participants are established and made known to participants in advance of the game or contest;

(3) the winning outcome of the game or contest reflects the relative skill of the participants and is determined by statistics generated by actual individuals (players or teams in the case of a professional sport); and

(4) no winning outcome is based:

(i) solely on the performance of an individual athlete; or

(ii) on the score, point spread, or any performances of any single real-world team or any combination of real-world teams.

(E) (1) “FANTASY COMPETITION OPERATOR” MEANS ANY PERSON THAT OFFERS SERVICES IN CONNECTION WITH FANTASY COMPETITIONS TO INDIVIDUALS BY MEANS OF:

(I) THE INTERNET;

(II) A SMART PHONE APPLICATION; OR

(III) ANY OTHER ELECTRONICS, DIGITAL MEDIA, COMMUNICATION TECHNOLOGY, OR DEVICE.

(2) “FANTASY COMPETITION OPERATOR” INCLUDES, FOR PURPOSES OF THE FEDERAL BANK SECRECY ACT OF 1970 AND ITS RELATED REGULATIONS, A GAMING ESTABLISHMENT HAVING AT LEAST \$1,000,000 IN ANNUAL GROSS REVENUE.

~~(2)~~ (3) “FANTASY COMPETITION OPERATOR” DOES NOT INCLUDE AN INDIVIDUAL WHO:

(I) ORGANIZES A FANTASY COMPETITION IN WHICH THE INDIVIDUAL ALSO PARTICIPATES;

(II) RECEIVES NO COMPENSATION FOR ORGANIZING THE FANTASY COMPETITION; AND

(III) IS NOT AFFILIATED WITH A FANTASY COMPETITION OPERATOR.

(F) “FANTASY COMPETITION PLAYER” MEANS AN INDIVIDUAL WHO PARTICIPATES IN A FANTASY COMPETITION OFFERED BY A FANTASY COMPETITION OPERATOR.

(G) “PROCEEDS” MEANS, FOR A FANTASY COMPETITION, THE AMOUNT OF ENTRY FEES COLLECTED BY A FANTASY COMPETITION OPERATOR FROM ALL FANTASY COMPETITION PLAYERS ENTERING THE FANTASY COMPETITION, LESS WINNINGS PAID TO FANTASY COMPETITION PLAYERS, MULTIPLIED BY THE RESIDENT PERCENTAGE.

(H) “RESIDENT PERCENTAGE” MEANS, FOR A FANTASY COMPETITION, THE PERCENTAGE, ROUNDED TO THE NEAREST ONE-HUNDREDTH OF A PERCENT, OF THE

1 TOTAL ENTRY FEES COLLECTED BY A FANTASY COMPETITION OPERATOR FROM
2 STATE RESIDENTS DIVIDED BY THE TOTAL ENTRY FEES COLLECTED FROM ALL
3 PLAYERS, REGARDLESS OF THE PLAYERS' LOCATIONS, OF THE FANTASY CONTESTS.

4 9-1D-02.

5 [(1)] (A) Notwithstanding the provisions of Title 12 of the Criminal Law
6 Article or any other title, and except as provided under [paragraph (2)] SUBSECTION (B)
7 of this [subsection] SECTION, the prohibitions against betting, wagering, and gambling do
8 not apply to participation in a fantasy competition.

9 [(2)] (B) A person may not operate a kiosk or machine that offers fantasy
10 competition to the public in a place of business physically located in the State.

11 9-1D-03.

12 (A) A FANTASY COMPETITION OPERATOR SHALL REGISTER WITH THE
13 COMMISSION ~~AND PAY AN INITIAL REGISTRATION FEE OF \$50,000~~ BEFORE THE
14 FANTASY COMPETITION OPERATOR MAY OFFER A FANTASY COMPETITION OR
15 SERVICES IN CONNECTION WITH A FANTASY COMPETITION IN THE STATE.

16 (B) ~~(1)~~ UNLESS A REGISTRATION IS RENEWED FOR A 1-YEAR TERM, THE
17 REGISTRATION EXPIRES 1 YEAR FROM THE ~~PAYMENT OF THE INITIAL REGISTRATION~~
18 ~~FEE OR A REGISTRATION RENEWAL FEE~~ INITIAL DATE OF REGISTRATION.

19 ~~(2) BEFORE A REGISTRATION EXPIRES, THE REGISTRATION MAY BE~~
20 ~~RENEWED FOR 1 YEAR, IF THE FANTASY COMPETITION OPERATOR PAYS A~~
21 ~~REGISTRATION RENEWAL FEE OF \$50,000.~~

22 (C) THE COMMISSION MAY IMPOSE A FEE FOR THE REGISTRATION OF A
23 FANTASY COMPETITION OPERATOR IN ACCORDANCE WITH THIS SECTION.

24 9-1D-04.

25 (A) A FANTASY COMPETITION OPERATOR SHALL RETAIN 85% OF THE
26 PROCEEDS AND PAY THE REMAINDER TO THE COMMISSION.

27 (B) THE COMMISSION SHALL DISTRIBUTE THE PROCEEDS PAID UNDER
28 SUBSECTION (A) OF THIS SECTION TO THE BLUEPRINT FOR MARYLAND'S FUTURE
29 FUND ESTABLISHED UNDER § 5-219 OF THE EDUCATION ARTICLE.

30 9-1D-05.

31 (A) The [State Lottery and Gaming Control] Commission [may] SHALL adopt
32 regulations to carry out the provisions of this [section] SUBTITLE.

1 (B) THE REGULATIONS ADOPTED UNDER THIS SECTION MAY INCLUDE
2 REQUIREMENTS FOR THE ESTABLISHMENT OF A VOLUNTARY EXCLUSION LIST.

3 SUBTITLE 1E. SPORTS WAGERING.

4 9-1E-01.

5 (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS
6 INDICATED.

7 (B) "COMMISSION" HAS THE MEANING STATED IN § 9-1A-01 OF THIS TITLE.

8 (C) "GAMING ESTABLISHMENT" MEANS, FOR PURPOSES OF THE FEDERAL
9 BANK SECRECY ACT OF 1970 AND ITS RELATED REGULATIONS, A SPORTS
10 WAGERING LICENSEE HAVING AT LEAST \$1,000,000 IN ANNUAL GROSS REVENUE.

11 ~~(C)~~ (D) (1) "HORSE RACING LICENSEE" MEANS:

12 (I) THE HOLDER OF A LICENSE ISSUED BY THE STATE RACING
13 COMMISSION UNDER TITLE 11, SUBTITLE 5 OF THE BUSINESS REGULATION
14 ARTICLE, INCLUDING, IN THE CASE OF A SUBSIDIARY OF THE MARYLAND STATE
15 FAIR AND AGRICULTURAL SOCIETY, INC., A SUBSIDIARY OF THE LICENSE HOLDER;
16 AND

17 (II) THE HOLDER OF A PERMIT ISSUED UNDER TITLE 11,
18 SUBTITLE 8, PART III OF THE BUSINESS REGULATION ARTICLE TO HOLD
19 SATELLITE SIMULCAST BETTING IN CHARLES COUNTY.

20 (2) "HORSE RACING LICENSEE" DOES NOT INCLUDE THE HOLDER OF
21 A LICENSE ISSUED UNDER § 11-526 OF THE BUSINESS REGULATION ARTICLE.

22 ~~(D)~~ (E) "MOBILE SPORTS WAGERING LICENSEE" MEANS A SPORTS
23 WAGERING LICENSEE WHO IS AUTHORIZED TO CONDUCT AND OPERATE ONLINE
24 SPORTS WAGERING.

25 ~~(E)~~ (F) "ONLINE SPORTS WAGERING" MEANS SPORTS WAGERING
26 THROUGH AN ONLINE GAMING SYSTEM:

27 (1) ON A COMPUTER, A MOBILE DEVICE, OR ANY OTHER INTERACTIVE
28 DEVICE; AND

29 (2) THAT IS ACCEPTED BY A SPORTS WAGERING LICENSEE OR AN
30 ONLINE SPORTS WAGERING OPERATOR.

1 ~~(F)~~ **(G)** “ONLINE SPORTS WAGERING OPERATOR” MEANS AN ENTITY THAT
2 HOLDS A LICENSE ISSUED BY THE COMMISSION UNDER THIS SUBTITLE TO OPERATE
3 ONLINE SPORTS WAGERING ON BEHALF OF A SPORTS WAGERING LICENSEE.

4 ~~(G)~~ **(H)** “PROCEEDS” MEANS THE AMOUNT OF MONEY WAGERED ON A
5 SPORTING EVENT THAT IS NOT RETURNED TO SUCCESSFUL BETTORS ~~BUT IS~~
6 ~~OTHERWISE ALLOCATED UNDER THIS SUBTITLE, INCLUDING THE CASH~~
7 EQUIVALENTS OF ANY MERCHANDISE OR THING OF VALUE AWARDED AS A PRIZE TO
8 SUCCESSFUL BETTORS, LESS:

9 **(1)** FREE BETS AND PROMOTIONAL CREDITS REDEEMED BY BETTORS;
10 AND

11 **(2)** ALL EXCISE TAXES PAID BY A SPORTS WAGERING LICENSEE
12 PURSUANT TO FEDERAL LAW.

13 ~~(H)~~ **(I)** **(1)** “SPORTING EVENT” MEANS:

14 **(I)** A PROFESSIONAL SPORTS OR ATHLETIC EVENT;

15 **(II)** A COLLEGIATE SPORTS OR ATHLETIC EVENT;

16 **(III)** AN OLYMPIC OR INTERNATIONAL SPORTS OR ATHLETIC
17 EVENT;

18 **(IV)** AN ELECTRONIC SPORTS OR VIDEO GAME COMPETITION IN
19 WHICH EACH PARTICIPANT IS AT LEAST 18 YEARS OLD;

20 **(V)** A MOTOR RACE EVENT SANCTIONED BY A MOTOR RACING
21 GOVERNING ENTITY;

22 **(VI)** EXCEPT AS OTHERWISE PROHIBITED UNDER TITLE 11 OF
23 THE BUSINESS REGULATION ARTICLE OR THE FEDERAL INTERSTATE HORSE
24 RACING ACT, A HORSE RACE, HELD IN OR OUT OF THE STATE, IF CONSENTED TO AND
25 APPROVED BY:

26 1. THE HORSE RACING LICENSEE OF THE APPLICABLE
27 BREED;

28 2. THE ORGANIZATION REPRESENTING THE MAJORITY
29 OF THE OWNERS AND TRAINERS OF THE APPLICABLE BREED IN THE STATE;

1 3. THE ORGANIZATION REPRESENTING THE MAJORITY
2 OF THE APPLICABLE BREEDERS IN THE STATE; AND

3 4. THE STATE RACING COMMISSION; ~~OR~~

4 (VII) ANY PORTION OF A SPORTING EVENT, INCLUDING THE
5 INDIVIDUAL PERFORMANCE STATISTICS OF ATHLETES OR COMPETITORS IN A
6 SPORTING EVENT; OR

7 (VIII) AN AWARD EVENT OR COMPETITION OF NATIONAL OR
8 INTERNATIONAL PROMINENCE IF EXPRESSLY AUTHORIZED BY THE COMMISSION.

9 (2) “SPORTING EVENT” DOES NOT INCLUDE:

10 (I) A HIGH SCHOOL SPORTS OR ATHLETIC EVENT; OR

11 (II) A FANTASY COMPETITION REGULATED UNDER SUBTITLE
12 1D OF THIS TITLE.

