

# **Gambling Permit Review Committee**



## **CALVERT COUNTY RULES AND REGULATIONS**

*Calvert County adheres to Maryland Code of Criminal Law Title 13 – Gaming – Local Provisions*

*The Gambling Permit Review Committee has adopted Rules and Regulations which may be amended from time to time.*

**I. PURPOSE:**

- A. The Gambling Permit Review Committee (GPRC) shall make recommendations to the Board of County Commissioners (BOCC) regarding approval of permits allowing certain forms of gaming, and promulgate regulations, subject to approval by the BOCC, pertaining to gambling activities.
- B. The GPRC shall conduct studies of these Rules and Regulations and make recommendations to the BOCC for amendments, modifications, and additions.

**II. MEMBERS:**

- A. The (GPRC) shall consist of five regular members and two alternate members appointed by the (BOCC) for a term of four years. The GPRC shall include a law enforcement officer and a member of the clergy; if the latter position is not filled for any reason by a member of the clergy, it may be filled by a member of the general public.
- B. All members shall be residents of Calvert County and will serve at the pleasure of the BOCC.
- C. Members of the GPRC will receive no compensation.
- D. The GPRC must adhere to the provisions of the Calvert County Ethics Ordinance then in effect and the Open Meetings Act, as amended from time to time.
- E. The BOCC will provide clerical support to the GPRC and records will be maintained in the BOCC office.

**III. MEETINGS:**

- A. The GPRC will meet at least quarterly to review applications for permits for the following quarter and shall make recommendations for approval or denial to the BOCC. The GPRC will review all applications for gambling permits and supporting data submitted.
  - 1. December meeting for first quarter of following year,
  - 2. March meeting for second quarter of same year,
  - 3. June meeting for third quarter,
  - 4. September for fourth quarter

**IV. QUALIFIED ORGANIZATIONS:**

- A. The GPRC shall only issue permits to Qualified Organizations, which are classified as;
  - 1. A volunteer fire company;
  - 2. Bona fide:

- (a) Religious organization;
  - (b) Fraternal organization;
  - (c) Civic organization;
  - (d) War Veterans; organization; or
  - (e) Charitable organizations.
- B. So long as no individual or group of individuals benefits financially from said event and no individual or group of individuals are to receive any proceeds from the gaming events.
- C. All new applicants shall provide the following items with the application, established organizations may update information as needed w/ exception of item #6 which must be submitted annually:
- 1. IRS 501(c)(3) determination letter (form 1045),
  - 2. Corporate charter,
  - 3. Bylaws,
  - 4. List of corporate officers and directors, -
  - 5. Membership list,
  - 6. Certificate of good standing, (must be submitted annually)
  - 7. Other information the GPRC may deem necessary.
- D. A qualified organization that conducts a gaming event shall manage the gaming events personally through its members.

**V. PERMITS:**

- A. The GPRC may only issue permits to a qualified organization that has operated in Calvert County and/or Southern Maryland for at least one (1) year prior to the application.
- B. No charitable gaming event, or other gambling activity may be held in Calvert County except those for which a permit has been issued in accordance with these regulations and with §13-701 - 13-704 of the Criminal Law Article of the Annotated Code of Maryland.
- C. Permits issued under these regulations are not transferable to other organizations.
- 1. Gambling permits issued under these regulations are valid only for the date (*prior approval is required if changing a pre-approved date, location and type of gaming devices set forth in the application.*) Any deviation from any of the information contained in the application is prohibited unless such are approved in advance by the BOCC upon the recommendation of the GPRC. In the case of an emergency, the BOCC may act without the recommendation of the GPRC.
  - 2. Bingo and Pull Tab permits are valid for a calendar year and must be approved annually.
- D. After receipt and consideration of the recommendation of the GPRC, the BOCC may not issue a permit unless, in their discretion, they determine that:
- 1. The granting of the permit will not be detrimental to the public interest, peace and good order, health, safety and morals of the community, and

2. The applicant is a fit organization to receive the permit applied for, has made no material false statement in its application, and has practiced no fraud in connection with such application, and
3. The individuals associated with the organization are law-abiding persons who will operate and conduct the gaming operation in a lawful manner.
4. If all such determinations are made, the application shall be approved and such permit granted. If all such determinations are not made, the permit shall be denied.

