

Department of Legislative Services
Maryland General Assembly
2019 Session

FISCAL AND POLICY NOTE
Third Reader - Revised

House Bill 563
Ways and Means

(Montgomery County Delegation)

Budget and Taxation

Montgomery County - Gaming and Benefit Performances - Repeal
MC 14-19

This bill repeals obsolete provisions of the Public Local Laws of Montgomery County relating to certain gaming activities, gambling paraphernalia, and prizes awarded at benefit performances conducted by nonprofit organizations in Montgomery County.

Fiscal Summary

State Effect: None. The bill is technical in nature and does not impact State operations or finances.

Local Effect: None. The bill is technical in nature and does not impact local operations or finances.

Small Business Effect: None.

Analysis

Current Law: A person may not:

- bet, wager, or gamble;
- make or sell a book or pool on the result of a race, contest, or contingency;
- establish, keep, rent, use, or occupy or knowingly allow to be established, kept, rented, used, or occupied, a building, vessel, or place for the purpose of betting, wagering, or gambling or making, selling, or buying books or pools on the result of a race, contest, or contingency; or

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

A person who violates betting, wagering, and gambling laws is guilty of a misdemeanor and on conviction is subject to imprisonment for six months to one year and/or a fine ranging from \$200 to \$1,000.

An individual who is at least 21 years old may conduct a home game involving wagering if the home game (1) is limited to mah jong or a card game; (2) is conducted not more than once a week in the individual's home or in a common area of a residential property that is restricted to residents age 55 or older; (3) allows a player to compete directly against one or more other players who share a preexisting social relationship; (4) does not allow an individual to benefit financially in any way, directly or indirectly, other than from the winnings accrued by participating as a player in the game; and (5) has a \$1,000 limit on the total amount of money, tokens representing money, or any other thing or consideration of value that may be wagered by all players during any 24-hour period. The home game may not involve a player's use of an electronic device that connects to the Internet, the use of paid public advertising or promotions, the charging of specified fees, or the use of any money except money used for wagering.

Qualified organizations can conduct bingo, including the sale of instant bingo tickets on bingo nights, in Montgomery County if they receive a license from the county. The maximum award per game of bingo is \$1,000. Qualified organizations must be bona fide nonprofit organizations and include volunteer fire companies and rescue squads and religious, fraternal, patriotic, educational, and charitable organizations.

Bingo can only be conducted for charity or for the benefit of the qualified organization. The person conducting bingo must be a county resident and a member of the qualified organization and cannot benefit financially from conducting the game. A qualified organization cannot conduct bingo more than twice in any week and must keep accurate records for two years of all transactions that occur during a bingo game. These records must be made available on request to specified county and State officials and agencies. None of these provisions applies to bingo conducted at the annual Montgomery County Fair for the benefit of the Montgomery County Agricultural Center.

Qualified organizations can also conduct raffles in Montgomery County under specified conditions.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Montgomery County; Comptroller's Office; Maryland State Lottery and Gaming Control Agency; Department of Legislative Services

Fiscal Note History: First Reader - February 18, 2019
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