

SB0004/395168/1

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 4
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike line 2 in its entirety and substitute “Expansion of Commercial Gaming – Sports and Event Wagering Referendum and Minority Business Enterprise Disparity Study”; in line 3, after “of” insert “providing that the General Assembly may authorize, by law, the State Lottery and Gaming Control Commission to issue certain sports and event wagering licenses; requiring certain implementing legislation to include certain criteria and specifications; declaring the intent of the General Assembly that certain revenues be used for the funding of public education; requiring the Maryland Department of Transportation and the State Lottery and Gaming Control Commission to contract with a certain expert to conduct a certain review of a certain disparity study for certain purposes; requiring a certain certification agency, in consultation with the General Assembly and the Office of the Attorney General, to initiate a certain disparity study and to report the findings of the disparity study under certain circumstances;”.

On pages 1 and 2, strike beginning with “authorizing” in line 3 on page 1 down through “terms;” in line 24 on page 2.

On page 2, in line 25, after “State;” insert “requiring the State Board of Elections to do certain things necessary to provide for and hold the referendum;”; in the same line, strike “wagering on sporting events” and substitute “sports and event wagering in the State”; and strike in their entirety lines 26 through 41, inclusive.

AMENDMENT NO. 2

On page 2, after line 41, insert:

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“SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That:

(a) Subject to subsection (b) of this section, the General Assembly may authorize, by law, the State Lottery and Gaming Control Commission to issue a license to offer sports and event wagering in the State.

(b) Legislation enacted by the General Assembly to implement the provisions of this Act shall include the criteria for eligible applications for a licensee and specifications of the permissible forms, means of conduct, and premises of wagering.

SECTION 2. AND BE IT FURTHER ENACTED, That, if the voters of this State adopt a referendum that authorizes sports and event wagering in the State, the State’s share of revenues generated by sports and event wagering shall primarily be used for the funding of public education.

SECTION 3. AND BE IT FURTHER ENACTED, That:

(a) The Maryland Department of Transportation and the State Lottery and Gaming Control Commission, in consultation with the Office of the Attorney General, shall contract with an appropriate expert to review the “Business Disparities in the Maryland Market Area” study completed on February 8, 2017, to evaluate, on or before October 1, 2020, whether the data in the study demonstrates a compelling interest to implement remedial measures, including the application of the State Minority Business Enterprise Program under Title 14, Subtitle 3 of the State Finance and Procurement Article or a similar program, to assist minorities and women in the sports and event wagering industry and market.

(b) (1) If a determination is made under subsection (a) of this section that the data in the February 8, 2017, study “Business Disparities in the Maryland Market Area” does not appropriately apply to the sports and event wagering industry, the certification agency designated by the Board of Public Works under § 14–303(b) of the

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State Finance and Procurement Article, in consultation with the General Assembly and the Office of the Attorney General, shall initiate a disparity study of the sports and event wagering industry to evaluate whether there is a compelling interest to implement remedial measures, including the application of the State Minority Business Enterprise Program under Title 14, Subtitle 3 of the State Finance and Procurement Article or a similar program, to assist minorities and women in the sports and event wagering industry and market.

(2) The State Lottery and Gaming Control Commission shall provide to the certification agency any information necessary to perform the study required under paragraph (1) of this subsection.

(3) The certification agency shall report to the State Lottery and Gaming Control Commission and, in accordance with § 2-1257 of the State Government Article, the Legislative Policy Committee on the findings of the study required under paragraph (1) of this subsection.

SECTION 4. AND BE IT FURTHER ENACTED, That the provisions of Section 1 of this Act, which authorize the General Assembly to authorize, by law, the State Lottery and Gaming Control Commission to issue sports and event wagering licenses to certain licensees in the State, are subject to a referendum of the qualified voters of the State as provided in Section 5 of this Act, and on voter approval of this Act at the general election to be held in November 2020, legislation shall be required to provide for the operation, regulation, and disposition of proceeds of sports and event wagering in the State.

SECTION 5. AND BE IT FURTHER ENACTED, That:

(a) In accordance with Article XIX, § 1(e) of the Maryland Constitution, before Section 1 of this Act, which authorizes additional forms or expansion of commercial gaming, becomes effective, a question substantially similar to the following shall be

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submitted to a referendum of the qualified voters of the State at the general election to be held in November 2020:

“Do you favor the expansion of commercial gaming in the State of Maryland to authorize sports and event betting for the primary purpose of raising revenue for education?”

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

SECTION 6. AND BE IT FURTHER ENACTED, That Section 3 of this Act shall take effect July 1, 2020.

SECTION 7. AND BE IT FURTHER ENACTED, That, subject to the provisions of Section 5 of this Act and except as provided in Section 6 of this Act, and for the sole purpose of providing for the referendum required by Section 5 of this Act, this Act shall take effect July 1, 2020.”.

On pages 2 through 25, strike in their entirety the lines beginning with line 42 on page 2 through line 19 on page 25, inclusive.