

Department of Legislative Services
Maryland General Assembly
2022 Session

FISCAL AND POLICY NOTE
Third Reader

Senate Bill 155

(Senator Young)

Budget and Taxation

Rules and Executive Nominations

State Lottery - Instant Ticket Lottery Machines - Fraternal Organizations
(ITLMs for Homeless Veterans Act)

This bill adds fraternal organizations to the organizations that the State Lottery and Gaming Control Agency (SLGCA) may issue a license to for up to five instant ticket lottery (pull tab) machines. After deducting prizes paid out, a fraternal organization must remit the receipts from the sale of pull tab tickets to SLGCA, which must distribute 10% to the Homelessness Solutions Program (HSP) in the Department of Housing and Community Development (DHCD) to assist veterans and their families, in consultation with the Maryland Department of Veterans Affairs. Priority should be given to women veterans who are homeless or at risk of homelessness, single-parent veteran families, and veterans who are victims of domestic violence. Half of the remaining proceeds must be distributed to the fraternal organization. From the other half of remaining proceeds, an amount needed to pay for the purchase or lease of the machines is provided to SLGCA, and any remaining amount is paid to the general fund. **The bill takes effect July 1, 2022.**

Fiscal Summary

State Effect: General fund revenues increase beginning in FY 2023. Special fund revenues and expenditures from table games and the video lottery terminal (VLT) program may decrease and Maryland Veterans Trust Fund (MVTF) special fund revenues may decrease due to substitution effects of gaming revenues beginning in FY 2023. General fund expenditures for SLGCA may increase to implement and enforce the bill.

Local Effect: Minimal. To the extent that VLT and table game revenues decrease as a result of fraternal organizations operating pull tab machines, VLT local impact grants decrease.

Small Business Effect: Minimal.

Analysis

Bill Summary: A fraternal organization, which includes a sororal organization, is any nonprofit organization that is a *bona fide* fraternal organization operated on a lodge system, conducted solely for the benefit of its members and its beneficiaries, and has been located in an applicable county for at least five years before the organization applies for a license. It does not include fraternal or sororal organizations related to an educational institution or a professional school. Fraternal organizations in counties on the Eastern Shore are not eligible. A licensed fraternal organization must remit receipts from instant ticket lottery sales to SLGCA and must locate and operate its pull tab machines at its principal meeting hall in the county.

It is the intent of the General Assembly that SLGCA solicits proposals from multiple vendors for the lease or purchase of pull tab machines. A vendor is a business entity that owns, services, and maintains instant ticket lottery machines for use in establishments approved by SLGCA and has been established and operating for at least five years.

Current Law: SLGCA may issue specified veterans' organizations a license for up to five pull tab machines. Veterans' organizations in counties on the Eastern Shore are not eligible.

A licensed veterans' organization must locate and operate its pull tab machines at its principal meeting hall in the county. After deductions for commissions and prize payouts, 10% of the proceeds are distributed to MVTF and the remainder goes to the State Lottery Fund. A licensed veterans' organization must purchase or lease the pull tab machines from SLGCA but may not use receipts from the sale of pull tabs that would otherwise go to the State Lottery Fund to purchase or lease the machines.

DHCD's Division of Neighborhood Revitalization administers HSP. HSP provides federal and state funding for local Continuum of Care programs to support homeless shelters and homeless services in the State. The goals of the program are to provide shelter as a crisis response for people experiencing homelessness, reduce the number of individuals/households who become homeless or return to homelessness, shorten the length of time an individual or household is homeless, and provide fixed or short-term rental assistance payments to people at risk of being homeless.

State Fiscal Effect: The impact on general fund and special fund revenues and expenditures will depend on the number of fraternal organizations that operate authorized pull tab machines, their location with respect to casinos and to veterans' organizations with pull tab machines, the actual payout rates on pull tabs that are offered, and the degree to which pull tab machines authorized by the bill constitute a substitute for other gambling in the State. MVTF receives 10% of instant ticket proceeds only from veterans' organizations, so to the

extent that revenues from pull tab machines at veterans' organizations decrease, special fund revenues to MVTF decrease. Although these impacts cannot be determined at this time, the additional machines are likely to generate increased revenues for the general fund, with 10% going to HSP within DHCD's Division of Neighborhood Revitalization, offset by minimal decreases in MVTF special fund revenues and special fund revenues from casinos. SLGCA advises that if a significant number of fraternal organizations operate pull tab machines, additional staff will be needed to manage the machines. Shifting to multiple vendors may also impact program costs. It is assumed that much, if not all, of these costs will be offset by increased revenues, as discussed below.

DHCD notes there are approximately 2,100 homeless veterans in Maryland, of which approximately 20% (or about 420) are considered chronically homeless. On average, it costs DHCD \$18,540 annually to house the chronically homeless in permanent supportive housing, while a nonchronic homeless household can be housed through rapid re-housing at an average annual cost of \$6,000. The number of homeless veterans served by DHCD would be commensurate with the increased revenue. DHCD advises that it can likely implement the bill with existing resources.

Based on U.S. Census data, the Department of Legislative Services estimates that there are approximately 240 fraternal organizations in the State that may be eligible to operate pull tab machines, but it is unknown how many will actually do so. *For illustrative purposes only*, if 100 fraternal organizations operate pull tab machines, net sales from pull tab machines operated by fraternal organizations are \$12.0 million, based on net sales data from veterans' organizations in fiscal 2021. SLGCA must distribute 10% of this amount, or \$1.2 million in general funds, to HSP. After commissions paid to fraternal organizations of approximately \$5.4 million, approximately \$5.4 million is to be distributed to pay for the lease or purchase of pull tab machines, to pay for the oversight and management of the machines by SLGCA, and the remainder to the general fund in fiscal 2023. These amounts do not take into account any substitution effects.

Additional Information

Prior Introductions: A similar bill, HB 371 of 2021, received a hearing in the House Ways and Means Committee, but no further action was taken. HB 131 of 2020, another similar bill, received a hearing in the House Ways and Means Committee, but was subsequently withdrawn. Its similar cross file, SB 59 of 2020, received a hearing in the Senate Budget and Taxation Committee, but no further action was taken. In addition, similar bills were introduced in the 2019 session.

Designated Cross File: HB 1257 (Delegate P. Young, *et al.*) - Ways and Means.

Information Source(s): U.S. Census Bureau; Maryland State Lottery and Gaming Control Agency; Department of Housing and Community Development; Department of Veterans Affairs; Department of Legislative Services

Fiscal Note History: First Reader - January 14, 2022
fnu2/jrb Third Reader - April 12, 2022

Analysis by: Heather N. MacDonagh

Direct Inquiries to:
(410) 946-5510
(301) 970-5510