

# HOUSE BILL 1319

C7

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By: **Delegate Atterbary**

Introduced and read first time: February 9, 2024

Assigned to: Ways and Means

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## A BILL ENTITLED

1 AN ACT concerning

2 **Internet Gaming – Authorization and Implementation**

3 FOR the purpose of authorizing the State Lottery and Gaming Control Commission to issue  
4 certain licenses to certain qualified applicants to conduct or participate in certain  
5 Internet gaming operations in the State; requiring the Commission to regulate  
6 Internet gaming and the conduct of Internet gaming in the State; authorizing the  
7 Governor, on recommendation of the Commission, to enter into certain  
8 multijurisdictional Internet gaming agreements with certain other governments,  
9 subject to certain limitations; submitting this Act to a referendum of the qualified  
10 voters of the State; and generally relating to Internet gaming.

11 BY repealing and reenacting, without amendments,  
12 Article – Education  
13 Section 5–206(b)  
14 Annotated Code of Maryland  
15 (2022 Replacement Volume and 2023 Supplement)

16 BY repealing and reenacting, with amendments,  
17 Article – Education  
18 Section 5–206(f)  
19 Annotated Code of Maryland  
20 (2022 Replacement Volume and 2023 Supplement)

21 BY adding to  
22 Article – State Government  
23 Section 9–1F–01 through 9–1F–11 to be under the new subtitle “Subtitle 1F. Internet  
24 Gaming”  
25 Annotated Code of Maryland  
26 (2021 Replacement Volume and 2023 Supplement)

27 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 That the Laws of Maryland read as follows:

2 **Article – Education**

3 5–206.

4 (b) There is the Blueprint for Maryland’s Future Fund.

5 (f) The Fund consists of:

6 (1) Revenue distributed to the Fund under Title 9, Subtitles 1D [and 1E]  
7 **THROUGH 1F** of the State Government Article and §§ 2–4A–02, 2–605.1, and 2–1303 of  
8 the Tax – General Article;

9 (2) Money appropriated in the State budget for the Fund; and

10 (3) Any other money from any other source accepted for the benefit of the  
11 Fund.

12 **Article – State Government**

13 **SUBTITLE 1F. INTERNET GAMING.**

14 **9–1F–01.**

15 (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS  
16 INDICATED.

17 (B) “COMMISSION” MEANS THE STATE LOTTERY AND GAMING CONTROL  
18 COMMISSION.

19 (C) “ECONOMICALLY DISADVANTAGED AREA” MEANS A GEOGRAPHIC AREA,  
20 IDENTIFIED BY THE COMMISSION, THAT MEETS THREE OR MORE OF THE  
21 FOLLOWING CRITERIA:

22 (1) HAS A MEDIAN INCOME RATE THAT IS 80% OR LESS OF THE  
23 AVERAGE MEDIAN HOUSEHOLD INCOME OF THE STATE;

24 (2) HAS AN UNEMPLOYMENT RATE THAT IS AT LEAST 150% OF THE  
25 UNEMPLOYMENT RATE OF THE STATE;

26 (3) HAS AN UNINSURED RATE THAT IS AT LEAST 150% OF THE HEALTH  
27 UNINSURED RATE OF THE STATE;

28 (4) HAS A SUPPLEMENTAL NUTRITION ASSISTANCE PLAN

1 PARTICIPATION RATE THAT IS AT LEAST 150% OF THE SUPPLEMENTAL NUTRITION  
2 ASSISTANCE PLAN PARTICIPATION RATE OF THE STATE; AND

3 (5) HAS A POVERTY RATE THAT IS AT LEAST 150% OF THE POVERTY  
4 RATE IN THE STATE.

5 (D) "INTERNET GAMING" MEANS CASINO-STYLE GAMING THROUGH AN  
6 ONLINE GAMING SYSTEM:

7 (1) ON A COMPUTER, A MOBILE DEVICE, OR ANY OTHER INTERACTIVE  
8 DEVICE; AND

9 (2) THAT IS CONDUCTED BY AN INTERNET GAMING LICENSEE OR A  
10 PERSON WHO OPERATES INTERNET GAMING ON BEHALF OF AN INTERNET GAMING  
11 LICENSEE.

12 (E) "INTERNET GAMING LICENSE" MEANS A LICENSE ISSUED BY THE  
13 COMMISSION TO CONDUCT INTERNET GAMING IN THE STATE IN ACCORDANCE WITH  
14 THIS SUBTITLE.

15 (F) "INTERNET GAMING LICENSEE" MEANS THE HOLDER OF AN INTERNET  
16 GAMING LICENSE UNDER THIS SUBTITLE.

17 (G) (1) "PERSONAL NET WORTH" MEANS THE NET VALUE OF THE ASSETS  
18 HELD BY AN INDIVIDUAL, INCLUDING THE INDIVIDUAL'S SHARE OF ASSETS HELD  
19 JOINTLY OR AS COMMUNITY PROPERTY WITH THE INDIVIDUAL'S SPOUSE, AFTER  
20 TOTAL LIABILITIES ARE DEDUCTED.

21 (2) "PERSONAL NET WORTH" DOES NOT INCLUDE:

22 (I) THE INDIVIDUAL'S OWNERSHIP INTEREST IN AN APPLICANT  
23 FOR LICENSURE UNDER THIS SUBTITLE;

24 (II) THE INDIVIDUAL'S EQUITY IN THE INDIVIDUAL'S PRIMARY  
25 PLACE OF RESIDENCE;

26 (III) ANY MORTGAGE OR LOAN SECURED BY THE INDIVIDUAL'S  
27 PRIMARY PLACE OF RESIDENCE AS A LIABILITY; OR

28 (IV) THE CASH VALUE OF ANY QUALIFIED RETIREMENT SAVINGS  
29 PLANS OR INDIVIDUAL RETIREMENT ACCOUNTS.