13 ~~(H)~~ (J) “SPORTS WAGERING” MEANS THE BUSINESS OF ACCEPTING
14 WAGERS ON ANY SPORTING EVENT BY ANY SYSTEM OR METHOD OF WAGERING,
15 INCLUDING SINGLE-GAME BETS, TEASER BETS, PARLAYS, OVER-UNDER,
16 MONEYLINE, POOLS, EXCHANGE WAGERING, IN-GAME WAGERING, IN-PLAY BETS,
17 PROPOSITION BETS, AND STRAIGHT BETS.

18 ~~(J)~~ (K) (1) “SPORTS WAGERING FACILITY LICENSEE” MEANS A SPORTS
19 WAGERING LICENSEE WHO IS AUTHORIZED TO CONDUCT AND OPERATE SPORTS
20 WAGERING AT THE SPORTS WAGERING FACILITY OWNED BY THE SPORTS WAGERING
21 LICENSEE.

22 (2) “SPORTS WAGERING FACILITY LICENSEE” INCLUDES THE
23 HOLDER OF A CLASS A SPORTS WAGERING FACILITY LICENSE OR A CLASS B SPORTS
24 WAGERING FACILITY LICENSE ISSUED UNDER § 9-1E-06 OF THIS SUBTITLE.

25 ~~(K)~~ (L) “SPORTS WAGERING LICENSE” MEANS A LICENSE ISSUED BY THE
26 COMMISSION UNDER THIS SUBTITLE THAT AUTHORIZES THE HOLDER TO ACCEPT
27 WAGERS ON SPORTING EVENTS.

28 ~~(L)~~ (M) “SPORTS WAGERING LICENSEE” MEANS THE HOLDER OF A
29 SPORTS WAGERING LICENSE.

30 ~~(M)~~ (N) “VIDEO LOTTERY FACILITY” HAS THE MEANING STATED IN §
31 9-1A-01 OF THIS TITLE.

~~(N)~~ (O) "VIDEO LOTTERY OPERATION LICENSE" HAS THE MEANING
STATED IN § 9-1A-01 OF THIS TITLE.

~~(O)~~ (P) "VIDEO LOTTERY OPERATOR" HAS THE MEANING STATED IN §
9-1A-01 OF THIS TITLE.

9-1E-02.

IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT THIS SUBTITLE IS TO BE
IMPLEMENTED IN A MANNER THAT, TO THE EXTENT PERMITTED BY STATE AND
FEDERAL LAW, MAXIMIZES THE ABILITY OF MINORITIES, WOMEN, AND MINORITY
AND WOMEN-OWNED BUSINESSES TO PARTICIPATE IN THE SPORTS WAGERING
INDUSTRY, INCLUDING THROUGH THE OWNERSHIP OF ENTITIES LICENSED TO
CONDUCT SPORTS WAGERING UNDER THIS SUBTITLE.

9-1E-03.

(A) (1) UNLESS THE CONTEXT REQUIRES OTHERWISE, THE
REQUIREMENTS UNDER §§ 9-1A-04, 9-1A-06, 9-1A-07, 9-1A-08, 9-1A-12,
9-1A-14, 9-1A-18, 9-1A-19, 9-1A-20, AND 9-1A-25 OF THIS TITLE APPLY TO THE
AUTHORITY, DUTIES, AND RESPONSIBILITIES OF THE COMMISSION, A SPORTS
WAGERING LICENSEE, AND AN EMPLOYEE OR A CONTRACTOR OF A SPORTS
WAGERING LICENSEE UNDER THIS SUBTITLE.

(2) THE COMMISSION SHALL CONSIDER THE USE OF TECHNOLOGY,
REMOTE SURVEILLANCE, AND OTHER SIMILAR MEASURES TO CARRY OUT ITS DUTIES
UNDER THIS SUBSECTION.

(B) THIS SUBTITLE AUTHORIZES A SPORTS WAGERING LICENSEE TO
CONDUCT AND OPERATE SPORTS WAGERING IN THE STATE AS PROVIDED IN THIS
SUBTITLE.

9-1E-04.

(A) EXCEPT AS OTHERWISE PROVIDED IN THIS SUBTITLE, THE COMMISSION
SHALL REGULATE SPORTS WAGERING AND THE CONDUCT OF SPORTS WAGERING TO
THE SAME EXTENT THAT THE COMMISSION REGULATES THE OPERATION OF VIDEO
LOTTERY TERMINALS AND TABLE GAMES UNDER SUBTITLE 1A OF THIS TITLE.

(B) IN ACCORDANCE WITH THIS SUBTITLE, THE COMMISSION SHALL ADOPT
REGULATIONS THAT ESTABLISH:

(1) SUBJECT TO § 9-1E-15(H) OF THIS SUBTITLE, THE FORM AND
CONTENT OF AN APPLICATION FOR ANY LICENSE REQUIRED UNDER THIS SUBTITLE;

1 (2) THE METHODS, PROCEDURES, AND FORM FOR DELIVERY OF
2 INFORMATION FROM AN APPLICANT OR A LICENSEE CONCERNING ANY PERSON'S
3 FAMILY, HABITS, CHARACTER, ASSOCIATES, CRIMINAL RECORD, BUSINESS
4 ACTIVITIES, AND FINANCIAL AFFAIRS;

5 (3) THE PROCEDURES FOR THE FINGERPRINTING OF AN APPLICANT
6 FOR ANY LICENSE REQUIRED UNDER THIS SUBTITLE OR OTHER METHODS OF
7 IDENTIFICATION THAT MAY BE NECESSARY IN THE JUDGMENT OF THE COMMISSION
8 TO ACCOMPLISH EFFECTIVE ENFORCEMENT OF THE PROVISIONS OF THIS SUBTITLE;

9 (4) THE GROUNDS AND PROCEDURES FOR REPRIMANDS OF
10 LICENSEES OR THE REVOCATION OR SUSPENSION OF LICENSES ISSUED UNDER THIS
11 SUBTITLE;

12 (5) THE MANNER AND METHOD OF COLLECTION OF TAXES, FEES, AND
13 CIVIL PENALTIES;

14 (6) STANDARDS, PROCEDURES, AND RULES THAT GOVERN THE
15 CONDUCT OF SPORTS WAGERING, INCLUDING:

16 (I) THE APPROVAL PROCESS FOR SELF-SERVICE KIOSKS OR
17 MACHINES, SECURITY MEASURES FOR THE KIOSKS OR MACHINES, THE AMOUNT OF
18 WAGERS AUTHORIZED ON THE KIOSKS OR MACHINES, AND ANY OTHER MATTER
19 RELATING TO A SELF-SERVICE KIOSK OR MACHINE NECESSARY TO CARRY OUT THE
20 PROVISIONS OF THIS SUBTITLE;

21 (II) THE TYPES OF WAGERS ON SPORTING EVENTS THAT MAY BE
22 ACCEPTED BY A SPORTS WAGERING LICENSEE AND PROHIBITED WAGERS, SUCH AS
23 WAGERS ON INJURIES, PENALTIES, AND OTHER TYPES OR FORMS OF WAGERING
24 THAT ARE CONTRARY TO PUBLIC POLICY OR UNFAIR TO BETTORS;

25 (III) THE TYPES AND VALUES OF PROMOTIONAL ITEMS THAT MAY
26 BE GIVEN AWAY TO ENCOURAGE SPORTS WAGERING;

27 (IV) THE MANNER IN WHICH WAGERS ARE RECEIVED, PAYOUTS
28 ARE REMITTED, AND POINT SPREADS, LINES, AND ODDS ARE DETERMINED;

29 (V) THE MAXIMUM WAGERS THAT MAY BE ACCEPTED BY A
30 SPORTS WAGERING LICENSEE ~~OR ONLINE SPORTS WAGERING OPERATOR~~ FROM A
31 SINGLE BETTOR ON A SINGLE SPORTING EVENT;

(VI) THE AMOUNT OF CASH RESERVES OR OTHER FINANCIAL SECURITY TO BE MAINTAINED BY SPORTS WAGERING LICENSEES TO COVER WINNING WAGERS;

(VII) ACCEPTABLE FORMS OF PAYMENT AND ADVANCE DEPOSIT METHODS BY BETTORS;

(VIII) MINIMUM UNIFORM STANDARDS OF ACCOUNTANCY METHODS, PROCEDURES, AND FORMS AS ARE NECESSARY TO ENSURE CONSISTENCY, COMPARABILITY, AND EFFECTIVE DISCLOSURE OF ALL FINANCIAL INFORMATION, INCLUDING PERCENTAGES OF PROFIT;

(IX) PERIODIC FINANCIAL REPORTS AND THE FORM OF THE REPORTS, INCLUDING AN ANNUAL AUDIT PREPARED BY A CERTIFIED PUBLIC ACCOUNTANT LICENSED TO DO BUSINESS IN THE STATE IN ACCORDANCE WITH THE STATEMENT ON STANDARDS FOR ATTESTATION ENGAGEMENTS AND GENERALLY ACCEPTED ACCOUNTING PRINCIPLES;

(X) REQUIRING LICENSEES UNDER THIS SUBTITLE TO DEMONSTRATE AND MAINTAIN FINANCIAL VIABILITY; AND

(XI) ENSURING THAT SPORTS WAGERING IS CONDUCTED LEGALLY; AND

(7) ANY OTHER REGULATION NECESSARY TO CARRY OUT THE PROVISIONS OF THIS SUBTITLE.

~~(C) (1) THE COMMISSION, IN CONSULTATION WITH THE CERTIFICATION AGENCY AS DEFINED IN § 14-301 OF THE STATE FINANCE AND PROCUREMENT ARTICLE, THE GOVERNOR'S OFFICE OF SMALL, MINORITY, AND WOMEN BUSINESS AFFAIRS, AND THE OFFICE OF THE ATTORNEY GENERAL, SHALL:~~

~~(I) EVALUATE A STUDY OF THE SPORTS WAGERING INDUSTRY AND MARKET TO DETERMINE WHETHER THERE IS A COMPELLING INTEREST TO IMPLEMENT REMEDIAL MEASURES, IN ADDITION TO THE APPLICATION OF THE STATE MINORITY BUSINESS ENTERPRISE PROGRAM UNDER TITLE 14, SUBTITLE 3 OF THE STATE FINANCE AND PROCUREMENT ARTICLE OR A SIMILAR PROGRAM, TO ASSIST MINORITIES AND WOMEN IN THE SPORTS WAGERING INDUSTRY;~~

~~(H) EVALUATE RACE NEUTRAL PROGRAMS OR OTHER METHODS THAT MAY BE USED TO ADDRESS THE NEEDS OF MINORITY AND WOMEN APPLICANTS AND MINORITY AND WOMEN OWNED BUSINESSES SEEKING TO PARTICIPATE IN THE SPORTS WAGERING INDUSTRY; AND~~

~~(HH) ADOPT REGULATIONS TO IMPLEMENT REMEDIAL MEASURES, IF NECESSARY AND TO THE EXTENT PERMITTED BY STATE AND FEDERAL LAW, BASED ON THE FINDINGS OF THE STUDY EVALUATED UNDER ITEM (I) OF THIS PARAGRAPH.~~

~~(2) THE COMMISSION MAY REPORT TO THE GENERAL ASSEMBLY, IN ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE, ANY INFORMATION THAT THE COMMISSION DETERMINES IS NECESSARY TO CONSIDER, DEVELOP, OR IMPLEMENT ANY REMEDIAL MEASURES REQUIRED UNDER THIS SECTION.~~

~~9-1E-05.~~

(A) THE FOLLOWING PERSONS SHALL BE LICENSED UNDER THIS SUBTITLE:

(1) A PERSON THAT OPERATES SPORTS WAGERING;

(2) A PERSON THAT OPERATES SPORTS WAGERING ON BEHALF OF A SPORTS WAGERING LICENSEE, INCLUDING AN ONLINE SPORTS WAGERING OPERATOR;

(3) A PERSON NOT LICENSED UNDER ITEM (1) OR (2) OF THIS SUBSECTION THAT MANAGES, OPERATES, SUPPLIES, PROVIDES SECURITY FOR, OR PROVIDES SERVICE, MAINTENANCE, OR REPAIRS FOR SPORTS WAGERING EQUIPMENT AND DEVICES; AND

(4) AN INDIVIDUAL DIRECTLY EMPLOYED IN THE OPERATION OF SPORTS WAGERING BY A SPORTS WAGERING LICENSEE IF THE INDIVIDUAL DOES NOT OTHERWISE HOLD A VALID LICENSE UNDER SUBTITLE 1A OF THIS TITLE.