***VI. EVENTS:***

- A. No person or entity may receive compensation of any type from the organization for managing or operating a gaming device.
- B. If equipment and/or space are rented; the leaser and the amount of the rent must have been previously approved by the GPRC. The rental arrangement shall be based on a fair market basis and shall not include any provision, which may reasonably be interpreted as a sharing of profits from the gambling event.
- C. No person or entity may receive compensation of any type, including tips, from any player of said gaming. A sign stating “***No Tipping Allowed***” will be displayed at each such gaming device. The sign must be a minimum of 8” x 10” in size and legible for a distance of no less than 50 feet.
- D. If alcoholic beverages are served at the event, all persons serving alcohol must be 21 years of age or older. All persons under the age of 21 attending events where alcohol is served must be identified in a manner to prevent beverages from being served to minors.
- E. No one under the age of sixteen (16) years shall be permitted to operate a gaming device for which a permit is issued.
- F. No one under the age of eighteen (18) years shall be permitted to participate in any games for which a permit is issued.
- G. No member of the organization may knowingly make false statements or misrepresentations, verbally or written, to the office of the County Commissioners, the Calvert County GPRC, or law enforcement officers.

***VII. GAMBLING:***

- A. Not more than six (6) gambling events may be held by any organization per calendar quarter and not more than two per week, an organization may request approval for up to six (6) dates in a quarter:
  1. The total duration of an event for which a gambling permit may be issued shall not exceed twenty-four (24) hours, provided, however, the actual number of hours of gambling during a twenty-four (24) hour period shall not exceed a total of eight (8) hours.

2. If a gambling event is held in conjunction with a carnival or fair (a carnival or fair is defined as an outdoor event occurring between April 1 and October 31 in any year, which event features outdoor amusements, mechanized rides, games, and concessions.) that includes substantial non-gaming activities, a gambling permit may be issued provided that:
  - (a) the event is held as part of the carnival or fair,
  - (b) duration of the event does not exceed eight (8) days,
  - (c) no more than one permit for such an event is issued each year per organization, and
  - (d) no more than two gambling devices may be in operation at any time.
  
- B. All gaming devices and the management shall be operated by members of the permitted organization and who hold the highest class of membership permitted by the documents of the organization, or by members of an auxiliary or other bona fide organization established to raise funds for or generally support the programs and activities of a permitted organization of Calvert County and who hold the highest class of membership permitted by the documents of the organization. Any person managing or operating a gaming event or device or acting as a dealer shall wear an identification tag depicting the organization's name, the operator's name, class of membership, and position held to the organization. The GPRC will be the final authority as to the status of any operator as a full member of the organization. Criteria used to establish the operator's standing as a bona fide member may include:
  - a. Location of residence
  - b. Employment (location of employment)
  - c. Participation in organization activities other than fund raising
  - d. Review of driver's license, vehicle and voting registrations
  
- C. Provided there are at least two members of the permitted organization supervising the event at all times, participants at "Texas Hold 'Em" style events may rotate the responsibility of shuffling and dealing the cards in turn among themselves, except at a table where the participants are playing with cash and at a table at which the final contestants in a tournament are competing.
  
- D. No more than 10 gaming devices/tables shall be permitted at any gambling event and a maximum of ten (10) individuals shall be permitted to play at any single table at any one time, with no limit on the number of players at wheel devices.
  
- E. Changes to membership rosters must be reported to the BOCC Office at least five (5) days prior to the scheduled event. Persons not on the current list shall not participate in the gambling event including management of the event or operating a gaming device.

### ***VIII. APPLICATIONS***

- A. All applications shall be reviewed initially by the staff liaison to the GPRC who shall stamp the date of receipt on the application, and determine:
  1. The application is filled out completely and properly,
  2. All required information is included, and
  3. The application is filed in a timely fashion.

- (a) If the application is not completely and properly filled out or required documentation is not provided, the liaison shall return the application to the applicant with an explanation and inform the applicant that the application will be processed provided the defects are corrected prior to the deadline for filing of applications for that quarter.
- (b) If an application is not submitted in a timely fashion, the liaison shall return the application and inform the applicant that no action will be taken on the application because of the late filing.