30 (H) "PROCEEDS" MEANS THE AMOUNT OF MONEY BET ON INTERNET

1 GAMING, LESS:

2 (1) THE AMOUNT RETURNED TO SUCCESSFUL PLAYERS;

3 (2) THE CASH EQUIVALENTS OF ANY MERCHANDISE OR THING OF  
4 VALUE AWARDED AS A PRIZE TO SUCCESSFUL PLAYERS; AND

5 (3) (I) THROUGH THE FIRST YEAR OF OPERATION OF AN INTERNET  
6 GAMING LICENSEE, FREE PLAY AND PROMOTIONAL CREDITS REDEEMED BY  
7 PLAYERS; AND

8 (II) FOLLOWING THE FIRST YEAR OF OPERATION OF AN  
9 INTERNET GAMING LICENSEE, 20% OF FREE PLAY AND PROMOTIONAL CREDITS  
10 REDEEMED BY PLAYERS.

11 9-1F-02.

12 (A) (1) THIS SUBTITLE AUTHORIZES AN INTERNET GAMING LICENSEE TO  
13 CONDUCT AND OPERATE INTERNET GAMING IN THE STATE AS PROVIDED IN THIS  
14 SUBTITLE.

15 (2) AN INTERNET GAMING LICENSEE MAY ENTER INTO AN  
16 AGREEMENT WITH UP TO ONE OPERATOR TO CONDUCT AND OPERATE INTERNET  
17 GAMING ON BEHALF OF THE LICENSEE.

18 (B) EXCEPT AS OTHERWISE PROVIDED IN THIS SUBTITLE, THE COMMISSION  
19 SHALL REGULATE INTERNET GAMING AND THE CONDUCT OF INTERNET GAMING TO  
20 THE SAME EXTENT THAT THE COMMISSION REGULATES THE OPERATION OF VIDEO  
21 LOTTERY TERMINALS AND TABLE GAMES UNDER SUBTITLE 1A OF THIS TITLE AND  
22 MOBILE SPORTS WAGERING UNDER SUBTITLE 1E OF THIS TITLE.

23 (C) UNLESS THE CONTEXT REQUIRES OTHERWISE, THE REQUIREMENTS  
24 UNDER §§ 9-1A-04, 9-1A-06, 9-1A-07, 9-1A-08, 9-1A-12, 9-1A-14, 9-1A-18,  
25 9-1A-19, 9-1A-20, AND 9-1A-25 OF THIS TITLE APPLY TO THE AUTHORITY, DUTIES,  
26 AND RESPONSIBILITIES OF THE COMMISSION, AN INTERNET GAMING LICENSEE,  
27 AND AN EMPLOYEE OR A CONTRACTOR OF AN INTERNET GAMING LICENSEE UNDER  
28 THIS SUBTITLE.

29 (D) THE COMMISSION SHALL ADOPT REGULATIONS THAT ESTABLISH:

30 (1) THE FORM AND CONTENT OF AN APPLICATION FOR ANY LICENSE  
31 REQUIRED UNDER THIS SUBTITLE;

1           **(2) STANDARDS, PROCEDURES, AND RULES THAT GOVERN THE**  
2 **CONDUCT AND OPERATION OF INTERNET GAMING; AND**

3           **(3) ANY OTHER REGULATION NECESSARY TO CARRY OUT THE**  
4 **PROVISIONS OF THIS SUBTITLE.**

5 **9-1F-03.**

6           **(A) IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT THIS SUBTITLE BE**  
7 **IMPLEMENTED IN A MANNER THAT, TO THE EXTENT PERMITTED BY STATE AND**  
8 **FEDERAL LAW, MAXIMIZES THE ABILITY OF MINORITIES, WOMEN, AND**  
9 **MINORITY- AND WOMEN-OWNED BUSINESSES TO PARTICIPATE IN THE INTERNET**  
10 **GAMING INDUSTRY, INCLUDING THROUGH THE OWNERSHIP OF ENTITIES LICENSED**  
11 **TO CONDUCT INTERNET GAMING.**

12           **(B) (1) (I) SUBJECT TO THE LIMITATIONS OF THIS SUBSECTION, THE**  
13 **COMMISSION MAY ISSUE NOT MORE THAN 12 INTERNET GAMING LICENSES TO**  
14 **APPLICANTS THAT MEET THE REQUIREMENTS FOR AN INTERNET GAMING LICENSE**  
15 **UNDER THIS SUBTITLE.**

16                           **(II) 1. EXCEPT AS PROVIDED UNDER SUBSUBPARAGRAPH 2**  
17 **OF THIS SUBPARAGRAPH, THE COMMISSION MAY NOT AWARD A LICENSE TO AN**  
18 **APPLICANT THAT HAS NOT DEMONSTRATED DIRECT OR INDIRECT OWNERSHIP OF**  
19 **AT LEAST 5% BY INDIVIDUALS WHOSE PERSONAL NET WORTH DOES NOT EXCEED AN**  
20 **AMOUNT DETERMINED BY THE COMMISSION TO ENCOURAGE DIVERSITY, EQUITY,**  
21 **AND INCLUSION IN THE INTERNET GAMING INDUSTRY.**

22   **2. THE COMMISSION MAY AWARD A LICENSE TO AN**  
23 **APPLICANT THAT, IN LIEU OF THE OWNERSHIP REQUIREMENT DESCRIBED UNDER**  
24 **SUBSUBPARAGRAPH 1 OF THIS SUBPARAGRAPH, HAS ESTABLISHED A**  
25 **PROFIT-SHARING AGREEMENT WITH NONMANAGEMENT EMPLOYEES WHOSE**  
26 **PERSONAL NET WORTH DOES NOT EXCEED AN AMOUNT DETERMINED BY THE**  
27 **COMMISSION TO ENCOURAGE DIVERSITY, EQUITY, AND INCLUSION IN THE**  
28 **INTERNET GAMING INDUSTRY.**

29   **(III) IN ADDITION TO ANY OTHER FACTORS ESTABLISHED BY THE**  
30 **COMMISSION BY REGULATION TO ENSURE COMPLIANCE WITH THIS SUBTITLE, THE**  
31 **COMMISSION SHALL REVIEW APPLICATIONS FOR INTERNET GAMING LICENSES**  
32 **BASED ON:**