(B) THE COMMISSION MAY BY REGULATION REQUIRE A PERSON THAT CONTRACTS WITH A LICENSEE AND THE PERSON'S EMPLOYEES TO OBTAIN A LICENSE UNDER THIS SUBTITLE IF THE COMMISSION DETERMINES THAT THE LICENSING REQUIREMENTS ARE NECESSARY IN ORDER TO PROTECT THE PUBLIC INTEREST AND ACCOMPLISH THE POLICIES ESTABLISHED BY THIS SUBTITLE.

(C) FOR ALL LICENSES REQUIRED UNDER THIS SUBTITLE, IF AN APPLICANT HOLDS A VALID LICENSE IN ANOTHER STATE AND THE COMMISSION DETERMINES THAT THE LICENSING STANDARDS OF THE OTHER STATE ARE COMPREHENSIVE AND THOROUGH AND PROVIDE SIMILAR AND ADEQUATE SAFEGUARDS TO THOSE PROVIDED IN THIS SUBTITLE, THE COMMISSION MAY:

(1) WAIVE SOME OR ALL OF THE REQUIREMENTS OF THIS SUBTITLE;

AND

1 (2) ISSUE A LICENSE TO THAT APPLICANT.

2 (D) (1) ~~ON~~ EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS
3 SUBSECTION, ON THE REQUEST OF AN APPLICANT, THE COMMISSION MAY GRANT AN
4 EXEMPTION OR A WAIVER OF A LICENSING REQUIREMENT OR GROUNDS FOR DENIAL
5 OF A LICENSE IF THE COMMISSION DETERMINES THAT THE REQUIREMENT OR
6 GROUNDS FOR DENIAL OF A LICENSE AS APPLIED TO THE APPLICANT ARE NOT
7 NECESSARY TO PROTECT THE PUBLIC INTEREST OR ACCOMPLISH THE POLICIES
8 ESTABLISHED BY THIS SUBTITLE.

9 (2) ON GRANTING TO AN APPLICANT AN EXEMPTION OR A WAIVER
10 UNDER THIS SUBSECTION, OR AT ANY TIME AFTER AN EXEMPTION OR A WAIVER HAS
11 BEEN GRANTED, THE COMMISSION MAY:

12 (I) LIMIT OR PLACE RESTRICTIONS ON THE EXEMPTION OR
13 WAIVER AS THE COMMISSION CONSIDERS NECESSARY IN THE PUBLIC INTEREST;
14 AND

15 (II) REQUIRE THE PERSON THAT IS GRANTED THE EXEMPTION
16 OR WAIVER TO COOPERATE WITH THE COMMISSION AND TO PROVIDE THE
17 COMMISSION WITH ANY ADDITIONAL INFORMATION REQUIRED BY THE
18 COMMISSION AS A CONDITION OF THE WAIVER OR EXEMPTION.

19 (3) EXCEPT AS PROVIDED UNDER THIS SUBTITLE OR IN REGULATION,
20 THE COMMISSION MAY NOT GRANT AN EXEMPTION OR A WAIVER OF A LICENSING
21 REQUIREMENT ADOPTED BY THE SPORTS WAGERING APPLICATION REVIEW
22 COMMISSION IN ACCORDANCE WITH § 9-1E-15(H)(2) OF THIS SUBTITLE TO
23 IMPLEMENT REMEDIAL MEASURES BASED ON THE FINDINGS OF A STUDY OF THE
24 SPORTS WAGERING INDUSTRY AND MARKET.

25 9-1E-06.

26 (A) (1) ~~THE~~ ON AN AWARD OF A LICENSE BY THE SPORTS WAGERING
27 APPLICATION REVIEW COMMISSION ESTABLISHED UNDER § 9-1E-15 OF THIS
28 SUBTITLE ~~MAY~~, THE COMMISSION SHALL:

29 (I) ISSUE A CLASS A SPORTS WAGERING FACILITY LICENSE TO
30 AN APPLICANT THAT MEETS THE REQUIREMENTS FOR LICENSURE UNDER THIS
31 SUBTITLE WHO IS:

32 1. A VIDEO LOTTERY OPERATOR ~~OR~~;

33 2. A HORSE RACING LICENSEE; OR

1 **3. A. THE OWNER OF A STADIUM IN PRINCE**
2 **GEORGE'S COUNTY THAT IS PRIMARILY USED FOR PROFESSIONAL FOOTBALL;**

3 **B. THE OWNER OF A PROFESSIONAL FOOTBALL**
4 **FRANCHISE THAT IS A LESSEE OF A STADIUM IN BALTIMORE CITY; OR**

5 **C. THE OWNER OF A PROFESSIONAL MAJOR LEAGUE**
6 **BASEBALL FRANCHISE THAT IS A LESSEE OF A STADIUM IN BALTIMORE CITY;**

7 **(II) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, ISSUE**
8 **NOT MORE THAN ~~FIVE~~ 10 CLASS B SPORTS WAGERING FACILITY LICENSES TO ANY**
9 **APPLICANT WHO MEETS THE REQUIREMENTS FOR LICENSURE UNDER THIS**
10 **SUBTITLE; AND**

11 **(III) ISSUE NOT MORE THAN ~~10~~ 15 MOBILE SPORTS WAGERING**
12 **LICENSES TO ANY APPLICANT WHO MEETS THE REQUIREMENTS FOR LICENSURE**
13 **UNDER THIS SUBTITLE.**

14 **(2) THE SPORTS WAGERING APPLICATION REVIEW COMMISSION**
15 **ESTABLISHED UNDER § ~~9-1E-15~~ OF THIS SUBTITLE MAY NOT ~~ISSUE~~ AWARD A CLASS**
16 **B SPORTS WAGERING FACILITY LICENSE TO AN APPLICANT:**

17 **(I) WHO IS ELIGIBLE TO APPLY FOR A CLASS A SPORTS**
18 **WAGERING FACILITY LICENSE UNDER PARAGRAPH (1) OF THIS SUBSECTION;**

19 **(II) WHO HOLDS A CLASS A SPORTS WAGERING FACILITY**
20 **LICENSE; OR**

21 **(III) WHOSE SPORTS WAGERING FACILITY WILL BE LOCATED:**

22 **1. WITHIN A 15-MILE RADIUS OF A CLASS A SPORTS**
23 **WAGERING FACILITY LOCATED IN ALLEGANY COUNTY, CECIL COUNTY, OR**
24 **WORCESTER COUNTY; OR**

25 **2. WITHIN A ~~10-MILE~~ 1.5-MILE RADIUS OF ~~ANY~~ A CLASS**
26 **A SPORTS WAGERING FACILITY LOCATED IN A COUNTY NOT DESCRIBED UNDER ITEM**
27 **1 OF THIS ITEM OR ANY OTHER CLASS B SPORTS WAGERING FACILITY.**

28 **(3) A FOR-PROFIT ENTITY, NONPROFIT ORGANIZATION, OR**
29 **PUBLIC-PRIVATE PARTNERSHIP OPERATING AT THE RACING LOCATION DESCRIBED**
30 **UNDER TITLE 11, SUBTITLE 7 OF THE BUSINESS REGULATION ARTICLE LOCATED**
31 **ON LANDS OWNED BY THE DEPARTMENT OF NATURAL RESOURCES MAY APPLY FOR**
32 **A CLASS B SPORTS WAGERING FACILITY LICENSE.**

~~(3)~~ (4) ~~AN~~ IN ADDITION TO ANY OTHER PERSON, AN APPLICANT FOR OR HOLDER OF A CLASS A SPORTS WAGERING FACILITY LICENSE OR A CLASS B SPORTS WAGERING FACILITY LICENSE MAY APPLY FOR A MOBILE SPORTS WAGERING LICENSE UNDER THIS SUBSECTION.

(B) AN APPLICANT FOR A SPORTS WAGERING LICENSE SHALL PAY TO THE COMMISSION AN APPLICATION FEE OF:

(1) \$250,000 FOR A CLASS A SPORTS WAGERING FACILITY LICENSE;

(2) \$50,000 FOR A CLASS B SPORTS WAGERING FACILITY LICENSE;

AND

(3) \$500,000 FOR A MOBILE SPORTS WAGERING LICENSE.

(C) THE HOLDER OF A SPORTS WAGERING LICENSE SHALL PAY TO THE COMMISSION AN ANNUAL LICENSE FEE OF:

(1) \$50,000 FOR A CLASS A SPORTS WAGERING FACILITY LICENSE;

(2) \$10,000 FOR A CLASS B SPORTS WAGERING FACILITY LICENSE;

AND

(3) \$100,000 FOR A MOBILE SPORTS WAGERING LICENSE.

(D) (1) THE TERM OF A SPORTS WAGERING LICENSE UNDER THIS SECTION IS 5 YEARS.

(2) ON APPLICATION BY THE SPORTS WAGERING LICENSEE AND PAYMENT OF THE LICENSE RENEWAL FEE UNDER PARAGRAPH (3) OF THIS SUBSECTION, THE COMMISSION ~~MAY~~ SHALL RENEW FOR 5 YEARS A SPORTS WAGERING LICENSE IF THE LICENSEE COMPLIES WITH ALL STATUTORY AND REGULATORY REQUIREMENTS.

(3) THE LICENSE RENEWAL FEE IS EQUAL TO 1% OF THE LICENSEE'S AVERAGE ANNUAL ~~CROSS SPORTS WAGERING REVENUES~~ PROCEEDS FROM SPORTS WAGERING FOR THE PRECEDING ~~5-YEAR~~ 3-YEAR PERIOD LESS ANY PROCEEDS REMITTED BY THE LICENSEE IN ACCORDANCE WITH § 9-1E-12 OF THIS SUBTITLE.

(E) A SPORTS WAGERING LICENSEE MAY NOT BEGIN ACCEPTING WAGERS ON SPORTING EVENTS UNTIL THE APPLICATION FEE UNDER SUBSECTION (B) OF THIS SECTION IS PAID IN FULL.

