

SENATE BILL 297

C7

2lr1642
CF HB 339

By: **Senators Young and Hough**

Introduced and read first time: January 19, 2022

Assigned to: Budget and Taxation

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 1, 2022

CHAPTER _____

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:

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 1. a video lottery operator with more than 1,000 video lottery
2 terminals; or
- 3 2. A. the owner, or the designee of the owner, of a
4 stadium in Prince George’s County that is primarily used for professional football (NFL);
- 5 B. the owner, or the designee of the owner, of a professional
6 football (NFL) franchise that is a lessee of a stadium in Baltimore City;
- 7 C. the owner, or the designee of the owner, of a professional
8 major league baseball franchise that is a lessee of a stadium in Baltimore City;
- 9 D. the owner, or the designee of the owner, of a professional
10 hockey league (NHL) franchise, that is a lessee of a stadium in the State;
- 11 E. the owner, or the designee of the owner, of a professional
12 basketball association (NBA) franchise, that is a lessee of a stadium in the State; or
- 13 F. the owner, or the designee of the owner, of a professional
14 soccer league (MLS) franchise, that is a lessee of a stadium in the State;
- 15 (ii) issue a Class A–2 sports wagering facility license to an applicant
16 that meets the requirements for licensure under this subtitle who is:
- 17 1. a video lottery operator with 1,000 or fewer video lottery
18 terminals; or
- 19 2. a horse racing licensee;
- 20 (iii) subject to paragraphs (2) and (3) of this subsection, issue a Class
21 B–1 sports wagering facility license to any applicant who meets the requirements for
22 licensure under this subtitle and who is not eligible for a Class B–2 sports wagering facility
23 license;
- 24 (iv) subject to paragraphs (2) and (3) of this subsection, issue a Class
25 B–2 sports wagering facility license to any applicant who is a person with less than:
- 26 1. 25 full–time equivalent employees; or
- 27 2. \$3,000,000 in annual gross receipts; and
- 28 (v) issue not more than 60 mobile sports wagering licenses to any
29 applicant who meets the requirements for licensure under this subtitle.

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

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

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

10 3. a person who holds a commercial bingo license, if the
11 facility at which the person operates commercial bingo was permitted to operate at least
12 200 electronic bingo machines or electronic tip jar machines on January 1, 2021.

13 (ii) In addition to the Class B–1 and B–2 sports wagering facility
14 licenses issued in accordance with subparagraph (i) of this paragraph, the Commission may
15 issue not more than 30 Class B–1 and Class B–2 sports wagering facility licenses under
16 paragraph (1) of this subsection.

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

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

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

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

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

26 **2. EXCEPT AS REQUIRED UNDER PARAGRAPH (2)(I) OF**
27 **THIS SUBSECTION, WITHIN A 10–MILE RADIUS OF A CLASS B–1 OR B–2 SPORTS**
28 **WAGERING FACILITY LICENSED TO A PERSON DESCRIBED UNDER PARAGRAPH (2)(I)**
29 **OF THIS SUBSECTION AND LOCATED IN CALVERT COUNTY, CARROLL COUNTY,**
30 **CHARLES COUNTY, OR FREDERICK COUNTY, ~~OR WASHINGTON COUNTY;~~ OR**

31 **[2.] 3.** within a 1.5–mile radius of a Class A–1 or A–2 sports
32 wagering facility located in a county not described under item 1 of this item or any other
33 Class B–1 or B–2 sports wagering facility.

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

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

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

11 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June
12 1, 2022.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.