

Chapter 845

(House Bill 1227)

AN ACT concerning

The Problem Gambling Funding and Treatment Act of 2017

FOR the purpose of ~~increasing a certain annual fee paid by video lottery operation licensees for certain video lottery terminals to the Problem Gambling Fund; increasing the maximum amount of a certain annual fee that may be paid by a video lottery operation licensee for certain table games to the Fund;~~ specifying that the primary purpose of the *Problem Gambling* Fund is to provide money for certain problem gambling treatment and prevention programs; requiring the Department of Health and Mental Hygiene to use certain funds to establish a certain outreach program for certain individuals; providing that certain programs developed and implemented by the Department be free or reduced cost programs; requiring a certain organization to make a certain report to the General Assembly by a certain date; *stating the intent of the General Assembly*; and generally relating to ~~fees assessed on video lottery terminals and table games and~~ the Problem Gambling Fund.

BY repealing and reenacting, with amendments,

Article – State Government

Section 9–1A–33

Annotated Code of Maryland

(2014 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 – State Government

9–1A–33.

(a) (1) The Commission shall:

(i) establish an annual fee of ~~[\$425]~~ **\$500**, to be paid by each video lottery operation licensee, for each video lottery terminal operated by the licensee during the year, based on the maximum number of terminal positions in use during the year; and

(ii) distribute the fees collected under item (i) of this paragraph to the Problem Gambling Fund established in subsection (b) of this section.

(2) The Commission may establish an annual fee of up to ~~[\$500]~~ **\$700** for each table game to be paid by each video lottery operation licensee and distributed to the

Problem Gambling Fund under subsection (b) of this section in order to ensure sufficient funds are available to provide requested services.

(b) (1) **(I)** There is a Problem Gambling Fund in the Department of Health and Mental Hygiene.

(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 Department of Health and Mental Hygiene 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; [and]

(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.

(5) After satisfying the requirements of paragraph (4) of this subsection, any unspent funds in the Problem Gambling Fund may be expended by the Department of Health and Mental Hygiene 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.

SECTION 2. AND BE IT FURTHER ENACTED, That the Maryland Center of Excellence on Problem Gambling, on or before December 31, 2017, shall report to the General Assembly, in accordance with § 2–1246 of the State Government Article, on the geographic breakdown by county of the Maryland Center of Excellence on Problem Gambling’s public awareness and outreach efforts during fiscal year 2017.

SECTION 3. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that, if the expanded purpose of the Problem Gambling Fund as enacted by this Act results in the need for additional funds, the General Assembly will consider legislation to increase the fees established under § 9–1A–33(a) of the State Government Article during the 2018 legislative session.

SECTION ~~3~~ 4. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2017.

Enacted under Article II, § 17(c) of the Maryland Constitution, May 27, 2017.