33   **1. THE PERCENTAGE OF OWNERSHIP BY INDIVIDUALS**  
34 **WHOSE PERSONAL NET WORTH DOES NOT EXCEED THE LIMITATION DESCRIBED**  
35 **UNDER SUBPARAGRAPH (II) OF THIS PARAGRAPH;**

1                   **2. THE PERCENTAGE OF PROCEEDS THAT THE**  
2 **APPLICANT PROPOSES TO RETAIN, NOT TO EXCEED:**

3                   **A. 80% OF THE PROCEEDS FROM LIVE DEALER GAMES**  
4 **CONDUCTED IN ACCORDANCE WITH § 9-1F-10 OF THIS SUBTITLE; AND**

5                   **B. 45% OF PROCEEDS FROM ALL OTHER INTERNET**  
6 **GAMING;**

7                   **3. THE APPLICANT'S FINANCIAL STABILITY,**  
8 **RESOURCES, INTEGRITY, AND BUSINESS ABILITY AND ACUMEN;**

9                   **4. THE APPLICANT'S WORKFORCE DEVELOPMENT**  
10 **PLANS FOR INTERNET GAMING INDUSTRY EMPLOYEES IN THE STATE;**

11                   **5. THE APPLICANT'S PLANS FOR EMPLOYING**  
12 **INDIVIDUALS IN THE INTERNET GAMING INDUSTRY WHO RESIDE IN ECONOMICALLY**  
13 **DISADVANTAGED AREAS; AND**

14                   **6. THE APPLICANT'S RESPONSIBLE GAMING PROGRAMS**  
15 **AND AN EFFECTIVE GOVERNANCE AND COMPLIANCE PROGRAM.**

16                   **(2) (I) THE COMMISSION MAY CONTRACT WITH A CONSULTANT TO**  
17 **ASSIST THE COMMISSION WITH THE DEVELOPMENT OF AN INTERNET GAMING**  
18 **LICENSE APPLICATION AND THE REVIEW OF APPLICANTS.**

19                   **(II) AS PART OF THE REVIEW OF AN APPLICATION FOR AN**  
20 **INTERNET GAMING LICENSE, THE COMMISSION SHALL DETERMINE WHETHER THE**  
21 **ISSUANCE OF A LICENSE TO THE APPLICANT SERVES THE PUBLIC INTEREST.**

22                   **(3) (I) 1. THE INITIAL LICENSE FEE FOR AN INTERNET GAMING**  
23 **LICENSE IS EQUAL TO \$1,000,000.**

24                   **2. THE COMMISSION MAY AUTHORIZE THE PAYMENT OF**  
25 **THE FEE REQUIRED UNDER SUBSUBPARAGRAPH 1 OF THIS SUBPARAGRAPH IN**  
26 **SEPARATE INSTALLMENTS.**

27                   **(II) THE TERM OF AN INTERNET GAMING LICENSE IS 5 YEARS.**

28                   **(4) (I) ON APPLICATION BY AN INTERNET GAMING LICENSEE AND**  
29 **PAYMENT OF A LICENSE RENEWAL FEE UNDER SUBPARAGRAPH (II) OF THIS**  
30 **PARAGRAPH, THE COMMISSION SHALL RENEW FOR 5 YEARS AN INTERNET GAMING**

1 LICENSE IF THE LICENSEE COMPLIES WITH ALL STATUTORY AND REGULATORY  
2 REQUIREMENTS.

3 (II) THE LICENSE RENEWAL FEE IS EQUAL TO 1% OF THE  
4 INTERNET GAMING LICENSEE'S AVERAGE ANNUAL PROCEEDS RETAINED BY THE  
5 LICENSEE UNDER § 9-1F-05(B)(1)(II) OF THIS SUBTITLE FOR THE PRECEDING  
6 3-YEAR PERIOD.

7 (C) ON A PROPERLY APPROVED TRANSMITTAL PREPARED BY THE  
8 COMMISSION, THE COMPTROLLER SHALL PAY THE FOLLOWING AMOUNTS FROM  
9 THE LICENSE FEES COLLECTED BY THE COMMISSION UNDER THIS SECTION:

10 (1) AN AMOUNT TO THE STATE LOTTERY AND GAMING CONTROL  
11 AGENCY NECESSARY TO REIMBURSE THE AGENCY FOR EXPENSES RELATED TO THE  
12 ISSUANCE AND RENEWAL OF LICENSES UNDER THIS SECTION;

13 (2) 1% TO THE PROBLEM GAMBLING FUND ESTABLISHED UNDER §  
14 9-1A-33 OF THIS TITLE; AND

15 (3) THE REMAINDER TO THE BLUEPRINT FOR MARYLAND'S FUTURE  
16 FUND ESTABLISHED UNDER § 5-206 OF THE EDUCATION ARTICLE.

17 (D) (1) FOR ALL LICENSES REQUIRED UNDER THIS SUBTITLE, IF AN  
18 APPLICANT HOLDS A VALID LICENSE IN THIS STATE OR ANOTHER STATE AND THE  
19 COMMISSION DETERMINES THAT THE LICENSING STANDARDS OF THE ISSUING  
20 AGENCY ARE COMPREHENSIVE AND THOROUGH AND PROVIDE SIMILAR AND  
21 ADEQUATE SAFEGUARDS TO THOSE PROVIDED IN THIS SUBTITLE, THE COMMISSION  
22 MAY:

23 (I) WAIVE SOME OR ALL OF THE REQUIREMENTS OF THIS  
24 SUBTITLE; AND

25 (II) ISSUE A LICENSE TO THAT APPLICANT.

26 (2) (I) EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS  
27 SUBSECTION, ON THE REQUEST OF AN APPLICANT, THE COMMISSION MAY GRANT AN  
28 EXEMPTION OR A WAIVER OF A LICENSING REQUIREMENT OR GROUNDS FOR DENIAL  
29 OF A LICENSE IF THE COMMISSION DETERMINES THAT THE REQUIREMENT OR  
30 GROUNDS FOR DENIAL OF A LICENSE AS APPLIED TO THE APPLICANT ARE NOT  
31 NECESSARY TO PROTECT THE PUBLIC INTEREST OR ACCOMPLISH THE POLICIES  
32 ESTABLISHED BY THIS SUBTITLE.

