

# SENATE BILL 428

C7

4r1740  
CF HB 305

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By: **Senator King**

Introduced and read first time: January 24, 2014

Assigned to: Judicial Proceedings

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Committee Report: Favorable

Senate action: Adopted

Read second time: February 25, 2014

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Criminal Law – Gaming – Home Games**

3 FOR the purpose of allowing a person to conduct a home game that is a game of  
4 chance or skill involving wagering that is conducted in a person's home and  
5 allows a player to compete directly against one or more other players;  
6 prohibiting a person from conducting a home game involving a player's use of an  
7 electronic device that connects to the Internet; prohibiting a person from  
8 benefiting financially in any way, directly or indirectly, other than from the  
9 winnings accrued by participating as a player in a home game; and generally  
10 relating to gaming.

11 BY repealing and reenacting, with amendments,  
12 Article – Criminal Law  
13 Section 12–102(a) and 13–203  
14 Annotated Code of Maryland  
15 (2012 Replacement Volume and 2013 Supplement)

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

18 **Article – Criminal Law**

19 12–102.

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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           (a)    **[A] EXCEPT AS PROVIDED IN § 13–203 OF THIS ARTICLE,** A person  
2 may not:

3                   (1)   bet, wager, or gamble;

4                   (2)   make or sell a book or pool on the result of a race, contest, or  
5 contingency;

6                   (3)   establish, keep, rent, use, or occupy, or knowingly allow to be  
7 established, kept, rented, used, or occupied, all or a part of a building, vessel, or place,  
8 on land or water, within the State, for the purpose of:

9                           (i)   betting, wagering, or gambling; or

10                           (ii)   making, selling, or buying books or pools on the result of a  
11 race, contest, or contingency; or

12                   (4)   receive, become the depository of, record, register, or forward, or  
13 propose, agree, or pretend to forward, money or any other thing or consideration of  
14 value, to be bet, wagered, or gambled on the result of a race, contest, or contingency.

15 13–203.

16           This title and Title 12 of this article do not prohibit:

17                   **(1)**   a qualified organization from conducting a gaming event for the  
18 exclusive benefit of a qualified organization if an individual or group of individuals  
19 does not:

20                           **[(1)] (I)**   benefit financially from the gaming event under this  
21 subtitle; or

22                           **[(2)] (II)**   receive any of the proceeds from the gaming event under  
23 this subtitle for personal use or benefit; **OR**

24                   **(2)**   **A PERSON FROM CONDUCTING A HOME GAME THAT IS A GAME**  
25 **OF CHANCE OR SKILL INVOLVING WAGERING THAT:**

26                           **(I)**   **IS CONDUCTED IN THE PERSON’S HOME;**

27                           **(II)**   **ALLOWS A PLAYER TO COMPETE DIRECTLY AGAINST**  
28 **ONE OR MORE OTHER PLAYERS;**

29                           **(III)**   **DOES NOT INVOLVE A PLAYER’S USE OF AN ELECTRONIC**  
30 **DEVICE THAT CONNECTS TO THE INTERNET; AND**

1                   **(IV) DOES NOT ALLOW A PERSON TO BENEFIT FINANCIALLY**  
2 **IN ANY WAY, DIRECTLY OR INDIRECTLY, OTHER THAN FROM THE WINNINGS**  
3 **ACCRUED BY PARTICIPATING AS A PLAYER IN THE GAME.**

4           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
5 October 1, 2014.

Approved:

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Governor.

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President of the Senate.

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Speaker of the House of Delegates.