

1                                   **Title 36 STATE LOTTERY AND GAMING CONTROL AGENCY**

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

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5                                   **Chapter 04 General Standards**

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

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9                   **.01 General Standards**

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

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12           (1) Unless authorized under COMAR 36.08.03, the merchandise, prizes, tickets, tokens, or other  
13           objects awarded per play exceeds minimal value;

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

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

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

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

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

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

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

26           B. The merchandise, prizes, tickets, tokens or other objects that are awarded by a skills-based  
27           amusement device may be accumulated and exchanged for non-cash merchandise or prizes of  
28           value that is similar to the cumulative value of the items exchanged.

29           **.02 Testing.**

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31           A. The Commission may require testing of a prototype of a skills-based amusement device for:

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33           (1) Overall operational integrity;

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35           (2) Compliance with this subtitle; and

- 1 (3) Any other function that the Commission determines may be necessary to validate the proper
- 2 functionality and performance of the device.
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- 4 B. The Commission may accept testing by:
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- 6 (1) Commission staff; or
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- 8 (2) A testing facility recognized by the Commission.
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- 10 C. The costs of testing required under this Chapter shall be the responsibility of the licensee.

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