

HOUSE BILL 339

C7

2lr1607
CF SB 297

By: **Delegates Kerr and K. Young**

Introduced and read first time: January 19, 2022

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Gaming – Sports Wagering Facilities – Locations**

3 FOR the purpose of prohibiting the Sports Wagering Application Review Commission from
4 awarding a sports wagering license to a facility located within a certain mile radius
5 of certain Class B–1 or B–2 sports wagering facilities located in certain counties; and
6 generally relating to sports wagering.

7 BY repealing and reenacting, with amendments,
8 Article – State Government
9 Section 9–1E–06(a)
10 Annotated Code of Maryland
11 (2021 Replacement Volume)

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

14 **Article – State Government**

15 9–1E–06.

16 (a) (1) On an award of a license by the Sports Wagering Application Review
17 Commission established under § 9–1E–15 of this subtitle, the Commission shall:

18 (i) issue a Class A–1 sports wagering facility license to an applicant
19 that meets the requirements for licensure under this subtitle who is:

20 1. a video lottery operator with more than 1,000 video lottery
21 terminals; or

22 2. A. the owner, or the designee of the owner, of a
23 stadium in Prince George’s County that is primarily used for professional football (NFL);

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 B. the owner, or the designee of the owner, of a professional
2 football (NFL) franchise that is a lessee of a stadium in Baltimore City;

3 C. the owner, or the designee of the owner, of a professional
4 major league baseball franchise that is a lessee of a stadium in Baltimore City;

5 D. the owner, or the designee of the owner, of a professional
6 hockey league (NHL) franchise, that is a lessee of a stadium in the State;

7 E. the owner, or the designee of the owner, of a professional
8 basketball association (NBA) franchise, that is a lessee of a stadium in the State; or

9 F. the owner, or the designee of the owner, of a professional
10 soccer league (MLS) franchise, that is a lessee of a stadium in the State;

11 (ii) issue a Class A–2 sports wagering facility license to an applicant
12 that meets the requirements for licensure under this subtitle who is:

13 1. a video lottery operator with 1,000 or fewer video lottery
14 terminals; or

15 2. a horse racing licensee;

16 (iii) subject to paragraphs (2) and (3) of this subsection, issue a Class
17 B–1 sports wagering facility license to any applicant who meets the requirements for
18 licensure under this subtitle and who is not eligible for a Class B–2 sports wagering facility
19 license;

20 (iv) subject to paragraphs (2) and (3) of this subsection, issue a Class
21 B–2 sports wagering facility license to any applicant who is a person with less than:

22 1. 25 full–time equivalent employees; or

23 2. \$3,000,000 in annual gross receipts; and

24 (v) issue not more than 60 mobile sports wagering licenses to any
25 applicant who meets the requirements for licensure under this subtitle.

26 (2) (i) The Commission shall issue a Class B–1 or Class B–2 sports
27 wagering facility license to an applicant that meets the requirements for licensure under
28 this subtitle who is:

29 1. the holder of a license issued by the State Racing
30 Commission under § 11–524 of the Business Regulation Article, including a subsidiary of
31 the license holder;

1 2. a person who is the owner or lessee of a facility approved
2 for satellite simulcast betting before January 1, 2021, unless the satellite simulcast facility
3 is located at a video lottery facility or a racetrack; and

4 3. a person who holds a commercial bingo license, if the
5 facility at which the person operates commercial bingo was permitted to operate at least
6 200 electronic bingo machines or electronic tip jar machines on January 1, 2021.

7 (ii) In addition to the Class B-1 and B-2 sports wagering facility
8 licenses issued in accordance with subparagraph (i) of this paragraph, the Commission may
9 issue not more than 30 Class B-1 and Class B-2 sports wagering facility licenses under
10 paragraph (1) of this subsection.

11 (3) The Sports Wagering Application Review Commission established
12 under § 9-1E-15 of this subtitle may not award a Class B-1 or B-2 sports wagering facility
13 license to an applicant:

14 (i) who is eligible to apply for a Class A-1 or A-2 sports wagering
15 facility license under paragraph (1) of this subsection;

16 (ii) who holds a Class A-1 or A-2 sports wagering facility license; or

17 (iii) whose sports wagering facility will be located:

18 1. within a 15-mile radius of a Class A-1 or A-2 sports
19 wagering facility located in Allegany County, Cecil County, or Worcester County; [or]

20 **2. EXCEPT AS REQUIRED UNDER PARAGRAPH (2)(I) OF**
21 **THIS SUBSECTION, WITHIN A 10-MILE RADIUS OF A CLASS B-1 OR B-2 SPORTS**
22 **WAGERING FACILITY LICENSED TO A PERSON DESCRIBED UNDER PARAGRAPH (2)(I)**
23 **OF THIS SUBSECTION AND LOCATED IN CALVERT COUNTY, CARROLL COUNTY,**
24 **CHARLES COUNTY, FREDERICK COUNTY, OR WASHINGTON COUNTY; OR**

25 [2.] **3.** within a 1.5-mile radius of a Class A-1 or A-2 sports
26 wagering facility located in a county not described under item 1 of this item or any other
27 Class B-1 or B-2 sports wagering facility.

28 (4) A for-profit entity, nonprofit organization, or public-private
29 partnership operating at the racing location described under Title 11, Subtitle 7 of the
30 Business Regulation Article located on lands owned by the Department of Natural
31 Resources may apply for a Class B-1 or B-2 sports wagering facility license.

32 (5) If an applicant designates an entity to hold the license under paragraph
33 (1)(i)2 of this subsection, the designee shall be considered the applicant and subject to the
34 requirements of the application process.

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1 (6) In addition to any other person, an applicant for or holder of a Class
2 A-1, A-2, B-1, or B-2 sports wagering facility license may apply for a mobile sports
3 wagering license under this subsection.

4 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June
5 1, 2022.