33 (II) ON GRANTING AN APPLICANT AN EXEMPTION OR A WAIVER

1 UNDER THIS PARAGRAPH, OR AT ANY TIME AFTER AN EXEMPTION OR A WAIVER HAS  
2 BEEN GRANTED, THE COMMISSION MAY:

3 1. LIMIT OR PLACE RESTRICTIONS ON THE EXEMPTION  
4 OR WAIVER AS THE COMMISSION CONSIDERS NECESSARY IN THE PUBLIC INTEREST;  
5 AND

6 2. REQUIRE THE PERSON THAT IS GRANTED THE  
7 EXEMPTION OR WAIVER TO COOPERATE WITH THE COMMISSION AND TO PROVIDE  
8 THE COMMISSION WITH ANY ADDITIONAL INFORMATION REQUIRED BY THE  
9 COMMISSION AS A CONDITION OF THE WAIVER OR EXEMPTION.

10 (3) EXCEPT AS PROVIDED UNDER THIS SUBTITLE OR IN REGULATION,  
11 THE COMMISSION MAY NOT WAIVE A REQUIREMENT UNDER PARAGRAPH (1) OR  
12 PARAGRAPH (2) OF THIS SUBSECTION THAT RELATES TO MINORITY BUSINESS  
13 ENTERPRISE PARTICIPATION GOALS AND PROCEDURES ESTABLISHED UNDER §  
14 9-1F-04(B) OF THIS SUBTITLE.

15 (E) (1) WITHIN 30 DAYS AFTER THE AWARD OF AN INTERNET GAMING  
16 LICENSE, THE INTERNET GAMING LICENSEE SHALL SUBMIT TO THE COMMISSION A  
17 DIVERSITY PLAN THAT DESCRIBES THE STEPS THAT THE LICENSEE WILL TAKE TO  
18 PROMOTE MEANINGFUL DIVERSITY AMONG ITS OWNERS, INVESTORS, MANAGERS,  
19 EMPLOYEES, AND CONTRACTORS AND TO PROMOTE EQUALITY OF OPPORTUNITY.

20 (2) EACH INTERNET GAMING LICENSEE SHALL MAKE GOOD FAITH  
21 EFFORTS TO MEET THE DIVERSITY OBJECTIVES OUTLINED IN THE DIVERSITY PLAN  
22 SUBMITTED UNDER PARAGRAPH (1) OF THIS SUBSECTION AND REPORT TO THE  
23 COMMISSION ANY NECESSARY METRICS TO MEASURE PROGRESS IN MEETING THOSE  
24 OBJECTIVES.

25 (3) THE COMMISSION MAY MAKE THE DIVERSITY PLANS AND  
26 METRICS SUBMITTED IN ACCORDANCE WITH THIS SUBSECTION AVAILABLE TO THE  
27 PUBLIC.

28 (F) (1) AN INTERNET GAMING LICENSEE MAY NOT TRANSFER  
29 OWNERSHIP OR CONTROL OF THE LICENSE FOR A PERIOD OF AT LEAST 3 YEARS  
30 FOLLOWING ISSUANCE OF THE LICENSE.

31 (2) THE LIMITATIONS UNDER THIS SUBSECTION DO NOT APPLY TO  
32 TRANSFERS AS A RESULT OF THE DISABILITY, INCAPACITY, OR DEATH OF THE  
33 OWNER OF AN INTERNET GAMING LICENSE, BANKRUPTCY OR RECEIVERSHIP IN  
34 ACCORDANCE WITH A LENDING AGREEMENT OF AN INTERNET GAMING LICENSEE,  
35 OR COURT ORDER.

1 **9-1F-04.**

2 (A) AN INTERNET GAMING LICENSEE:

3 (1) SHALL:

4 (I) COMPLY WITH ALL STATE AND FEDERAL DATA SECURITY  
5 LAWS; AND

6 (II) MAINTAIN ALL INTERNET GAMING DATA SECURELY FOR AT  
7 LEAST 5 YEARS; AND

8 (2) MAY NOT:

9 (I) SHARE ANY PERSONALLY IDENTIFIABLE INFORMATION  
10 WITH ANY THIRD PARTIES WITHOUT PERMISSION, EXCEPT AS NEEDED TO OPERATE  
11 INTERNET GAMING, ADMINISTER THE LICENSEE'S OBLIGATIONS UNDER THIS  
12 SUBTITLE, AND SUPPORT PROBLEM GAMBLING INITIATIVES;

13 (II) TARGET ADVERTISING TO INDIVIDUALS WHO ARE  
14 PROHIBITED FROM PARTICIPATING IN GAMBLING ACTIVITIES UNDER THIS TITLE  
15 AND OTHER AT-RISK INDIVIDUALS; OR

16 (III) ENGAGE IN ANY FALSE OR DECEPTIVE ADVERTISING.

17 (B) (1) THE FINDINGS AND EVIDENCE RELIED ON BY THE GENERAL  
18 ASSEMBLY FOR THE CONTINUATION OF THE MINORITY BUSINESS ENTERPRISE  
19 PROGRAM UNDER TITLE 14, SUBTITLE 3 OF THE STATE FINANCE AND  
20 PROCUREMENT ARTICLE ARE INCORPORATED IN THIS SUBSECTION.

21 (2) TO THE EXTENT PRACTICABLE AND AUTHORIZED BY THE UNITED  
22 STATES CONSTITUTION, AN INTERNET GAMING LICENSEE SHALL COMPLY WITH THE  
23 STATE'S MINORITY BUSINESS ENTERPRISE PROGRAM.

24 (3) (I) WITHIN 6 MONTHS AFTER THE ISSUANCE OF AN INTERNET  
25 GAMING LICENSE UNDER THIS SUBTITLE, THE GOVERNOR'S OFFICE OF SMALL,  
26 MINORITY, AND WOMEN BUSINESS AFFAIRS, IN CONSULTATION WITH THE OFFICE  
27 OF THE ATTORNEY GENERAL AND THE INTERNET GAMING LICENSEE, SHALL  
28 ESTABLISH A CLEAR PLAN FOR SETTING REASONABLE AND APPROPRIATE MINORITY  
29 BUSINESS ENTERPRISE PARTICIPATION GOALS AND PROCEDURES FOR THE  
30 PROCUREMENT OF GOODS AND SERVICES RELATED TO INTERNET GAMING.

