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2 **Title 36 MARYLAND STATE LOTTERY AND GAMING CONTROL AGENCY**

3 **Subtitle 08 SKILLS-BASED AMUSEMENT DEVICES**

4 **Chapter 04 General Standards**

5 **Authority: Criminal Law Article, §§12-301 and 12-301.1, Annotated Code of Maryland**

6
7 **.01 General Standards.**

8 A. A skills-based amusement device is not legally operated if:

9 (1) Unless authorized under COMAR 36.08.03, the merchandise, prizes, tickets, tokens, or other
10 objects awarded exceeds the minimal value;

11 (2) The device awards a cash prize or a prize that is readily convertible to cash;

12 (3) The outcome of the game is based on a preponderance of chance;

13 (4) The ability of any player to succeed at the game is impacted by the number or ratio of prior
14 wins to prior losses of that device;

15 (5) The outcome of the game can be controlled by a source other than the player of the game;

16 (6) The success of any player is or may be determined by a chance event which cannot be altered
17 by player actions;

18 (7) The ability of a player to succeed at the game is impacted by game features not visible or
19 known to a reasonable player; or

20 (8) The ability of a player to succeed at the game is impacted by the exercise of skill that no
21 reasonable player could exercise.

22 B. The **individual** merchandise, prizes, tickets, tokens, or other objects that are awarded by a
23 skills-based amusement device may:

24 i. ~~be accumulated and exchanged for non-cash merchandise or prizes that have a~~
25 ~~wholesale value of not more than the minimal value~~ **Have a wholesale value that does not**
26 **exceed the minimal value; and**

27 ii. **Be accumulated and exchanged for non-cash merchandise or prizes that do not**
28 **exceed \$599.**

For August 28, 2025 Commission.

The proposed amendment aligns the Agency's regulations with the **amendments to Criminal Law Article, § 12-301, which clarifies prizes that may be lawfully awarded to players of skills-based amusement devices.**

Revised July 31, 2025

- 1 C. If a registered skills-based device owner offers a device described in §A of this regulation, the
- 2 Commission may take enforcement action as provided in Regulation .03 of this chapter.

DRAFT

For August 28, 2025 Commission.

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