1 **9-1E-07.**

2 (A) AN APPLICANT FOR A LICENSE UNDER THIS SUBTITLE SHALL SUBMIT TO
3 THE COMMISSION ~~AN APPLICATION, ON OR BEFORE THE DATE SET BY THE~~
4 COMMISSION:

5 (1) AN APPLICATION IN THE FORM THAT THE COMMISSION
6 REQUIRES; AND

7 (2) IF THE APPLICANT IS APPLYING FOR A SPORTS WAGERING
8 LICENSE, AN AFFIDAVIT ATTESTING TO:

9 (I) THE NUMBER OF MINORITY AND WOMEN OWNERS OF THE
10 APPLICANT;

11 (II) THE OWNERSHIP INTEREST OF ANY MINORITY AND WOMEN
12 OWNERS OF THE APPLICANT;

13 (III) THE NUMBER OF MINORITY AND WOMEN EMPLOYEES OF
14 THE APPLICANT; AND

15 (IV) ANY OTHER INFORMATION CONSIDERED NECESSARY BY
16 THE COMMISSION OR THE SPORTS WAGERING APPLICATION REVIEW COMMISSION
17 ESTABLISHED UNDER § 9-1E-15 OF THIS SUBTITLE.

18 ~~(2) ON OR BEFORE THE DATE SET BY THE COMMISSION.~~

19 ~~(B) (1) A SPORTS WAGERING LICENSEE IS SUBJECT TO:~~

20 ~~(I) THE MINORITY BUSINESS PARTICIPATION GOAL~~
21 ~~ESTABLISHED FOR A UNIT BY THE SPECIAL SECRETARY FOR THE OFFICE OF SMALL,~~
22 ~~MINORITY, AND WOMEN BUSINESS AFFAIRS UNDER § 14-302(A)(1)(II) OF THE~~
23 ~~STATE FINANCE AND PROCUREMENT ARTICLE; AND~~

24 ~~(II) ANY OTHER CORRESPONDING PROVISIONS OF LAW UNDER~~
25 ~~TITLE 14, SUBTITLE 3 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.~~

26 ~~(2) THE MINORITY BUSINESS PARTICIPATION GOAL APPLIES TO:~~

27 ~~(I) CONSTRUCTION RELATED TO SPORTS WAGERING; AND~~

28 ~~(II) PROCUREMENT RELATED TO THE OPERATION OF SPORTS~~
29 ~~WAGERING, INCLUDING PROCUREMENT OF EQUIPMENT AND ONGOING SERVICES.~~

(B) (1) THE FINDINGS AND EVIDENCE RELIED ON BY THE GENERAL ASSEMBLY FOR THE CONTINUATION OF THE MINORITY BUSINESS ENTERPRISE PROGRAM UNDER TITLE 14, SUBTITLE 3 OF THE STATE FINANCE AND PROCUREMENT ARTICLE ARE INCORPORATED IN THIS SUBSECTION.

(2) TO THE EXTENT PRACTICABLE AND AUTHORIZED BY THE UNITED STATES CONSTITUTION, A SPORTS WAGERING LICENSEE SHALL COMPLY WITH THE STATE'S MINORITY BUSINESS ENTERPRISE PROGRAM.

(3) (I) ON OR BEFORE 6 MONTHS AFTER THE ISSUANCE OF A SPORTS WAGERING LICENSE UNDER THIS SUBTITLE, THE GOVERNOR'S OFFICE OF SMALL, MINORITY, AND WOMEN BUSINESS AFFAIRS, IN CONSULTATION WITH THE OFFICE OF THE ATTORNEY GENERAL AND THE SPORTS WAGERING LICENSEE, SHALL ESTABLISH A CLEAR PLAN FOR SETTING REASONABLE AND APPROPRIATE MINORITY BUSINESS ENTERPRISE PARTICIPATION GOALS AND PROCEDURES FOR THE PROCUREMENT OF GOODS AND SERVICES RELATED TO SPORTS WAGERING, INCLUDING PROCUREMENT OF CONSTRUCTION, EQUIPMENT, AND ONGOING SERVICES.

(II) TO THE EXTENT PRACTICABLE, THE GOALS AND PROCEDURES SPECIFIED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH SHALL BE BASED ON THE REQUIREMENTS OF TITLE 14, SUBTITLE 3 OF THE STATE FINANCE AND PROCUREMENT ARTICLE AND THE REGULATIONS IMPLEMENTING THAT SUBTITLE.

~~(3)~~ (4) ON OR AFTER JULY 1, 2024, THE PROVISIONS OF THIS SUBSECTION AND ANY REGULATIONS ADOPTED UNDER THIS SUBSECTION SHALL BE OF NO EFFECT AND MAY NOT BE ENFORCED.

(C) (1) THIS SUBSECTION DOES NOT APPLY TO THE APPLICATION OR LICENSE RENEWAL FEES FOR A SPORTS WAGERING LICENSE REQUIRED UNDER § 9-1E-06 OF THIS SUBTITLE.

(2) (I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE COMMISSION SHALL ADOPT REGULATIONS THAT ESTABLISH AN APPLICATION FEE AND LICENSE RENEWAL FEE FOR A LICENSE UNDER THIS SUBTITLE.

(II) THE APPLICATION FEE FOR AN ONLINE SPORTS WAGERING OPERATOR LICENSE MAY NOT BE LESS THAN \$5,000.

(3) AN APPLICANT SHALL SUBMIT THE APPLICATION FEE WITH THE APPLICATION.

(4) THE TERM OF THE LICENSE IS 5 YEARS.

(D) ON A PROPERLY APPROVED TRANSMITTAL PREPARED BY THE COMMISSION, THE COMPTROLLER SHALL PAY THE FOLLOWING AMOUNTS FROM THE ~~INITIAL LICENSE APPLICATION~~ FEES, ANNUAL LICENSE FEES, AND LICENSE RENEWAL FEES COLLECTED BY THE COMMISSION UNDER THIS SECTION AND § 9-1E-06 OF THIS SUBTITLE:

(1) AN AMOUNT TO THE STATE LOTTERY AND GAMING CONTROL AGENCY NECESSARY TO REIMBURSE THE AGENCY FOR EXPENSES RELATED TO PERFORMING BACKGROUND INVESTIGATIONS AND OTHER ACTIVITIES RELATED TO THE ISSUANCE AND RENEWAL OF SPORTS WAGERING LICENSES; AND

(2) THE REMAINDER TO THE BLUEPRINT FOR MARYLAND'S FUTURE FUND ESTABLISHED UNDER § 5-219 OF THE EDUCATION ARTICLE.

(E) (1) APPLICANTS AND LICENSEES SHALL HAVE THE AFFIRMATIVE RESPONSIBILITY TO ESTABLISH BY CLEAR AND CONVINCING EVIDENCE THE APPLICANT'S OR LICENSEE'S QUALIFICATIONS.

(2) APPLICANTS AND LICENSEES SHALL PROVIDE INFORMATION REQUIRED BY THIS SUBTITLE AND SATISFY REQUESTS FOR INFORMATION RELATING TO QUALIFICATIONS IN THE FORM SPECIFIED BY THE COMMISSION, IF APPLICABLE.

(3) (I) APPLICANTS AND LICENSEES SHALL:

1. PROVIDE ASSISTANCE OR INFORMATION REQUIRED BY THE COMMISSION; AND

2. COOPERATE IN AN INQUIRY, AN INVESTIGATION, OR A HEARING CONDUCTED BY THE COMMISSION.

(II) ON ISSUANCE OF A FORMAL REQUEST TO ANSWER OR PRODUCE INFORMATION, EVIDENCE, OR TESTIMONY, IF AN APPLICANT OR A LICENSEE REFUSES TO COMPLY, THE APPLICATION OR LICENSE MAY BE DENIED, SUSPENDED, OR REVOKED BY THE COMMISSION.

(4) (I) IF THE APPLICANT IS AN INDIVIDUAL, THE APPLICANT SHALL BE PHOTOGRAPHED AND FINGERPRINTED FOR IDENTIFICATION AND INVESTIGATION PURPOSES.

(II) IF THE APPLICANT IS NOT AN INDIVIDUAL, THE COMMISSION BY REGULATION MAY ESTABLISH THE CATEGORIES OF INDIVIDUALS WHO SHALL BE PHOTOGRAPHED AND FINGERPRINTED FOR IDENTIFICATION AND INVESTIGATION PURPOSES.

1 **(5) (I) APPLICANTS AND LICENSEES SHALL INFORM THE**
2 **COMMISSION OF AN ACT OR OMISSION THAT THE PERSON KNOWS OR SHOULD KNOW**
3 **CONSTITUTES A VIOLATION OF THIS SUBTITLE OR THE REGULATIONS ADOPTED**
4 **UNDER THIS SUBTITLE.**

5 **(II) APPLICANTS AND LICENSEES MAY NOT DISCRIMINATE**
6 **AGAINST A PERSON WHO IN GOOD FAITH INFORMS THE COMMISSION OF AN ACT OR**
7 **OMISSION THAT THE PERSON BELIEVES CONSTITUTES A VIOLATION OF THIS**
8 **SUBTITLE OR THE REGULATIONS ADOPTED UNDER THIS SUBTITLE.**

9 **(6) APPLICANTS AND LICENSEES SHALL PRODUCE INFORMATION,**
10 **DOCUMENTATION, AND ASSURANCES TO ESTABLISH THE FOLLOWING**
11 **QUALIFICATION CRITERIA BY CLEAR AND CONVINCING EVIDENCE:**

12 **(I) THE FINANCIAL STABILITY, INTEGRITY, AND**
13 **RESPONSIBILITY OF THE APPLICANT OR LICENSEE;**

14 **(II) THE INTEGRITY OF ANY FINANCIAL BACKERS, INVESTORS,**
15 **MORTGAGEES, BONDHOLDERS, AND HOLDERS OF OTHER EVIDENCES OF**
16 **INDEBTEDNESS THAT BEAR A RELATION TO THE APPLICATION;**

17 **(III) THE APPLICANT'S OR LICENSEE'S GOOD CHARACTER,**
18 **HONESTY, AND INTEGRITY;**

19 **(IV) SUFFICIENT BUSINESS ABILITY AND EXPERIENCE OF THE**
20 **APPLICANT OR LICENSEE; AND**

21 **(V) THAT:**

22 **1. UNLESS THE APPLICANT OR LICENSEE ALREADY HAS**
23 **A COLLECTIVE BARGAINING AGREEMENT, THE APPLICANT OR LICENSEE HAS**
24 **ENTERED INTO A LABOR PEACE AGREEMENT WITH EACH LABOR ORGANIZATION**
25 **THAT IS ACTIVELY ENGAGED IN REPRESENTING OR ATTEMPTING TO REPRESENT**
26 **SPORTS WAGERING INDUSTRY WORKERS IN THE STATE;**

27 **2. THE LABOR PEACE AGREEMENT IS VALID AND**
28 **ENFORCEABLE UNDER 29 U.S.C. § 158;**

29 **3. THE LABOR PEACE AGREEMENT PROTECTS THE**
30 **STATE'S REVENUES BY PROHIBITING THE LABOR ORGANIZATION AND ITS MEMBERS**
31 **FROM ENGAGING IN PICKETING, WORK STOPPAGES, BOYCOTTS, AND ANY OTHER**
32 **ECONOMIC INTERFERENCE WITH THE OPERATION OF SPORTS WAGERING WITHIN**
33 **THE FIRST 5 YEARS OF THE EFFECTIVE DATE OF A SPORTS WAGERING LICENSE; AND**

1 4. THE LABOR PEACE AGREEMENT APPLIES TO ALL
2 OPERATIONS CONDUCTED BY THE APPLICANT OR LICENSEE AT A FACILITY OR
3 LOCATION WHERE SPORTS WAGERING IS CONDUCTED.

4 (F) (1) ON THE FILING OF AN APPLICATION FOR ANY LICENSE REQUIRED
5 UNDER THIS SUBTITLE AND ANY SUPPLEMENTAL INFORMATION REQUIRED BY THE
6 COMMISSION, THE COMMISSION SHALL CONDUCT A BACKGROUND INVESTIGATION
7 ON THE QUALIFICATIONS OF THE APPLICANT AND ANY PERSON WHO IS REQUIRED
8 TO BE QUALIFIED UNDER THIS SUBTITLE AS A CONDITION OF A LICENSE.