1           **(II) TO THE EXTENT PRACTICABLE, THE GOALS AND**  
2 **PROCEDURES SPECIFIED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH SHALL BE**  
3 **BASED ON THE REQUIREMENTS OF TITLE 14, SUBTITLE 3 OF THE STATE FINANCE**  
4 **AND PROCUREMENT ARTICLE AND THE REGULATIONS IMPLEMENTING THAT**  
5 **SUBTITLE.**

6           **(C) AN APPLICANT FOR AN INTERNET GAMING LICENSE OR AN INTERNET**  
7 **GAMING LICENSEE SHALL PRODUCE INFORMATION, DOCUMENTATION, AND**  
8 **ASSURANCES TO ESTABLISH BY CLEAR AND CONVINCING EVIDENCE THAT:**

9           **(1) UNLESS THE APPLICANT OR LICENSEE ALREADY HAS A**  
10 **COLLECTIVE BARGAINING AGREEMENT, THE APPLICANT OR LICENSEE HAS**  
11 **ENTERED INTO A LABOR PEACE AGREEMENT WITH EACH LABOR ORGANIZATION**  
12 **THAT IS ACTIVELY ENGAGED IN REPRESENTING OR ATTEMPTING TO REPRESENT**  
13 **INTERNET GAMING INDUSTRY WORKERS, INCLUDING DEALERS CONDUCTING LIVE**  
14 **DEALER GAMES IN ACCORDANCE WITH § 9-1F-10 OF THIS SUBTITLE, IN THE STATE;**

15           **(2) THE LABOR PEACE AGREEMENT IS VALID AND ENFORCEABLE**  
16 **UNDER 29 U.S.C. § 158; AND**

17           **(3) THE LABOR PEACE AGREEMENT PROTECTS THE STATE'S**  
18 **REVENUES BY PROHIBITING THE LABOR ORGANIZATION AND ITS MEMBERS FROM**  
19 **ENGAGING IN PICKETING, WORK STOPPAGES, BOYCOTTS, AND ANY OTHER**  
20 **ECONOMIC INTERFERENCE WITH THE OPERATION OF INTERNET GAMING WITHIN**  
21 **THE FIRST 5 YEARS OF THE EFFECTIVE DATE OF AN INTERNET GAMING LICENSE.**

22 **9-1F-05.**

23           **(A) (1) THE COMMISSION SHALL ACCOUNT TO THE COMPTROLLER FOR**  
24 **ALL OF THE REVENUE UNDER THIS SUBTITLE.**

25           **(2) THE PROCEEDS FROM INTERNET GAMING, LESS THE AMOUNT**  
26 **RETAINED BY THE LICENSEE UNDER SUBSECTION (B)(1)(II) OF THIS SECTION,**  
27 **SHALL BE UNDER THE CONTROL OF THE COMPTROLLER AND DISTRIBUTED AS**  
28 **PROVIDED UNDER SUBSECTION (B) OF THIS SECTION.**

29           **(B) (1) (I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS**  
30 **PARAGRAPH, ALL PROCEEDS FROM INTERNET GAMING SHALL BE ELECTRONICALLY**  
31 **TRANSFERRED MONTHLY INTO THE STATE LOTTERY FUND ESTABLISHED UNDER**  
32 **SUBTITLE 1 OF THIS TITLE.**

33           **(II) A LICENSEE SHALL RETAIN THE PERCENTAGE OF**  
34 **PROCEEDS FROM INTERNET GAMING THAT THE LICENSEE PROPOSED IN THE**

1 LICENSE APPLICATION SUBMITTED UNDER § 9-1F-03 OF THIS SUBTITLE.

2 (2) ALL PROCEEDS FROM INTERNET GAMING IN THE STATE LOTTERY  
3 FUND ESTABLISHED UNDER SUBTITLE 1 OF THIS TITLE SHALL BE DISTRIBUTED ON  
4 A MONTHLY BASIS, ON A PROPERLY APPROVED TRANSMITTAL PREPARED BY THE  
5 COMMISSION IN THE FOLLOWING MANNER:

6 (I) 1% TO THE STATE LOTTERY AND GAMING CONTROL  
7 AGENCY FOR THE COST OF PERFORMING BACKGROUND INVESTIGATIONS AND  
8 OTHER REGULATORY ACTIVITIES;

9 (II) 1% TO THE PROBLEM GAMBLING FUND ESTABLISHED  
10 UNDER § 9-1A-33 OF THIS TITLE;

11 (III) 1% TO LOCAL JURISDICTIONS, DISTRIBUTED TO EACH  
12 COUNTY BASED ON THE COUNTY'S SCHOOL-AGE POPULATION, TO BE USED FOR  
13 FUNDING EDUCATION; AND

14 (IV) THE REMAINDER TO THE BLUEPRINT FOR MARYLAND'S  
15 FUTURE FUND ESTABLISHED UNDER § 5-206 OF THE EDUCATION ARTICLE.

16 9-1F-06.

17 (A) IN ORDER TO ASSIST INDIVIDUALS WHO MAY HAVE A GAMBLING  
18 PROBLEM, AN INTERNET GAMING LICENSEE SHALL:

19 (1) CAUSE THE WORDS "IF YOU OR SOMEONE YOU KNOW HAS A  
20 GAMBLING PROBLEM AND WANTS HELP, CALL 1-800-GAMBLER" OR SOME  
21 COMPARABLE LANGUAGE APPROVED BY THE COMMISSION TO BE DISPLAYED  
22 PROMINENTLY AT LOG-ON AND LOG-OFF TIMES TO ANY INDIVIDUAL VISITING OR  
23 LOGGED ONTO AN INTERNET GAMING PLATFORM;

24 (2) PROVIDE A MECHANISM BY WHICH AN INTERNET GAMING  
25 ACCOUNT HOLDER MAY ESTABLISH THE FOLLOWING CONTROLS ON THE ACCOUNT  
26 HOLDER'S GAMING ACTIVITY THROUGH THE ACCOUNT:

