

# SENATE BILL 900

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8lr3714  
CF HB 1378

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By: **Senators King and DeGrange**

Introduced and read first time: February 5, 2018

Assigned to: Budget and Taxation

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Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 16, 2018

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

1 AN ACT concerning

2 **Gaming – Fantasy Competitions – Regulation and Prohibition on Operation of**  
3 **Electronic Device**

4 FOR the purpose of transferring the authority to adopt certain regulations related to  
5 fantasy competitions from the Comptroller to the State Lottery and Gaming Control  
6 Commission; prohibiting a person from operating a certain kiosk or machine that  
7 offers fantasy competition to the public; and generally relating to the regulation of  
8 fantasy competition.

9 ~~BY repealing and reenacting, with amendments,~~  
10 ~~Article – Criminal Law~~  
11 ~~Section 12–114~~  
12 ~~Annotated Code of Maryland~~  
13 ~~(2012 Replacement Volume and 2017 Supplement)~~

14 BY transferring  
15 Article – Criminal Law  
16 Section 12–114  
17 Annotated Code of Maryland  
18 (2012 Replacement Volume and 2017 Supplement)

19 to be  
20 Article – State Government  
21 Section 9–1D–01  
22 Annotated Code of Maryland  
23 (2014 Replacement Volume and 2017 Supplement)

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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 BY repealing and reenacting, with amendments,

2 Article – State Government

3 Section 9–1D–01 to be under the new subtitle “Subtitle 1D. Fantasy Competitions”

4 Annotated Code of Maryland

5 (2014 Replacement Volume and 2017 Supplement)

6 (As enacted by Section 1 of this Act)

7 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

8 That Section(s) 12–114 of Article – Criminal Law of the Annotated Code of Maryland be

9 transferred to be Section(s) 9–1D–01 of Article – State Government of the Annotated Code

10 of Maryland.

11 SECTION ~~≡~~ 2. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
12 MARYLAND, That the Laws of Maryland read as follows:

13 ~~Article – Criminal Law~~

14 ~~12–114.~~

15 Article – State Government

16 SUBTITLE 1D. FANTASY COMPETITIONS.

17 9–1D–01.

18 (a) In this section, “fantasy competition” includes any online fantasy or simulated  
19 game or contest such as fantasy sports, in which:

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

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

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

26 (4) no winning outcome is based:

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

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

30 (b) **(1)** Notwithstanding the provisions of ~~this~~ **TITLE 12 OF THE CRIMINAL**  
31 **LAW ARTICLE** or any other title, **AND EXCEPT AS PROVIDED UNDER PARAGRAPH (2)**

1 OF THIS SUBSECTION, the prohibitions against betting, wagering, and gambling do not  
2 apply to participation in a fantasy competition.

3 (2) A PERSON ~~IN THE STATE~~ MAY NOT OPERATE A KIOSK OR MACHINE  
4 ~~PHYSICALLY LOCATED IN A PLACE OF BUSINESS~~ THAT OFFERS FANTASY  
5 COMPETITION TO THE PUBLIC IN A PLACE OF BUSINESS PHYSICALLY LOCATED IN  
6 THE STATE.

7 (c) The ~~Comptroller~~ STATE LOTTERY AND GAMING CONTROL COMMISSION  
8 may adopt regulations to carry out the provisions of this section.

9 SECTION ~~2.~~ 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
10 October 1, 2018.

Approved:

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Governor.

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President of the Senate.

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Speaker of the House of Delegates.