9 (2) THE COMMISSION MAY REFER AN APPLICATION FOR A LICENSE
10 TO AN APPROVED VENDOR UNDER § 9-1A-20 OF THIS TITLE TO CONDUCT THE
11 BACKGROUND INVESTIGATION FOR THE COMMISSION.

12 (G) (1) AFTER RECEIVING THE RESULTS OF THE BACKGROUND
13 INVESTIGATION, THE COMMISSION MAY EITHER GRANT A LICENSE TO AN
14 APPLICANT WHOM THE COMMISSION DETERMINES TO BE QUALIFIED OR DENY THE
15 LICENSE TO AN APPLICANT WHOM THE COMMISSION DETERMINES TO BE NOT
16 QUALIFIED OR DISQUALIFIED.

17 (2) IF AN APPLICATION FOR A LICENSE IS DENIED, THE COMMISSION
18 SHALL PREPARE AND FILE AN ORDER DENYING THE LICENSE WITH A STATEMENT OF
19 THE REASONS FOR THE DENIAL, INCLUDING THE SPECIFIC FINDINGS OF FACT.

20 (H) (1) AN INDIVIDUAL MAY NOT KNOWINGLY GIVE FALSE INFORMATION
21 OR MAKE A MATERIAL MISSTATEMENT IN AN APPLICATION REQUIRED FOR ANY
22 LICENSE UNDER THIS SUBTITLE OR IN ANY SUPPLEMENTAL INFORMATION
23 REQUIRED BY THE COMMISSION.

24 (2) AN INDIVIDUAL WHO VIOLATES THIS SECTION IS GUILTY OF A
25 MISDEMEANOR AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT
26 EXCEEDING 3 YEARS OR A FINE NOT EXCEEDING \$5,000 OR BOTH.

27 9-1E-08.

28 (A) THE COMMISSION MAY DENY A LICENSE TO AN APPLICANT FOR A
29 LICENSE UNDER § 9-1E-05 OF THIS SUBTITLE, REPRIMAND OR FINE A LICENSEE, OR
30 SUSPEND OR REVOKE A LICENSE FOR A VIOLATION OF:

31 (1) THIS SUBTITLE;

32 (2) A REGULATION ADOPTED UNDER THIS SUBTITLE; OR

(3) A CONDITION THAT THE COMMISSION SETS.

(B) FOR EACH VIOLATION SPECIFIED IN SUBSECTION (A) OF THIS SECTION, THE COMMISSION MAY IMPOSE A PENALTY NOT EXCEEDING \$5,000.

(C) EACH DAY THAT A PERSON IS IN VIOLATION UNDER THIS SECTION SHALL BE CONSIDERED A SEPARATE VIOLATION.

(D) TO DETERMINE THE AMOUNT OF THE PENALTY IMPOSED UNDER SUBSECTION (B) OF THIS SECTION, THE COMMISSION SHALL CONSIDER:

(1) THE SERIOUSNESS OF THE VIOLATION;

(2) THE HARM CAUSED BY THE VIOLATION; AND

(3) THE GOOD FAITH OR LACK OF GOOD FAITH OF THE PERSON WHO COMMITTED THE VIOLATION.

(E) EXCEPT AS OTHERWISE PROVIDED IN THIS SUBTITLE, NOTHING CONTAINED IN THIS SUBTITLE ABROGATES OR LIMITS THE CRIMINAL LAWS OF THE STATE OR LIMITS THE AUTHORITY OF THE GENERAL ASSEMBLY TO ENACT STATUTES ESTABLISHING CRIMINAL OFFENSES AND PENALTIES RELATING TO SPORTS WAGERING OPERATIONS.

9-1E-09.

(A) A SPORTS WAGERING FACILITY LICENSEE MAY ACCEPT WAGERS ON SPORTING EVENTS THAT ARE MADE:

(1) BY AN INDIVIDUAL PHYSICALLY PRESENT:

(I) IN A VIDEO LOTTERY FACILITY, IF THE SPORTS WAGERING LICENSEE IS A VIDEO LOTTERY OPERATOR;

(II) AT PIMLICO RACE COURSE, ON LIVE RACING DAYS OR DAYS ON WHICH AN EVENT WITH AN ANTICIPATED ATTENDANCE OF AT LEAST 2,000 INDIVIDUALS IS HELD, OR A RACE TRACK LOCATED AT LAUREL PARK ~~OR IN TIMONIUM~~, IF THE SPORTS WAGERING LICENSEE IS A HORSE RACING LICENSEE UNDER TITLE 11, SUBTITLE 5, PART II OF THE BUSINESS REGULATION ARTICLE;

(III) AT THE MARYLAND STATE FAIRGROUNDS IN TIMONIUM, IF THE SPORTS WAGERING LICENSEE IS A HORSE RACING LICENSEE UNDER TITLE 11, SUBTITLE 5, PART III OF THE BUSINESS REGULATION ARTICLE;

1 (IV) AT A FACILITY IDENTIFIED IN THE PERMIT ISSUED UNDER
2 TITLE 11, SUBTITLE 8, PART III OF THE BUSINESS REGULATION ARTICLE TO HOLD
3 SATELLITE SIMULCAST BETTING IN CHARLES COUNTY, IF THE SPORTS WAGERING
4 LICENSEE IS A HORSE RACING LICENSEE;

5 (V) SUBJECT TO SUBSECTION (D) OF THIS SECTION, AT A
6 STADIUM PRIMARILY USED FOR PROFESSIONAL FOOTBALL OR PROFESSIONAL
7 MAJOR LEAGUE BASEBALL, IF THE SPORTS WAGERING LICENSEE IS THE OWNER OR
8 A LESSEE OF THE STADIUM; OR

9 ~~(HH)~~ (VI) SUBJECT TO SUBSECTION (E) OF THIS SECTION, AT
10 THE FACILITY IDENTIFIED IN THE APPLICATION APPROVED BY THE SPORTS
11 WAGERING APPLICATION REVIEW COMMISSION, IF THE SPORTS WAGERING
12 LICENSEE IS A HOLDER OF A CLASS B SPORTS WAGERING FACILITY LICENSE; OR

13 ~~(IV) SUBJECT TO SUBSECTION (D) OF THIS SECTION, AT A~~
14 ~~STADIUM PRIMARILY USED FOR PROFESSIONAL FOOTBALL OR PROFESSIONAL~~
15 ~~BASEBALL IF THE SPORTS WAGERING LICENSEE IS THE OPERATOR OF A VIDEO~~
16 ~~LOTTERY FACILITY LOCATED IN THE SAME COUNTY AS THE STADIUM; OR~~

17 (2) ON A SELF-SERVICE KIOSK OR MACHINE, APPROVED BY THE
18 COMMISSION, LOCATED IN A FACILITY OR AT A LOCATION IDENTIFIED UNDER ITEM
19 (1) OF THIS SUBSECTION.

20 (B) A MOBILE SPORTS WAGERING LICENSEE MAY ACCEPT WAGERS ON
21 SPORTING EVENTS THAT ARE MADE THROUGH ONLINE SPORTS WAGERING BY AN
22 INDIVIDUAL PHYSICALLY LOCATED IN THE STATE.

23 (C) TO PARTICIPATE IN ONLINE SPORTS WAGERING UNDER THIS SECTION,
24 AN INDIVIDUAL SHALL REGISTER:

25 (1) ~~IF THE MOBILE SPORTS WAGERING LICENSEE IS ALSO A SPORTS~~
26 ~~WAGERING FACILITY LICENSEE,~~ IN PERSON AT A FACILITY OR LOCATION IDENTIFIED
27 UNDER SUBSECTION (A)(1) OF THIS SECTION; OR

28 (2) ONLINE USING A WEBSITE OR MOBILE APPLICATION APPROVED
29 BY THE COMMISSION.

30 (D) A SPORTS WAGERING LICENSEE AUTHORIZED TO ACCEPT IN-PERSON
31 WAGERS AT A STADIUM UNDER SUBSECTION (A)(1)(IV) (A)(1)(V) OF THIS SECTION;

32 ~~(1)~~ MAY ACCEPT WAGERS AT THE STADIUM ONLY IN TICKETED AREAS
33 AND ONLY ON LIVE GAME DAYS AND DAYS ON WHICH AN EVENT WITH AN
34 ANTICIPATED ATTENDANCE OF AT LEAST 10,000 INDIVIDUALS IS HELD; AND

~~(2) SHALL OWN OR LEASE THE SPORTS WAGERING EQUIPMENT AT THE STADIUM AND SHALL, WITH ITS EMPLOYEES, OPERATE THE EQUIPMENT.~~

(E) A SPORTS WAGERING FACILITY LICENSEE AUTHORIZED TO ACCEPT IN-PERSON WAGERS AT THE RACING LOCATION DESCRIBED UNDER TITLE 11, SUBTITLE 7 OF THE BUSINESS REGULATION ARTICLE LOCATED ON LANDS OWNED BY THE DEPARTMENT OF NATURAL RESOURCES MAY ONLY ACCEPT WAGERS IN THE SPECIAL EVENT ZONE.

9-1E-10.

(A) (1) A MOBILE SPORTS WAGERING LICENSEE:

(I) MAY CONDUCT AND OPERATE ONLINE SPORTS WAGERING;
OR

(II) SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION AND SUBSECTION (B) OF THIS SECTION, MAY ENTER INTO A CONTRACT WITH AN ONLINE SPORTS WAGERING OPERATOR TO CONDUCT ONLINE SPORTS WAGERING ON ITS BEHALF.

(2) A PERSON OTHER THAN THE MOBILE SPORTS WAGERING LICENSEE MAY NOT CONDUCT ONLINE SPORTS WAGERING, EXCEPT FOR TESTING PURPOSES, UNTIL THE PERSON RECEIVES FROM THE COMMISSION AN ONLINE SPORTS WAGERING LICENSE.

(3) (I) A MOBILE SPORTS WAGERING LICENSEE MAY NOT CONTRACT WITH MORE THAN ONE ONLINE SPORTS WAGERING OPERATOR TO CONDUCT ONLINE SPORTS WAGERING ON THE LICENSEE'S BEHALF.

(II) ALL MOBILE SPORTS WAGERING LICENSEES THAT ARE RELATED ENTITIES ARE TREATED AS A SINGLE MOBILE SPORTS WAGERING LICENSEE FOR PURPOSES OF THE LIMITATION UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH.

(B) (1) THE DUTIES AND RESPONSIBILITIES OF AN ONLINE SPORTS WAGERING OPERATOR MAY NOT BE ASSIGNED, DELEGATED, SUBCONTRACTED, OR TRANSFERRED TO A THIRD PARTY WITHOUT THE PRIOR APPROVAL OF THE COMMISSION.

(2) A THIRD PARTY MUST BE LICENSED AS AN ONLINE SPORTS WAGERING OPERATOR BEFORE OFFERING ONLINE SPORTS WAGERING.

1 (C) AN ONLINE SPORTS WAGERING OPERATOR MAY CONDUCT ONLINE
2 SPORTS WAGERING ON BEHALF OF MORE THAN ONE MOBILE SPORTS WAGERING
3 LICENSEE.

4 9-1E-11.