27 (I) A LIMIT ON THE AMOUNT OF MONEY DEPOSITED WITHIN A  
28 SPECIFIED PERIOD OF TIME AND THE LENGTH OF TIME THE ACCOUNT HOLDER WILL  
29 BE UNABLE TO PARTICIPATE IN INTERNET GAMING IF THE ACCOUNT HOLDER  
30 REACHES THE ESTABLISHED DEPOSIT LIMIT; AND

31 (II) A TEMPORARY SUSPENSION OF INTERNET GAMING  
32 ACTIVITY THROUGH THE ACCOUNT FOR ANY NUMBER OF HOURS OR DAYS;

1           **(3) DEFINE THE PERMISSIBLE USE OF CREDIT CARDS FOR ANY**  
2 **INTERNET GAMING-RELATED TRANSACTIONS; AND**

3           **(4) (I) CAUSE THE DISPLAY OF A PROBLEM GAMBLING**  
4 **DISCLOSURE CONCERNING THE RISKS ASSOCIATED WITH GAMBLING AND THE**  
5 **SUPPORT AVAILABLE TO PROBLEM GAMBLERS AT ACCOUNT LOGIN;**

6           **(II) REQUIRE AN INDIVIDUAL TO CERTIFY THAT THE**  
7 **INDIVIDUAL HAS READ THE DISCLOSURE DESCRIBED UNDER ITEM (I) OF THIS ITEM**  
8 **BEFORE ESTABLISHING AN INTERNET GAMING ACCOUNT; AND**

9           **(III) REQUIRE EACH USER TO CERTIFY ON A MONTHLY BASIS**  
10 **THAT THE USER HAS READ THE DISCLOSURE DESCRIBED UNDER ITEM (I) OF THIS**  
11 **ITEM.**

12           **(B) IF A SUSPENSION OF INTERNET GAMING ACTIVITY UNDER SUBSECTION**  
13 **(A)(2)(II) OF THIS SECTION IS IMPOSED BY THE ACCOUNT HOLDER FOR AT LEAST 72**  
14 **HOURS, THE INTERNET GAMING LICENSEE MAY NOT SEND GAMING-RELATED**  
15 **ELECTRONIC MAIL TO THE ACCOUNT HOLDER UNTIL THE SUSPENSION EXPIRES.**

16           **(C) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION,**  
17 **AN INTERNET GAMING LICENSEE SHALL PROVIDE A MECHANISM BY WHICH AN**  
18 **ACCOUNT HOLDER MAY CHANGE THE CONTROLS ON GAMING ACTIVITY IMPOSED BY**  
19 **THE ACCOUNT HOLDER UNDER THIS SECTION.**

20           **(2) IF THE ACCOUNT IS SUSPENDED BY THE ACCOUNT HOLDER**  
21 **UNDER SUBSECTION (A)(2)(II) OF THIS SECTION, THE ACCOUNT HOLDER MAY NOT**  
22 **CHANGE GAMING CONTROLS UNTIL THE SUSPENSION EXPIRES.**

23           **(D) NOTWITHSTANDING A TEMPORARY SUSPENSION OF INTERNET GAMING**  
24 **ACTIVITY IMPOSED BY AN ACCOUNT HOLDER UNDER SUBSECTION (A)(2)(II) OF THIS**  
25 **SECTION, THE ACCOUNT HOLDER MAY CONTINUE TO HAVE ACCESS TO THE ACCOUNT**  
26 **AND IS AUTHORIZED TO WITHDRAW FUNDS FROM THE ACCOUNT ON PROPER**  
27 **APPLICATION TO THE INTERNET GAMING LICENSEE.**

28 **9-1F-07.**

29           **(A) THE COMMISSION MAY IMPOSE A PENALTY NOT EXCEEDING \$1,000,000**  
30 **AGAINST ANY PERSON WHO KNOWINGLY:**

31           **(1) TAMPERS WITH SOFTWARE, COMPUTERS, OR OTHER EQUIPMENT**  
32 **USED TO CONDUCT INTERNET GAMING TO ALTER THE ODDS OR THE PAYOUT OF A**

1 GAME OR DISABLE THE GAME FROM OPERATING ACCORDING TO THE RULES OF THE  
2 GAME AS ADOPTED BY THE COMMISSION; OR

3 (2) OFFERS OR ALLOWS TO BE OFFERED ANY INTERNET GAME THAT  
4 HAS BEEN TAMPERED WITH IN A WAY THAT AFFECTS THE ODDS OR THE PAYOUT OF  
5 A GAME OR HAS BEEN DISABLED FROM OPERATING ACCORDING TO THE RULES OF  
6 THE GAME AS ADOPTED BY THE COMMISSION.

7 (B) IN ADDITION TO ANY PENALTIES IMPOSED UNDER SUBSECTION (A) OF  
8 THIS SECTION, THE COMMISSION MAY SUSPEND, FOR NOT LESS THAN 30 DAYS, THE  
9 LICENSE OF AN INTERNET GAMING LICENSEE OR ANY OTHER PERSON REQUIRED TO  
10 BE LICENSED UNDER THIS SUBTITLE WHO IS IN VIOLATION OF SUBSECTION (A) OF  
11 THIS SECTION.

12 9-1F-08.

13 ON OR BEFORE SEPTEMBER 1 EACH YEAR, THE MARYLAND CENTER OF  
14 EXCELLENCE ON PROBLEM GAMBLING SHALL REPORT TO THE GOVERNOR AND, IN  
15 ACCORDANCE WITH § 2-1257 OF THIS ARTICLE, THE GENERAL ASSEMBLY ON:

16 (1) THE IMPACT OF INTERNET GAMING ON PROBLEM GAMBLERS AND  
17 GAMBLING ADDICTION IN THE STATE; AND

18 (2) THE EFFECTIVENESS OF THE STATUTORY AND REGULATORY  
19 CONTROLS IN PLACE TO ENSURE THE INTEGRITY OF INTERNET GAMING  
20 OPERATIONS.

21 9-1F-09.

