

HOUSE BILL 85

C7
HB 764/16 – W&M

7lr0719

By: **Delegates Beidle, Carey, Chang, Frush, S. Howard, Kipke, Malone, McConkey, McMillan, Pena–Melnik, Saab, Simonaire, and Sophocleus**

Introduced and read first time: January 16, 2017

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Anne Arundel County – Charitable Gaming**

3 FOR the purpose of authorizing certain organizations in Anne Arundel County to conduct
4 a card game, card tournament, or casino event under certain circumstances;
5 requiring an organization to obtain a permit from the County Department of
6 Inspections and Permits before conducting a card game, card tournament, or casino
7 event; requiring an organization that seeks a permit to meet certain requirements;
8 specifying that a card game, card tournament, or casino event may be managed and
9 operated by certain organizations; requiring an individual who participates in or
10 volunteers as an operator of a card game, card tournament, or casino event to be of
11 a certain age; specifying that a permit holder may receive a certain maximum
12 number of permits in a calendar year; specifying that a permit is not transferable;
13 requiring that proceeds from a card game, card tournament, or casino event be used
14 for certain purposes and may not be used for certain other purposes; specifying that
15 the operation of a card game, card tournament, or casino event may be authorized
16 only during certain times; authorizing a permit holder under this Act to charge only
17 a preset entrance fee; requiring participants in a card game, card tournament, or
18 casino event to use tokens and not cash for wagering under certain circumstances;
19 authorizing the serving or sale of alcoholic beverages under certain circumstances;
20 prohibiting a permit holder from exchanging tokens under certain circumstances;
21 authorizing the County Executive and County Council to adopt certain regulations;
22 providing a certain penalty; defining a certain term; and generally relating to gaming
23 in Anne Arundel County.

24 BY repealing and reenacting, without amendments,
25 Article – Criminal Law
26 Section 13–401
27 Annotated Code of Maryland
28 (2012 Replacement Volume and 2016 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 13–404 and 13–408
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

BY adding to
Article – Criminal Law
Section 13–404.1
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

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

Article – Criminal Law

13–401.

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

(b) (1) “Casino event” means any event that involves a card game, dice game,
or roulette game.

(2) “Casino event” does not include a card game or dice game that is played
for tokens for which no cash prize is offered or awarded.

(c) “Gaming event” means a carnival, bazaar, raffle, or other organized gaming
event.

13–404.

[A] EXCEPT AS PROVIDED IN § 13–404.1 OF THIS SUBTITLE, A person may not
conduct a casino event in the county.

13–404.1.

(A) IN THIS SECTION, “PERMIT” MEANS A PERMIT TO CONDUCT A CARD
GAME, CARD TOURNAMENT, OR CASINO EVENT.

(B) BEFORE AN ORGANIZATION MAY CONDUCT A CARD GAME, CARD
TOURNAMENT, OR CASINO EVENT, THE ORGANIZATION SHALL OBTAIN A PERMIT
FROM THE COUNTY DEPARTMENT OF INSPECTIONS AND PERMITS.

(C) TO QUALIFY FOR A PERMIT, AN ORGANIZATION SHALL BE:

(1) A BONA FIDE:

(I) AMATEUR ATHLETIC ORGANIZATION THAT IS AN ACCREDITED NONPROFIT;

(II) CHAMBER OF COMMERCE;

(III) HOSPITAL FOUNDATION;

(IV) PARENT-TEACHER ASSOCIATION OR ORGANIZATION FOR A SCHOOL IN THE COUNTY;

(V) CHARITABLE NONPROFIT FOUNDATION THAT PROVIDES SUPPORT TO MILITARY PERSONNEL AND FAMILIES OF MILITARY PERSONNEL;

(VI) CHARITABLE NONPROFIT ORGANIZATION THAT PROVIDES VOCATIONAL TRAINING FOR DEVELOPMENTALLY DISABLED INDIVIDUALS;

(VII) VOLUNTEER FIRE COMPANY; OR

(VIII) WAR VETERANS' ORGANIZATION; AND

(2) AN ORGANIZATION THAT HAS BEEN LOCATED IN THE COUNTY FOR AT LEAST 3 YEARS BEFORE THE ORGANIZATION APPLIES FOR A PERMIT UNDER THIS SECTION.

(D) (1) A CARD GAME, CARD TOURNAMENT, OR CASINO EVENT MAY BE:

(I) MANAGED AND OPERATED BY THE ORGANIZATION THAT IS THE PERMIT HOLDER; OR

(II) MANAGED BY THE ORGANIZATION THAT IS THE PERMIT HOLDER AND OPERATED BY ANOTHER ORGANIZATION LISTED IN SUBSECTION (C) OF THIS SECTION.

(2) (I) AN OPERATOR OF A CARD GAME, CARD TOURNAMENT, OR CASINO EVENT MAY NOT RECEIVE COMPENSATION.