5 (A) AN INDIVIDUAL MAY NOT WAGER ON A SPORTING EVENT AND A SPORTS
6 WAGERING LICENSEE MAY NOT ACCEPT A WAGER FROM AN INDIVIDUAL ON A
7 SPORTING EVENT IF THE INDIVIDUAL:

8 (1) IS UNDER THE AGE OF 21 YEARS;

9 (2) IS NOT PHYSICALLY PRESENT IN THE STATE;

10 (3) IS AN ATHLETE, A COACH, A REFEREE, OR A DIRECTOR OR AN
11 EMPLOYEE OF A SPORTS GOVERNING ENTITY OR ANY OF ITS MEMBER TEAMS;

12 (4) IS THE DIRECT OR INDIRECT LEGAL OR BENEFICIAL OWNER OF
13 10% OR MORE OF A SPORTS GOVERNING ENTITY OR ANY OF ITS MEMBER TEAMS IF
14 ANY MEMBER TEAM OF THAT SPORTS GOVERNING ENTITY PARTICIPATES IN THE
15 SPORTING EVENT;

16 (5) HAS ACCESS TO CERTAIN TYPES OF EXCLUSIVE INFORMATION ON
17 ANY SPORTING EVENT OVERSEEN BY THAT INDIVIDUAL'S SPORTS GOVERNING
18 ENTITY;

19 (6) HOLDS A POSITION OF AUTHORITY OR INFLUENCE SUFFICIENT TO
20 EXERT INFLUENCE OVER THE PARTICIPANTS IN A SPORTING EVENT, INCLUDING
21 COACHES, MANAGERS, HANDLERS, OR ATHLETIC TRAINERS;

22 (7) IS IDENTIFIED ON A MANDATORY OR VOLUNTARY SPORTS
23 WAGERING EXCLUSION LIST MAINTAINED BY THE COMMISSION;

24 (8) IS THE OPERATOR, DIRECTOR, OFFICER, OWNER, OR EMPLOYEE
25 OF THE SPORTS WAGERING LICENSEE OR ONLINE SPORTS WAGERING OPERATOR OR
26 ANY RELATIVE OF THE LICENSEE OR OPERATOR LIVING IN THE SAME HOUSEHOLD
27 AS THE LICENSEE OR OPERATOR;

28 (9) HAS ACCESS TO NONPUBLIC CONFIDENTIAL INFORMATION HELD
29 BY THE SPORTS WAGERING LICENSEE OR ONLINE SPORTS WAGERING OPERATOR; OR

30 (10) IS A CATEGORY OF INDIVIDUALS PROHIBITED BY THE
31 COMMISSION UNDER SUBSECTION (E) OF THIS SECTION FROM WAGERING ON A
32 SPORTING EVENT.

1 **(B) FOR ONLINE SPORTS WAGERING, A MOBILE SPORTS WAGERING**
2 **LICENSEE SHALL:**

3 **(1) HAVE IN PLACE TECHNICAL AND OPERATIONAL MEASURES TO**
4 **PREVENT ACCESS BY INDIVIDUALS WHO ARE UNDERAGE OR PHYSICALLY LOCATED**
5 **OUTSIDE THE STATE, INCLUDING:**

6 **(I) AGE VERIFICATION PROCEDURES, WHICH MAY REQUIRE**
7 **THE USE OF A REPUTABLE INDEPENDENT THIRD PARTY THAT IS IN THE BUSINESS**
8 **OF VERIFYING AN INDIVIDUAL'S PERSONALLY IDENTIFIABLE INFORMATION; AND**

9 **(II) THE USE OF GEOLOCATION TECHNOLOGY TO VERIFY A**
10 **BETTOR'S GEOGRAPHIC LOCATION;**

11 **(2) INCLUDE ON ITS ONLINE SPORTS WAGERING WEBSITE A**
12 **DESCRIPTION OF THE POSSIBLE REPERCUSSIONS FOR AN UNDERAGE OR**
13 **OUT-OF-STATE BETTOR, WHICH MAY INCLUDE IMMEDIATE STOPPAGE OF PLAY,**
14 **ACCOUNT CLOSURE, AND FORFEITURE AND CONFISCATION OF WINNINGS; AND**

15 **(3) ESTABLISH PROCEDURES TO PREVENT PROHIBITED INDIVIDUALS**
16 **FROM WAGERING ON SPORTING EVENTS.**

17 **(C) A SPORTS WAGERING LICENSEE SHALL:**

18 **(1) PROMPTLY REPORT TO THE COMMISSION:**

19 **(I) ANY CRIMINAL OR DISCIPLINARY PROCEEDINGS AGAINST**
20 **THE LICENSEE OR ITS EMPLOYEES IN CONNECTION WITH THE LICENSEE'S SPORTS**
21 **WAGERING OPERATION;**

22 **(II) ANY ABNORMAL BETTING ACTIVITY OR PATTERNS THAT**
23 **MAY INDICATE A CONCERN ABOUT THE INTEGRITY OF A SPORTING EVENT;**

24 **(III) ANY OTHER CONDUCT WITH THE POTENTIAL TO CORRUPT**
25 **THE OUTCOME OF A SPORTING EVENT FOR PURPOSES OF FINANCIAL GAIN,**
26 **INCLUDING MATCH FIXING; AND**

27 **(IV) ANY SUSPICIOUS OR ILLEGAL WAGERING ACTIVITIES,**
28 **INCLUDING THE USE OF FUNDS DERIVED FROM ILLEGAL ACTIVITY, WAGERS TO**
29 **CONCEAL OR LAUNDER FUNDS DERIVED FROM ILLEGAL ACTIVITY, USE OF AGENTS**
30 **TO PLACE WAGERS, OR USE OF FALSE IDENTIFICATION; AND**

(2) MAINTAIN RECORDS OF SPORTS WAGERING OPERATIONS IN ACCORDANCE WITH REGULATIONS ADOPTED BY THE COMMISSION.

(D) THE COMMISSION IS AUTHORIZED TO SHARE ANY INFORMATION UNDER THIS SECTION WITH ANY LAW ENFORCEMENT AGENCY, SPORTS TEAM, SPORTS GOVERNING ENTITY, OR REGULATORY AGENCY THE COMMISSION DEEMS APPROPRIATE.

(E) (1) IN THIS SUBSECTION, "INTERESTED PARTY" MEANS:

(I) A SPORTS WAGERING LICENSEE;

(II) A PROFESSIONAL SPORTS TEAM, LEAGUE, ASSOCIATION, OR GOVERNING ENTITY; OR

(III) AN INSTITUTION OF HIGHER EDUCATION.

(2) IF AN INTERESTED PARTY BELIEVES THAT A TYPE OR FORM OF WAGERING OR A CATEGORY OF INDIVIDUALS WAGERING ON SPORTING EVENTS IS CONTRARY TO PUBLIC POLICY, IS UNFAIR TO CONSUMERS, OR AFFECTS THE INTEGRITY OF A PARTICULAR SPORT OR THE SPORTS WAGERING INDUSTRY, THE INTERESTED PARTY MAY SUBMIT TO THE COMMISSION, IN WRITING, A REQUEST TO PROHIBIT THE TYPE OR FORM OF SPORTS WAGERING OR THE CATEGORY OF INDIVIDUALS FROM WAGERING ON SPORTING EVENTS.

(3) ~~THE~~ AFTER CONDUCTING A PUBLIC HEARING ON A REQUEST SUBMITTED UNDER PARAGRAPH (2) OF THIS SUBSECTION, THE COMMISSION MAY GRANT ~~A THE REQUEST SUBMITTED UNDER PARAGRAPH (2) OF THIS SUBSECTION~~ ON A SHOWING OF GOOD CAUSE BY THE INTERESTED PARTY.

(4) THE COMMISSION SHALL RESPOND TO A REQUEST UNDER THIS SUBSECTION CONCERNING A PARTICULAR SPORTING EVENT BEFORE THE START OF THE SPORTING EVENT TO THE GREATEST EXTENT FEASIBLE, OR AS SOON AS PRACTICABLE.

9-1E-12.

(A) (1) THE COMMISSION SHALL ACCOUNT TO THE COMPTROLLER FOR ALL OF THE REVENUE UNDER THIS SUBTITLE.

(2) THE PROCEEDS FROM SPORTS WAGERING, LESS THE AMOUNT RETAINED BY THE LICENSEE UNDER SUBSECTION (B)(1) OF THIS SECTION, SHALL BE UNDER THE CONTROL OF THE COMPTROLLER AND DISTRIBUTED AS PROVIDED UNDER SUBSECTION (B) OF THIS SECTION.

(B) (1) (I) EXCEPT AS PROVIDED IN SUBPARAGRAPHS (II) AND (III) OF THIS PARAGRAPH, ALL PROCEEDS FROM SPORTS WAGERING SHALL BE ELECTRONICALLY TRANSFERRED ~~DAILY~~ MONTHLY INTO THE STATE LOTTERY FUND ESTABLISHED UNDER SUBTITLE 1 OF THIS TITLE.

(II) A SPORTS WAGERING FACILITY LICENSEE SHALL RETAIN 85% OF THE PROCEEDS FROM SPORTS WAGERING CONDUCTED AT THE LOCATIONS DESCRIBED IN § 9-1E-09(A) OF THIS SUBTITLE.

(III) A MOBILE SPORTS WAGERING LICENSEE SHALL RETAIN:

1. OF THE FIRST \$5,000,000 OF PROCEEDS FROM ONLINE SPORTS WAGERING RECEIVED BY THE SPORTS WAGERING LICENSEE DURING THE CALENDAR YEAR, 85% OF THE PROCEEDS; AND

2. OF ANY PROCEEDS FROM ONLINE SPORTS WAGERING RECEIVED BY THE SPORTS WAGERING LICENSEE DURING THE CALENDAR YEAR EXCEEDING \$5,000,000, 82.5% OF THE PROCEEDS.

(2) ALL PROCEEDS FROM SPORTS WAGERING IN THE STATE LOTTERY FUND ESTABLISHED UNDER SUBTITLE 1 OF THIS TITLE SHALL BE DISTRIBUTED ON A MONTHLY BASIS, ON A PROPERLY APPROVED TRANSMITTAL PREPARED BY THE COMMISSION TO THE BLUEPRINT FOR MARYLAND'S FUTURE FUND ESTABLISHED UNDER § 5-219 OF THE EDUCATION ARTICLE.

(C) A WINNING WAGER ON A SPORTING EVENT THAT IS NOT CLAIMED BY THE WINNER WITHIN 182 DAYS AFTER THE WAGER IS WON SHALL:

(1) BECOME THE PROPERTY OF THE STATE; AND

(2) BE DISTRIBUTED TO ~~THE BLUEPRINT FOR MARYLAND'S FUTURE FUND ESTABLISHED UNDER § 5-219 OF THE EDUCATION ARTICLE~~ THE PROBLEM GAMBLING FUND ESTABLISHED UNDER § 9-1A-33 OF THIS TITLE.

(D) IF A SPORTS WAGERING LICENSEE RETURNS TO SUCCESSFUL PLAYERS MORE THAN THE AMOUNT OF MONEY WAGERED ~~ON ANY DAY~~ IN ANY MONTH, THE LICENSEE MAY SUBTRACT THAT AMOUNT FROM THE PROCEEDS OF UP TO ~~90 FOLLOWING DAYS~~ THE THREE FOLLOWING MONTHS.

9-1E-13.

(A) ALL WAGERS ON SPORTING EVENTS AUTHORIZED UNDER THIS SUBTITLE SHALL BE INITIATED, RECEIVED, AND OTHERWISE MADE WITHIN THE

STATE UNLESS OTHERWISE DETERMINED BY THE COMMISSION IN ACCORDANCE WITH APPLICABLE FEDERAL AND STATE LAWS.