22 (A) ON OR BEFORE SEPTEMBER 1 EACH YEAR, AN INTERNET GAMING  
23 LICENSEE SHALL PROVIDE ALL TRANSACTIONAL DATA AND METRICS RELATED TO  
24 INTERNET GAMING CONDUCTED IN THE STATE AND ACQUIRED BY AN OPERATOR OF  
25 THE LICENSEE ON A MONTHLY, QUARTERLY, OR ANNUAL BASIS TO MORGAN STATE  
26 UNIVERSITY AND BOWIE STATE UNIVERSITY.

27 (B) THE TRANSACTIONAL DATA AND METRICS PROVIDED IN ACCORDANCE  
28 WITH SUBSECTION (A) OF THIS SECTION SHALL EXCLUDE ANY PERSONALLY  
29 IDENTIFIABLE INFORMATION.

30 9-1F-10.

31 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS  
32 INDICATED.

1           **(2) “AUTHORIZED INTERACTIVE GAME” MEANS ANY**  
2 **INTERNET-BASED VERSION, OR SUBSTANTIAL EQUIVALENT, OF A TABLE GAME,**  
3 **POKER TOURNAMENT, GAMING TOURNAMENT, OR ANY OTHER GAME TYPICALLY**  
4 **OFFERED IN A CASINO AND APPROVED BY THE COMMISSION, INCLUDING GAMES IN**  
5 **WHICH INDIVIDUALS WAGER MONEY OR SOMETHING OF MONETARY VALUE AND**  
6 **THAT ARE ACCESSED BY A COMPUTER OR MOBILE DEVICE THAT IS CONNECTED TO**  
7 **THE INTERNET.**

8           **(3) (I) “LIVE DEALER GAME” MEANS AN AUTHORIZED**  
9 **INTERACTIVE GAME CONDUCTED BY LIVE STUDIO DEALERS OR OTHER PHYSICAL**  
10 **GAMING EQUIPMENT, SUCH AS AN AUTOMATED ROULETTE WHEEL, BALL BLOWER,**  
11 **OR GAMING DEVICE, OR BOTH, IN A LIVE GAME ENVIRONMENT IN WHICH THE**  
12 **AUTHORIZED PARTICIPANTS HAVE THE ABILITY TO PARTICIPATE IN GAME PLAY AND**  
13 **COMMUNICATE GAME DECISIONS THROUGH AN AUTHORIZED INTERACTIVE GAMING**  
14 **PLATFORM.**

15           **(II) “LIVE DEALER GAME” INCLUDES A LIVE CARD GAME, A LIVE**  
16 **TABLE GAME, AND ANY OTHER LIVE AUTHORIZED INTERACTIVE GAME.**

17           **(4) “LIVE GAMING STUDIO” MEANS A PHYSICAL LOCATION IN THE**  
18 **STATE THAT UTILIZES LIVE VIDEO STREAMING TECHNOLOGY TO PROVIDE**  
19 **AUTHORIZED INTERACTIVE GAMES TO A PLAYER’S INTERACTIVE GAMING DEVICE OR**  
20 **MULTI-USE COMPUTING DEVICE.**

21           **(5) “LIVE STUDIO DEALER” MEANS AN INDIVIDUAL WHO:**

22           **(I) LEADS A TABLE GAME, INCLUDING BLACKJACK, CRAPS,**  
23 **POKER, ROULETTE, OR ANY OTHER AUTHORIZED INTERACTIVE GAME, WHILE**  
24 **ASSISTING AUTHORIZED PARTICIPANTS WITH GAME-RELATED NEEDS;**

25           **(II) DISTRIBUTES VIRTUAL CARDS, DICE, OR OTHER**  
26 **EQUIPMENT TO AUTHORIZED PARTICIPANTS ACCORDING TO THE TABLE GAME OR**  
27 **AUTHORIZED INTERACTIVE GAME; AND**

28           **(III) MONITORS GAME PACE AND PLAY.**

29           **(B) SUBJECT TO APPROVAL BY THE COMMISSION, AN INTERNET GAMING**  
30 **LICENSEE MAY OFFER AUTHORIZED INTERACTIVE GAMES, INCLUDING GAMING**  
31 **TOURNAMENTS IN WHICH PLAYERS COMPETE AGAINST ONE ANOTHER IN ONE OR**  
32 **MORE OF THE GAMES AUTHORIZED UNDER THIS SUBTITLE OR BY THE COMMISSION**  
33 **OR IN APPROVED VARIATIONS OR COMPOSITES OF THOSE GAMES.**

1 (C) AN INTERNET GAMING OPERATOR MAY USE LIVE STUDIO DEALERS TO  
2 ADMINISTER AN AUTHORIZED INTERACTIVE GAME.

3 (D) A LIVE GAMING STUDIO USED TO CONDUCT A LIVE DEALER GAME  
4 AUTHORIZED UNDER THIS SECTION:

5 (1) SHALL BE LOCATED WITHIN THE STATE; AND

6 (2) IS NOT REQUIRED TO BE LOCATED WITHIN THE PREMISES OF A  
7 VIDEO LOTTERY FACILITY, AS DEFINED UNDER § 9-1A-01 OF THIS TITLE.

8 9-1F-11.

9 (A) IN THIS SECTION, "GOVERNMENT" MEANS ANY GOVERNMENTAL UNIT,  
10 OTHER THAN THE UNITED STATES GOVERNMENT, OF A NATIONAL, STATE, OR LOCAL  
11 BODY EXERCISING GOVERNMENTAL FUNCTIONS.

12 (B) ON RECOMMENDATION OF THE COMMISSION, THE GOVERNOR, ON  
13 BEHALF OF THE STATE, IS AUTHORIZED TO:

14 (1) ENTER INTO AN AGREEMENT WITH OTHER GOVERNMENTS,  
15 SUBJECT TO THE LIMITATIONS OF THIS SECTION, THAT ALLOWS AND PROVIDES FOR  
16 PARTICIPATION IN MULTIJURISDICTIONAL INTERNET GAMING BY INDIVIDUALS  
17 WHO ARE PHYSICALLY LOCATED IN JURISDICTIONS OVER WHICH THE  
18 GOVERNMENTS THAT ARE A PARTY TO THE AGREEMENT EXERCISE LEGAL  
19 AUTHORITY; AND

20 (2) TAKE ALL NECESSARY ACTIONS TO ENSURE THAT ANY  
21 AGREEMENT ENTERED INTO UNDER THIS SECTION BECOMES EFFECTIVE.

