

HOUSE BILL 1497

E1

7lr0703

By: **Delegates Waldstreicher and Luedtke**

Introduced and read first time: February 10, 2017

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Video Lottery Operations – Persons on Voluntary Exclusion List – Trespass**

3 FOR the purpose of requiring a person on a certain voluntary exclusion list from video
4 lottery operations who commits, on the premises of a video lottery operation licensee,
5 a first violation of a certain prohibition against trespass to complete a certain
6 treatment or counseling program; prohibiting the person from being subject to fine
7 or imprisonment; and generally relating to video lottery operations.

8 BY repealing and reenacting, with amendments,
9 Article – Criminal Law
10 Section 6–403
11 Annotated Code of Maryland
12 (2012 Replacement Volume and 2016 Supplement)

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
14 That the Laws of Maryland read as follows:

15 **Article – Criminal Law**

16 6–403.

17 (a) A person may not enter or cross over private property or board the boat or
18 other marine vessel of another, after having been notified by the owner or the owner's agent
19 not to do so, unless entering or crossing under a good faith claim of right or ownership.

20 (b) A person may not remain on private property including the boat or other
21 marine vessel of another, after having been notified by the owner or the owner's agent not
22 to do so.

23 (c) A person who violates this section is guilty of a misdemeanor and on conviction
24 is subject to:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(1) **[for] EXCEPT AS PROVIDED IN SUBSECTION (D) OF THIS SECTION, FOR** a first violation, imprisonment not exceeding 90 days or a fine not exceeding \$500 or both;

(2) for a second violation occurring within 2 years after the first violation, imprisonment not exceeding 6 months or a fine not exceeding \$1,000 or both; and

(3) for each subsequent violation occurring within 2 years after the preceding violation, imprisonment not exceeding 1 year or a fine not exceeding \$2,500 or both.

(D) (1) THIS SUBSECTION APPLIES ONLY TO A PERSON ON A LIST OF INDIVIDUALS WITH GAMBLING PROBLEMS WHO REQUESTED TO BE EXCLUDED FROM ANY VIDEO LOTTERY OPERATION LICENSED UNDER TITLE 9, SUBTITLE 1A OF THE STATE GOVERNMENT ARTICLE.

(2) A PERSON WHO VIOLATES THIS SECTION ON THE PREMISES OF A VIDEO LOTTERY OPERATION LICENSEE FOR A FIRST VIOLATION:

(I) SHALL COMPLETE AN ACCREDITED PROGRAM FOR TREATMENT OR COUNSELING FOR PROBLEM GAMBLING; AND

(II) MAY NOT BE SUBJECT TO IMPRISONMENT OR FINE.

[(d)](E) This section prohibits only wanton entry on private property.

[(e)](F) This section also applies to property that is used as a housing project and operated by a housing authority or State public body, as those terms are defined in Division II of the Housing and Community Development Article, if an authorized agent of the housing authority or State public body gives the required notice specified in subsection (a) or (b) of this section.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2017.