(II) TO VOLUNTEER AS AN OPERATOR OF A CARD GAME, CARD TOURNAMENT, OR CASINO EVENT, AN INDIVIDUAL SHALL BE AT LEAST 18 YEARS OLD.

(III) TO PARTICIPATE IN A CARD GAME, CARD TOURNAMENT, OR CASINO EVENT, AN INDIVIDUAL SHALL BE AT LEAST 21 YEARS OLD.

1 **(E) AN ORGANIZATION THAT IS THE PERMIT HOLDER MAY RECEIVE NOT**
2 **MORE THAN ONE PERMIT IN A CALENDAR YEAR.**

3 **(F) A PERMIT IS NOT TRANSFERABLE.**

4 **(G) PROCEEDS FROM A CARD GAME, CARD TOURNAMENT, OR CASINO EVENT**
5 **CONDUCTED UNDER THIS SECTION:**

6 **(1) SHALL BE USED TO BENEFIT A CHARITY OR TO FURTHER THE**
7 **PURPOSE OF THE PERMIT HOLDER; AND**

8 **(2) MAY NOT BE USED FOR THE FINANCIAL BENEFIT OR PERSONAL**
9 **USE OF AN INDIVIDUAL OR A GROUP OF INDIVIDUALS.**

10 **(H) A PERMIT MAY AUTHORIZE THE OPERATION OF A CARD GAME, CARD**
11 **TOURNAMENT, OR CASINO EVENT ONLY ON FRIDAY OR SATURDAY BETWEEN 4 P.M.**
12 **AND MIDNIGHT.**

13 **(I) (1) AN ORGANIZATION THAT IS THE PERMIT HOLDER MAY CHARGE**
14 **ONLY A PRESET ENTRANCE FEE FOR A CARD GAME, CARD TOURNAMENT, OR CASINO**
15 **EVENT.**

16 **(2) PARTICIPANTS IN A CARD GAME, CARD TOURNAMENT, OR CASINO**
17 **EVENT SHALL RECEIVE TOKENS FOR WAGERING IN EXCHANGE FOR THE ENTRANCE**
18 **FEE.**

19 **(3) A PARTICIPANT MAY PURCHASE ADDITIONAL TOKENS, AT A TOTAL**
20 **COST NOT EXCEEDING 100% OF THE ENTRANCE FEE, DURING A CARD GAME, CARD**
21 **TOURNAMENT, OR CASINO EVENT.**

22 **(4) AN ORGANIZATION THAT IS THE PERMIT HOLDER MAY NOT ALLOW**
23 **CASH TO BE USED FOR WAGERING.**

24 **(5) A HOLDER OF A PERMIT MAY SERVE OR SELL ALCOHOLIC**
25 **BEVERAGES AT A CARD GAME, CARD TOURNAMENT, OR CASINO EVENT ONLY IF THE**
26 **HOLDER IS ISSUED THE PROPER ALCOHOLIC BEVERAGES LICENSE BY THE BOARD**
27 **OF LICENSE COMMISSIONERS OF ANNE ARUNDEL COUNTY.**

28 **(J) AN ORGANIZATION THAT IS THE PERMIT HOLDER MAY NOT EXCHANGE**
29 **TOKENS USED FOR WAGERING FOR:**

30 **(1) AN ITEM OF MERCHANDISE THAT IS WORTH MORE THAN \$500;**

31 **(2) MONEY; OR**

1 **(3) AN ITEM OF MERCHANDISE HAVING A VALUE THAT IS DIFFERENT**
2 **FROM THE FAIR MARKET RETAIL VALUE OF THE ITEM OF MERCHANDISE THAT WAS**
3 **RECEIVED FOR THE TOKENS.**

4 **(K) AN ORGANIZATION THAT IS FOUND TO HAVE VIOLATED THIS SECTION IS**
5 **INELIGIBLE TO RECEIVE A PERMIT UNDER THIS SECTION FOR A PERIOD OF 5 YEARS.**

6 **(L) THE COUNTY EXECUTIVE MAY ADOPT REGULATIONS TO CARRY OUT**
7 **THIS SECTION, INCLUDING REGULATIONS TO GOVERN:**

8 **(1) THE ISSUING OF PERMITS; AND**

9 **(2) THE CONDUCT AND MANAGEMENT OF A CARD GAME, CARD**
10 **TOURNAMENT, OR CASINO EVENT IN A MANNER TO PREVENT FRAUD AND PROTECT**
11 **THE PUBLIC.**

12 **(M) THE COUNTY COUNCIL MAY ADOPT REGULATIONS TO GOVERN PERMIT**
13 **FEES UNDER THIS SECTION.**

14 13-408.

15 (a) A person may not knowingly operate or attempt to operate a gaming event in
16 the county in violation of § 13-403 [or], § 13-404, **OR § 13-404.1** of this subtitle.

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

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