22 (C) THE COMMISSION MAY ADOPT REGULATIONS UNDER THIS SECTION  
23 THAT PROVIDE FOR:

24 (1) THE FORM, LENGTH, AND TERMS OF AN AGREEMENT AUTHORIZED  
25 UNDER THIS SECTION;

26 (2) MATTERS RELATING TO THE TAXATION OF INTERNET GAMING  
27 REVENUE BY THE PARTIES TO THE AGREEMENT;

28 (3) THE SHARING AND DISTRIBUTION OF INTERNET GAMING  
29 REVENUE AMONG THE PARTIES TO THE AGREEMENT;

30 (4) RESOLUTION OF PLAYER DISPUTES;

1           **(5) THE INFORMATION THAT A GOVERNMENT PROPOSING TO ENTER**  
2 **INTO THE AGREEMENT WITH THE STATE MUST PROVIDE TO THE COMMISSION;**

3           **(6) THE MANNER AND PROCEDURE FOR HEARINGS CONDUCTED BY**  
4 **THE COMMISSION WITH RESPECT TO ANY AGREEMENT AUTHORIZED UNDER THIS**  
5 **SECTION;**

6           **(7) THE INFORMATION THAT THE COMMISSION MUST PROVIDE TO**  
7 **THE GOVERNOR THAT SUPPORTS THE RECOMMENDATIONS OF THE COMMISSION**  
8 **MADE UNDER THIS SECTION; AND**

9           **(8) ANY OTHER PROVISION NECESSARY TO CARRY OUT THIS SECTION.**

10          **(D) THE GOVERNOR MAY NOT ENTER INTO AN AGREEMENT UNDER THIS**  
11 **SECTION UNLESS THE AGREEMENT INCLUDES TERMS:**

12           **(1) FOR ANY POTENTIAL ARRANGEMENT FOR THE SHARING OF**  
13 **REVENUES BY THE PARTIES TO THE AGREEMENT;**

14           **(2) PERMITTING THE EFFECTIVE REGULATION OF INTERNET GAMING**  
15 **BY THE STATE, INCLUDING PROVISIONS RELATING TO LICENSING, TECHNICAL**  
16 **STANDARDS TO BE FOLLOWED, RESOLUTION OF DISPUTES BY PATRONS,**  
17 **REQUIREMENTS FOR BANKROLLS, ENFORCEMENT, ACCOUNTING, AND**  
18 **MAINTENANCE OF RECORDS;**

19           **(3) BY WHICH EACH PARTY TO THE AGREEMENT AGREES TO PROHIBIT**  
20 **OPERATORS OF INTERNET GAMING, SERVICE PROVIDERS, AND MANUFACTURERS OR**  
21 **DISTRIBUTORS OF INTERNET GAMING SYSTEMS FROM ENGAGING IN ANY ACTIVITY**  
22 **PERMITTED UNDER THE AGREEMENT UNLESS THOSE PERSONS ARE LICENSED OR**  
23 **FOUND SUITABLE:**

24                   **(I) UNDER THIS SUBTITLE; OR**

25                   **(II) BY ANY OTHER PARTY TO THE AGREEMENT UNDER**  
26 **REQUIREMENTS THAT ARE MATERIALLY CONSISTENT WITH THE REQUIREMENTS OF**  
27 **THIS SUBTITLE;**

28           **(4) PROHIBITING VARIATION OR DEROGATION FROM THE**  
29 **REQUIREMENTS OF THE AGREEMENT FOR ANY PARTY TO THE AGREEMENT ABSENT**  
30 **THE CONSENT OF ALL PARTIES TO THE AGREEMENT;**

31           **(5) PROHIBITING ANY SUBORDINATE OR SIDE AGREEMENTS, EXCEPT**

1 WITH RESPECT TO SHARING OF REVENUES, AMONG ANY SUBSET OF THE  
2 GOVERNMENTS THAT ARE PARTIES TO THE AGREEMENT; AND

3 (6) IF THE AGREEMENT ALLOWS PERSONS PHYSICALLY LOCATED IN  
4 THE STATE TO PARTICIPATE IN INTERNET GAMING CONDUCTED BY ANOTHER PARTY  
5 TO THE AGREEMENT OR AN OPERATOR OF INTERNET GAMING LICENSED BY THE  
6 OTHER PARTY, REQUIRING THAT PARTY TO ESTABLISH AND MAINTAIN REGULATORY  
7 REQUIREMENTS GOVERNING INTERNET GAMING THAT ARE CONSISTENT WITH THE  
8 REQUIREMENTS OF THIS SUBTITLE IN ALL MATERIAL RESPECTS.

9 SECTION 2. AND BE IT FURTHER ENACTED, That:

10 (a) In accordance with Article XIX, § 1(e) of the Maryland Constitution, before  
11 this Act, which authorizes additional forms or expansion of commercial gaming, becomes  
12 effective, a question substantially similar to the following shall be submitted to a  
13 referendum of the qualified voters of the State at the general election to be held in  
14 November 2024:

15 “Do you favor the expansion of commercial gaming in the State of Maryland to  
16 authorize Internet gaming for the primary purpose of raising revenue for education?”

17 (b) The State Board of Elections shall do those things necessary and proper to  
18 provide for and hold the referendum required by this section. If a majority of the votes cast  
19 on the question are “For the referred law”, this Act shall become effective on the 30th day  
20 following the official canvass of votes for the referendum, but if a majority of the votes cast  
21 on the question are “Against the referred law”, this Act, with no further action required by  
22 the General Assembly, shall be null and void.

23 SECTION 3. AND BE IT FURTHER ENACTED, That, subject to the provisions of  
24 Section 2 of this Act and for the sole purpose of providing for the referendum required by  
25 Section 2 of this Act, this Act shall take effect July 1, 2024.