(B) CONSISTENT WITH THE INTENT OF THE UNITED STATES CONGRESS AS ARTICULATED IN THE UNLAWFUL INTERNET GAMBLING ENFORCEMENT ACT OF 2006, THE INTERMEDIATE ROUTING OF ELECTRONIC DATA RELATING TO A LAWFUL INTRASTATE WAGER AUTHORIZED UNDER THIS SUBTITLE MAY NOT DETERMINE THE LOCATION IN WHICH THE WAGER IS INITIATED, RECEIVED, OR OTHERWISE MADE.

(C) NOTWITHSTANDING THE PROVISIONS OF THIS SUBTITLE, A WAGER ON A SPORTING EVENT MAY BE ACCEPTED OR POOLED WITH A WAGER FROM AN INDIVIDUAL WHO IS NOT PHYSICALLY PRESENT IN THE STATE IF THE COMMISSION DETERMINES THAT ACCEPTING OR POOLING THE WAGER IS NOT INCONSISTENT WITH FEDERAL LAW OR THE LAW OF THE JURISDICTION, INCLUDING ANY FOREIGN NATION, IN WHICH THE INDIVIDUAL IS LOCATED, OR THAT SUCH WAGERING IS CONDUCTED IN ACCORDANCE WITH A RECIPROCAL AGREEMENT TO WHICH THE STATE IS A PARTY THAT IS NOT INCONSISTENT WITH FEDERAL LAW.

9-1E-14.

(A) ON OR BEFORE JULY 1 EACH YEAR, EACH SPORTS WAGERING LICENSEE SHALL REPORT TO THE COMMISSION ON:

(1) THE NUMBER OF MINORITY AND WOMEN OWNERS OF THE APPLICANT;

(2) THE OWNERSHIP INTEREST OF ANY MINORITY AND WOMEN OWNERS OF THE APPLICANT;

(3) THE NUMBER OF MINORITY AND WOMEN EMPLOYEES OF THE APPLICANT; AND

(4) ANY OTHER INFORMATION CONSIDERED NECESSARY BY THE COMMISSION.

(B) ON OR BEFORE DECEMBER 1 EACH YEAR, THE COMMISSION SHALL REPORT TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2-1257 OF THIS ARTICLE, TO THE GENERAL ASSEMBLY ON:

(1) THE OPERATION OF SPORTS WAGERING IN THE STATE; AND

(2) SPORTS WAGERING REVENUES FROM THE IMMEDIATELY PRECEDING FISCAL YEAR, INCLUDING THE HANDLE, HOLD, HOLD PERCENTAGE, AND PROCEEDS, BROKEN DOWN BY CATEGORIES DEFINED BY THE COMMISSION.

1 **9-1E-15.**

2 **(A) THERE IS A SPORTS WAGERING APPLICATION REVIEW COMMISSION.**

3 **(B) (1) THE SPORTS WAGERING APPLICATION REVIEW COMMISSION**
4 **CONSISTS OF THE FOLLOWING SEVEN MEMBERS:**

5 **(I) THE CHAIR OF THE COMMISSION, OR THE CHAIR'S**
6 **DESIGNEE;**

7 **(II) TWO MEMBERS APPOINTED BY THE GOVERNOR;**

8 **(III) TWO MEMBERS APPOINTED BY THE PRESIDENT OF THE**
9 **SENATE, WHO MAY NOT BE MEMBERS OF THE SENATE; AND**

10 **(IV) TWO MEMBERS APPOINTED BY THE SPEAKER OF THE**
11 **HOUSE, WHO MAY NOT BE MEMBERS OF THE HOUSE OF DELEGATES.**

12 **(2) THE MEMBERSHIP OF THE SPORTS WAGERING APPLICATION**
13 **REVIEW COMMISSION APPOINTED UNDER THIS SUBSECTION SHOULD REFLECT THE**
14 **RACE, GENDER, AND GEOGRAPHIC DIVERSITY OF THE POPULATION OF THE STATE.**

15 **(3) THE GOVERNOR SHALL DESIGNATE A CHAIR OF THE SPORTS**
16 **WAGERING APPLICATION REVIEW COMMISSION FROM AMONG THE MEMBERS**
17 **DESCRIBED UNDER PARAGRAPH (1)(I) AND (II) OF THIS SUBSECTION.**

18 **(4) THE GOVERNOR, IN CONSULTATION WITH THE PRESIDENT OF**
19 **THE SENATE AND THE SPEAKER OF THE HOUSE, MAY REMOVE A MEMBER OF THE**
20 **SPORTS WAGERING APPLICATION REVIEW COMMISSION FOR INEFFICIENCY,**
21 **MISCONDUCT IN OFFICE, OR NEGLECT OF DUTY.**

22 **(C) A MEMBER OF THE SPORTS WAGERING APPLICATION REVIEW**
23 **COMMISSION:**

24 **(1) SHALL BE AT LEAST 21 YEARS OLD;**

25 **(2) SHALL BE A CITIZEN OF THE UNITED STATES;**

26 **(3) SHALL BE A RESIDENT OF THE STATE;**

27 **(4) SHALL BE KNOWLEDGEABLE AND EXPERIENCED IN FISCAL**
28 **MATTERS AND SHALL HAVE AT LEAST 10 YEARS OF SUBSTANTIAL EXPERIENCE:**

1 (I) AS AN EXECUTIVE WITH FIDUCIARY RESPONSIBILITIES IN
2 CHARGE OF A LARGE ORGANIZATION OR FOUNDATION;

3 (II) IN AN ACADEMIC FIELD RELATING TO FINANCE OR
4 ECONOMICS; OR

5 (III) AS AN ECONOMIST, A FINANCIAL ANALYST, OR AN
6 ACCOUNTANT, OR AS A PROFESSIONAL IN A SIMILAR PROFESSION RELATING TO
7 FISCAL MATTERS OR ECONOMICS;

8 (5) MAY NOT HAVE BEEN CONVICTED OF OR GRANTED PROBATION
9 BEFORE JUDGMENT FOR A SERIOUS CRIME OR A CRIME THAT INVOLVES GAMBLING
10 OR MORAL TURPITUDE;

11 (6) MAY NOT HAVE AN OFFICIAL RELATIONSHIP TO A PERSON THAT IS
12 APPLYING FOR OR HOLDS A LICENSE UNDER THIS SUBTITLE OR SUBTITLE 1D OF
13 THIS TITLE;

14 (7) MAY NOT HAVE ANY DIRECT OR INDIRECT FINANCIAL INTEREST,
15 OWNERSHIP, OR MANAGEMENT, INCLUDING HOLDING ANY STOCKS, BONDS, OR
16 OTHER SIMILAR FINANCIAL INTERESTS IN ANY GAMING ACTIVITIES, INCLUDING
17 HORSE RACING, VIDEO LOTTERY TERMINALS, FANTASY COMPETITIONS, OR
18 LOTTERY;

19 (8) MAY NOT RECEIVE OR SHARE IN, DIRECTLY OR INDIRECTLY, THE
20 RECEIPTS OR PROCEEDS OF ANY GAMING ACTIVITIES, INCLUDING HORSE RACING
21 OR LOTTERY;

22 (9) MAY NOT HAVE A BENEFICIAL INTEREST IN ANY CONTRACT FOR
23 THE MANUFACTURE OR SALE OF GAMING DEVICES, THE CONDUCT OF ANY GAMING
24 ACTIVITY, OR THE PROVISION OF ANY INDEPENDENT CONSULTING SERVICES IN
25 CONNECTION WITH ANY GAMING ESTABLISHMENT OR GAMING ACTIVITY;

26 (10) MAY NOT BE AN ELECTED OFFICIAL OF STATE OR LOCAL
27 GOVERNMENT; AND

28 (11) SHALL FILE A FINANCIAL DISCLOSURE STATEMENT WITH THE
29 STATE ETHICS COMMISSION IN ACCORDANCE WITH TITLE 15, SUBTITLE 6 OF THIS
30 ARTICLE.

31 (D) A MEMBER OF THE SPORTS WAGERING APPLICATION REVIEW
32 COMMISSION:

(1) MAY NOT RECEIVE COMPENSATION FOR SERVING ON THE SPORTS WAGERING LICENSE REVIEW COMMISSION; BUT

(2) IS ENTITLED TO REIMBURSEMENT FOR EXPENSES UNDER THE STANDARD STATE TRAVEL REGULATIONS, AS PROVIDED IN THE STATE BUDGET.

(E) (1) THE COMMISSION AND THE DEPARTMENT OF LEGISLATIVE SERVICES SHALL PROVIDE STAFF TO THE SPORTS WAGERING APPLICATION REVIEW COMMISSION.

(2) THE DEPARTMENT OF LEGISLATIVE SERVICES SHALL CONTRACT WITH AN INDEPENDENT CONSULTANT THAT HAS AT LEAST 10 YEARS OF SUBSTANTIAL EXPERIENCE IN CONSULTING ON MATTERS RELATING TO THE GAMING INDUSTRY TO ASSIST THE SPORTS WAGERING APPLICATION REVIEW COMMISSION IN THE REVIEW AND ANALYSIS OF APPLICATIONS SUBMITTED UNDER THIS SECTION.

(F) THE SPORTS WAGERING APPLICATION REVIEW COMMISSION:

(1) SHALL REVIEW APPLICATIONS FOR ~~LICENSURE~~ SPORTS WAGERING LICENSES SUBMITTED IN ACCORDANCE WITH § 9-1E-06 OF THIS SUBTITLE; AND

(2) MAY AWARD NOT MORE THAN ~~FIVE~~ 10 CLASS B SPORTS WAGERING FACILITY LICENSES AND ~~40~~ 15 MOBILE SPORTS WAGERING LICENSES TO QUALIFIED APPLICANTS, THROUGH A COMPETITIVE PROCESS CONSISTENT WITH THE PROCESS FOR COMPETITIVE SEALED PROPOSALS UNDER TITLE 13 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

(G) NOTHING IN THIS SUBTITLE MAY BE CONSTRUED TO PREEMPT THE EXCLUSIVE AUTHORITY OF THE SPORTS WAGERING APPLICATION REVIEW COMMISSION TO AWARD SPORTS WAGERING LICENSES IN ACCORDANCE WITH THIS SUBTITLE.

(H) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, THE SPORTS WAGERING APPLICATION REVIEW COMMISSION SHALL ADOPT REGULATIONS GOVERNING THE EVALUATION OF APPLICATIONS FOR ~~LICENSURE~~ SPORTS WAGERING LICENSES SUBMITTED IN ACCORDANCE WITH § 9-1E-06 OF THIS SUBTITLE.

