

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

2 **Subtitle 03 GAMING PROVISIONS**

3 **Chapter 08 Collection of Taxes, Fees, and Penalties**

4 **Authority: State Government Article, §§9-1A-01, 9-1A-04, 9-1A-26, and 9-1A-33,**
5 **Annotated Code of Maryland**

6 **.01 General.**

7 This chapter establishes the manner and method by which the Commission may collect from an
8 applicant or licensee a tax, fee or civil penalty established under State Government Article, Title
9 9, Subtitle 1A, Annotated Code of Maryland, **and the manner by which a facility operator**
10 **may reconcile proceeds under State Government Article, § 9-1A-26, Annotated Code of**
11 **Maryland.**

12 **.02 Definitions.**

13 A. In this chapter, the following terms have the meanings indicated.

14 B. Terms Defined.

15 (1) "Fee" means an amount established by the Commission that an applicant or licensee
16 is required to pay and includes:

17 (a) A license fee under State Government Article, §9-1A-07(b), Annotated Code
18 of Maryland;

19 (b) A fee associated with an applicant's criminal history records check under State
20 Government Article, §9-1A-20(d), Annotated Code of Maryland;

21 (c) An application, license, or renewal fee under COMAR 36.03.02;

For May 25, 2017 Commission meeting.

These amendments would implement new legislation (SB 496, Ch.445) that takes effect July 1, 2017, and requires the Commission to adopt regulations allowing a casino that returns to successful players more than the amount of money bet through VLTs or table games on a given day to subtract that "negative" amount from the proceeds of a following day. The regulations must also establish the length of time for which a subtraction may be used.

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1 (d) An annual fee of \$425 for each video lottery terminal to be paid by a video
2 lottery operation licensee as required by State Government Article, §9-1A-33,
3 Annotated Code of Maryland;

4 (e) An annual fee of \$500 for each table game to be paid by a video lottery
5 operation licensee for each table game as authorized by State Government Article,
6 §9-1A-33, Annotated Code of Maryland; and

7 (f) Except for a license fee for a video lottery operation license, any other fee
8 imposed by the Commission under State Government Article, Title 9, Subtitle 1A,
9 Annotated Code of Maryland.

10 (2) "Penalty" has the meaning stated in COMAR 36.03.04.02.

11 **(3) "Proceeds" has the meaning stated in State Government Article, §9-1A-01,**
12 **Annotated Code of Maryland.**

13 **.03 Obligation to Pay.**

14 A. A tax that is due and payable shall be paid by an applicant or licensee and collected in
15 accordance with State and federal law.

16 B. For a fee or penalty:

17 (1) The Commission shall issue an invoice or other order to pay; and

18 (2) An applicant or licensee shall remit payment to the Commission within 30 days after
19 the date of the invoice or order to pay.

20 **C. Reconciliation of proceeds.**

21 **(1) In reconciling proceeds as described in this section, a facility operator shall**
22 **account for video lottery terminal proceeds separately from table game proceeds.**

23 **(2) If a facility operator returns to successful players more than the amount of**
24 **money bet through video lottery terminal or table game play on a gaming day, the**

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1 facility operator may subtract the difference between the amount bet and the
2 amount returned to players from its proceeds of the next consecutive gaming day.

3 (3) A facility operator may:

4 (a) Subtract the total difference described in § C(2) of this regulation for the
5 following consecutive gaming day; and

6 (b) If the total difference described in § C(2) of this regulation exceeds the
7 amount of proceeds for the following consecutive gaming day, continue to
8 subtract the remaining difference after the first day for up to one additional
9 consecutive gaming day.

10 (4) A facility operator may not subtract losses pursuant to § C(3) of this regulation
11 for more than two consecutive gaming days.

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