B. Charitable Gambling Applications:

- 1. Applications for gambling permits shall be submitted to the GPRC on forms approved by the BOCC. The Application shall be signed by an officer of the organization, under the penalty of perjury, and shall be accompanied by an application fee of \$10.00. Checks should be made payable to the Calvert County Treasurer.
- 2. An organization shall only be required to submit one **Charitable Gambling Application** per calendar quarter (up to six dates per quarter.) Information required on the application is deemed mandatory. Failure to include any required information will result in the application being returned under the provisions of section VIII above.

C. Charitable Bingo and/or Pull-Tab Applications:

- 1. Applications to conduct bingo and dispense pull-tabs permits shall be submitted to the GPRC on forms approved by the BOCC. The Application shall be signed by an officer of the organization, under the penalty of perjury.
- 2. An organization shall only be required to submit one **Charitable Bingo and/or Pull-Tab Application** per calendar year. Information required on the application is deemed mandatory. Failure to include any required information will result in the application being returned under the provisions of section VIII above.
- 3. **Bingo:** Any qualified organization may file an application with the GPRC for an annual permit to conduct bingo and dispense pull-tab games. The GPRC shall review the application and make a recommendation to the BOCC on the issuance of a permit to the qualified organization. Upon a favorable recommendation from the GPRC, the BOCC may issue the requested permit. The permit shall be valid for one year. The holder of such a permit shall be subject to the provisions of § 13 (Bingo) and §13-203 (Pull-Tabs) of the Criminal Law Article of the Annotated Code of Maryland as amended from time to time. The only gaming activity allowed under this permit is Bingo and/or Pull-Tabs, subject to the following provisions.
  - (a) Income and expense reports for bingo and sale of pull-tabs shall be filed with the GPRC annually, said reports to be filed within 15 days of the end of the permit year. If any of the proceeds are given to other organizations; the name and address of each such organization, the amount given and the date of the contribution shall be included in the report.

4. ***Pull-Tabs:*** Pull tabs may be sold manually or by machine. Each qualified organization shall be permitted up to two (2) machines that sell and distribute pull tabs. There is no limit to the number of people who may manually sell pull-tabs.
  - (a) Machines that:
    - (i) scan and read the bar code on the pull-tabs,
    - (ii) alert players through flashing lights, sounds or other similar displays that the ticket dispensed is a winning ticket, or
    - (iii) Create a video image of the symbols that appear on a video screen are prohibited.
5. The provisions of the above shall apply to bingo and the sale of pull tabs unless specifically pertaining to quarterly gambling events.

## **IX. REPORTING**

- A. Within fifteen (15) days after each permitted gambling event and after calendar year for Bingo and Pull-Tabs, the permittee shall file with the GPRC a full and complete accounting, listing all revenues and expenditures, of the permitted gambling event.
  1. The report shall contain hourly summaries for activity at each gaming device, table or event including the name of the operator, the amount of money in the operator's possession at the beginning and end of each event, and the number of players participating in the particular device table or event.
  2. The quarterly report shall also include a summary of the use of the proceeds.
  3. If any of the proceeds are given to other organizations, the name, and address of each such organization, the amount given and the date of the contribution shall be included in the report. The GPRC may request documentation as to the use of the proceeds.
  4. The report shall be signed by the highest-ranking officer of the organization and shall be filed under penalty of perjury.
  5. Failure to make timely filing of the report may be grounds for the denial of subsequent applications for permits.

## **X. INSPECTION**

- A. At any time during a permit period, an inspection of a permitted premise and records of any previous gaming event may be conducted by the GPRC by any member or members thereof and/or their designee, or by any bona fide law enforcement agency. The inspection may include, but is not limited to:
  1. Review of all records and books related to the event, financial records and verification of financial transactions, i.e. account of funds prior to the event and/or an on-going accounting of funds during the event.
  2. Current list of all members in the permitted organization.

- B. During the operation of any Bingo, Pull-Tab, and/or Gambling event the gambling permit must be displayed in a visible location at all times.
- C. Upon request of any authorized individual conducting an investigation. Any person managing or operating a gaming table or device, or acting as a dealer shall produce a Maryland Driver's license or Maryland identification card showing their current address. Additional identification may be required.

***XI. PENALTIES***

- A. Any violation of these regulations may result in the revocation of the current gambling permit and/or denial of subsequent applications for permits.