(2) THE SPORTS WAGERING APPLICATION REVIEW COMMISSION, IN CONSULTATION WITH THE CERTIFICATION AGENCY AS DEFINED IN § 14-301 OF THE STATE FINANCE AND PROCUREMENT ARTICLE, THE GOVERNOR'S OFFICE OF SMALL, MINORITY, AND WOMEN BUSINESS AFFAIRS, AND THE OFFICE OF THE ATTORNEY GENERAL, SHALL:

(I) EVALUATE A STUDY OF THE SPORTS WAGERING INDUSTRY AND MARKET TO DETERMINE WHETHER THERE IS A COMPELLING INTEREST TO IMPLEMENT REMEDIAL MEASURES, IN ADDITION TO THE APPLICATION OF THE STATE MINORITY BUSINESS ENTERPRISE PROGRAM UNDER TITLE 14, SUBTITLE 3 OF THE STATE FINANCE AND PROCUREMENT ARTICLE OR A SIMILAR PROGRAM, TO ASSIST MINORITIES AND WOMEN IN THE SPORTS WAGERING INDUSTRY;

(II) EVALUATE RACE-NEUTRAL PROGRAMS OR OTHER METHODS THAT MAY BE USED TO ADDRESS THE NEEDS OF ~~MINORITY AND WOMEN APPLICANTS~~ MINORITIES, WOMEN, AND MINORITY AND WOMEN-OWNED BUSINESSES SEEKING TO PARTICIPATE IN THE SPORTS WAGERING INDUSTRY, INCLUDING THROUGH THE OWNERSHIP OF ENTITIES LICENSED TO CONDUCT SPORTS WAGERING UNDER THIS SUBTITLE; AND

(III) ADOPT REGULATIONS TO IMPLEMENT REMEDIAL MEASURES, IF NECESSARY AND TO THE EXTENT PERMITTED BY STATE AND FEDERAL LAW, BASED ON THE FINDINGS OF THE STUDY EVALUATED UNDER ITEM (I) OF THIS PARAGRAPH.

(3) THE SPORTS WAGERING APPLICATION REVIEW COMMISSION SHALL:

(I) TO THE EXTENT PERMITTED BY FEDERAL AND STATE LAW, ACTIVELY SEEK TO ACHIEVE RACIAL, ETHNIC, AND GENDER DIVERSITY WHEN AWARDING LICENSES; AND

(II) ENCOURAGE APPLICANTS WHO QUALIFY AS A MINORITY BUSINESS ENTERPRISE, AS DEFINED IN § 14-301 OF THE STATE FINANCE AND PROCUREMENT ARTICLE, OR WHO ARE SMALL, MINORITY, OR WOMEN-OWNED BUSINESS ENTITIES TO APPLY FOR SPORTS WAGERING LICENSES UNDER THIS SUBTITLE.

(I) (1) IF AN APPLICANT IS SEEKING INVESTORS IN THE ENTITY APPLYING FOR A SPORTS WAGERING LICENSE, THE APPLICANT SHALL TAKE THE FOLLOWING STEPS BEFORE BEING AWARDED A LICENSE BY THE SPORTS WAGERING APPLICATION REVIEW COMMISSION:

(I) MAKE SERIOUS, GOOD-FAITH EFFORTS TO SOLICIT AND INTERVIEW A REASONABLE NUMBER OF MINORITY AND WOMEN INVESTORS; AND

(II) AS PART OF THE APPLICATION, SUBMIT A STATEMENT THAT LISTS THE NAMES AND ADDRESSES OF ALL MINORITY AND WOMEN INVESTORS

1 INTERVIEWED AND WHETHER OR NOT ANY OF THOSE INVESTORS HAVE PURCHASED
2 AN EQUITY SHARE IN THE ENTITY SUBMITTING AN APPLICATION.

3 (2) IF AN APPLICANT IS AWARDED A LICENSE BY THE SPORTS
4 WAGERING APPLICATION REVIEW COMMISSION, THE APPLICANT SHALL SIGN A
5 MEMORANDUM OF UNDERSTANDING WITH THE SPORTS WAGERING APPLICATION
6 REVIEW COMMISSION THAT REQUIRES THE AWARDEE TO AGAIN MAKE SERIOUS,
7 GOOD-FAITH EFFORTS TO INTERVIEW MINORITY AND WOMEN INVESTORS IN ANY
8 FUTURE ATTEMPTS TO RAISE VENTURE CAPITAL OR ATTRACT NEW INVESTORS TO
9 THE ENTITY AWARDED THE LICENSE.

10 (3) THE GOVERNOR'S OFFICE OF SMALL, MINORITY, AND WOMEN
11 BUSINESS AFFAIRS, IN CONSULTATION WITH THE OFFICE OF THE ATTORNEY
12 GENERAL, SHALL PROVIDE ASSISTANCE TO ALL POTENTIAL APPLICANTS AND
13 POTENTIAL MINORITY AND WOMEN INVESTORS TO SATISFY THE REQUIREMENTS
14 UNDER PARAGRAPHS (1)(I) AND (2) OF THIS SUBSECTION.

15 (J) THE SPORTS WAGERING APPLICATION REVIEW COMMISSION MAY NOT
16 AWARD A SPORTS WAGERING LICENSE TO A PERSON THAT IS NOT QUALIFIED UNDER
17 THIS SECTION OR THIS SUBTITLE.

18 (K) (1) THE SPORTS WAGERING APPLICATION REVIEW COMMISSION
19 SHALL REFER TO THE STATE LOTTERY AND GAMING CONTROL COMMISSION THE
20 NAME AND ALL RELEVANT INFORMATION CONCERNING A PERSON THAT MAKES AN
21 APPLICATION UNDER THIS SECTION.

22 (2) ON RECEIPT OF THE INFORMATION IN PARAGRAPH (1) OF THIS
23 SUBSECTION, THE STATE LOTTERY AND GAMING CONTROL COMMISSION SHALL
24 EVALUATE WHETHER AN APPLICANT IS QUALIFIED TO HOLD A SPORTS WAGERING
25 LICENSE UNDER THIS SUBTITLE.

26 (3) ON COMPLETION OF ITS DETERMINATION, THE STATE LOTTERY
27 AND GAMING CONTROL COMMISSION SHALL NOTIFY THE SPORTS WAGERING
28 APPLICATION REVIEW COMMISSION OF ITS EVALUATION AS TO WHETHER AN
29 APPLICANT IS QUALIFIED TO HOLD A SPORTS WAGERING LICENSE UNDER THIS
30 SUBTITLE.

31 (L) AFTER AN AWARD OF A SPORTS WAGERING LICENSE UNDER THIS
32 SECTION, THE SPORTS WAGERING APPLICATION REVIEW COMMISSION SHALL
33 NOTIFY THE STATE LOTTERY AND GAMING CONTROL COMMISSION OF THE
34 SUCCESSFUL APPLICANTS.

35 (M) AFTER AN AWARD OF A SPORTS WAGERING LICENSE UNDER THIS
36 SECTION, THE STATE LOTTERY AND GAMING CONTROL COMMISSION SHALL:

1 **(1) ISSUE THE SPORTS WAGERING LICENSE; AND**

2 **(2) BE RESPONSIBLE FOR ALL MATTERS RELATING TO REGULATION**
3 **OF THE LICENSEE.**

4 **(N) (1) AN UNSUCCESSFUL APPLICANT FOR A SPORTS WAGERING**
5 **LICENSE UNDER THIS SECTION MAY SEEK, UNDER TITLE 15 OF THE STATE FINANCE**
6 **AND PROCUREMENT ARTICLE, REVIEW BY THE STATE BOARD OF CONTRACT**
7 **APPEALS OF THE AWARDING OF THE SPORTS WAGERING LICENSE BY THE SPORTS**
8 **WAGERING APPLICATION REVIEW COMMISSION.**

9 **(2) A PROCEEDING UNDER THIS SUBSECTION SHALL:**

10 **(I) TAKE PRECEDENCE ON THE BOARD'S DOCKET;**

11 **(II) BE HEARD AT THE EARLIEST PRACTICABLE DATE; AND**

12 **(III) BE EXPEDITED IN EVERY WAY.**

13 **(O) (1) NOTHING IN THIS SUBTITLE MAY BE CONSTRUED TO REQUIRE THE**
14 **SPORTS WAGERING APPLICATION REVIEW COMMISSION TO AWARD ALL ~~FIVE~~ 10**
15 **CLASS B SPORTS WAGERING FACILITY LICENSES OR ALL ~~40~~ 15 MOBILE SPORTS**
16 **WAGERING LICENSES AUTHORIZED UNDER THIS SUBTITLE.**

17 **(2) NOTWITHSTANDING ANY OF THE PROVISIONS OF THIS SUBTITLE,**
18 **THE SPORTS WAGERING APPLICATION REVIEW COMMISSION MAY NOT AWARD A**
19 **SPORTS WAGERING LICENSE UNDER THIS SUBTITLE UNLESS THE SPORTS**
20 **WAGERING APPLICATION REVIEW COMMISSION DETERMINES AND DECLARES THAT**
21 **AN APPLICANT SELECTED FOR AWARD OF THE LICENSE IS IN THE PUBLIC INTEREST**
22 **AND IS CONSISTENT WITH THE PURPOSES OF THIS SUBTITLE.**

23 **(P) THE SPORTS WAGERING APPLICATION REVIEW COMMISSION MAY**
24 **AWARD A SPORTS WAGERING LICENSE THAT IS REVOKED OR SURRENDERED**
25 **UTILIZING THE CRITERIA ESTABLISHED IN THIS SUBTITLE.**

26 **(Q) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION,**
27 **THE SPORTS WAGERING APPLICATION REVIEW COMMISSION SHALL TERMINATE**
28 **ON JANUARY 1, 2028.**

29 **(2) THE GOVERNOR MAY RECONSTITUTE THE SPORTS WAGERING**
30 **APPLICATION REVIEW COMMISSION, WHICH SHALL INCLUDE THE APPOINTMENT OF**
31 **NEW MEMBERS BASED ON THE CRITERIA ESTABLISHED UNDER SUBSECTIONS (B)**
32 **AND (C) OF THIS SECTION:**

(I) 1 YEAR PRIOR TO THE EXPIRATION OF A SPORTS WAGERING
LICENSE; OR

(II) FOLLOWING THE REVOCATION OR SURRENDER OF A SPORTS
WAGERING LICENSE.

SECTION 3. AND BE IT FURTHER ENACTED, That it is the intent of the General
Assembly that the Sports Wagering Application Review Commission established under §
9–1E–15 of the State Government Article, as enacted by Section 2 of this Act, shall:

(1) evaluate the studies of the sports and event wagering industry
conducted by National Economic Research Associates, Inc., and Keen Independent
Research and any other information that the Commission deems necessary;

(2) examine the factors examined and remedial measures implemented by
the Natalie M. LaPrade Medical Cannabis Commission with respect to the licensure of
medical cannabis growers, processors, and dispensaries and determine whether similar
factors and remedial measures may be applied to the sports wagering industry; and

(3) in order to maintain the competitiveness of the State's gaming program,
conduct its work as expeditiously as possible and in a manner that is in the best interests
of Maryland and its citizens.

SECTION 4. AND BE IT FURTHER ENACTED, That the certification agency
designated by the Board of Public Works under § 14–303(b) of the State Finance and
Procurement Article to certify and decertify minority business enterprises, in consultation
with the Office of the Attorney General and the Governor's Office of Small, Minority, and
Women Business Affairs, shall:

(1) initiate an analysis of the following to evaluate compliance with any
federal and constitutional requirements:

(i) the Minority Business Enterprise Program requirements of §
~~10A–404 of the State Finance and Procurement Article and~~ § 9–1E–07(b) of the State
Government Article, as enacted by Section 2 of this Act;

(ii) any remedial measures implemented in accordance with §
9–1E–15 of the State Government Article, as enacted by Section 2 of this Act; and

(iii) the disparity study submitted pursuant to Chapter 340 of the
Acts of the General Assembly of 2017 ~~to evaluate compliance with the requirements of any
federal and constitutional requirements and;~~ and

(2) submit a report on the analysis to the Legislative Policy Committee of
the General Assembly, in accordance with § 2–1257 of the State Government Article, on or
before December 1, 2023.

1 SECTION 5. AND BE IT FURTHER ENACTED, That this Act shall take effect June
2 1, 2021.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.