

**CITY OF BALTIMORE  
COUNCIL BILL 11-0791  
(First Reader)**

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Introduced by: Councilmembers Curran, Clarke, Kraft, Conaway, Welch

Introduced and read first time: October 24, 2011

Assigned to: Taxation, Finance and Economic Development Committee

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REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Board of Municipal and Zoning Appeals, Planning Commission, Department of Finance

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A BILL ENTITLED

1 AN ORDINANCE concerning

2 style="text-align:center">**Simulated Slot Machines – License Fee and Registration Tax**

3 FOR the purpose of modifying certain provisions governing quarterly payments of the license  
4 fees and registration tax for simulated slot machines; providing for the retroactive application  
5 of these modifications; conforming, correcting, and clarifying related provisions; providing  
6 for a special effective date; and generally relating to the licensing, registration, and  
7 regulation of amusement devices.

8 BY repealing and reordaining, without amendments

9 Article 15 - Licensing and Regulation  
10 Section(s) 2-11(f), 2-12(a) and (b), 2-13(a)  
11 Baltimore City Code  
12 (Edition 2000)

13 BY repealing and reordaining, with amendments

14 Article 15 - Licensing and Regulation  
15 Section(s) 2-15  
16 Baltimore City Code  
17 (Edition 2000)

18 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That the  
19 Laws of Baltimore City read as follows:

20 style="text-align:center">**Baltimore City Code**

21 style="text-align:center">**Article 15. Licensing and Regulation**

22 style="text-align:center">**Subtitle 2. Amusements**

23 style="text-align:center">*Part 3. Amusement Devices*

EXPLANATION: CAPITALS indicate matter added to existing law.  
[Brackets] indicate matter deleted from existing law.

**Council Bill 11-0791**

1 **§ 2-11. Definitions.**

2 (f) *Simulated slot machine.*

3 “Simulated slot machine” means any amusement device equipped with a knock-off  
4 device that enables an owner or custodian of the device to remove free plays or other  
5 game credits accumulated by a winning player.

6 **§ 2-12. Licenses required.**

7 (a) *Device license.*

8 (1) No person may permit any amusement device on his, her, or its premises to be used  
9 by the public unless the person first obtains from the Director a license for that  
10 device.

11 (2) For a simulated slot machine, if the device has been registered by the owner under  
12 § 2-13 of this subtitle, the device is exempt from the license fee provided for in  
13 § 2-15(a) of this subtitle.

14 (b) *Master’s license.*

15 No person may own, control, or possess more than 5 simulated slot machines unless that  
16 person first obtains from the Director a master’s license.

17 **§ 2-13. Registration required.**

18 (a) *In general.*

19 The owner of any amusement device that is located in the City must register that device  
20 with the Director.

21 **§ 2-15. Fees and taxes.**

22 (a) *License fees.*

23 (1) The annual LICENSE fee for an amusement device [license] is \$180 per device.

24 (2) The annual fee for a SIMULATED SLOT MACHINE master’s license is \$5,000.

25 (3) The fee for a transfer of a licensed device is \$10.

26 (b) *Registration tax.*

27 (1) [The annual] FOR SIMULATED SLOT MACHINES, THE ANNUAL REGISTRATION tax [for  
28 an amusement device registration] is AS FOLLOWS:

29 [(1) for simulated slot machines:]

30 (i) for each of the first 5 devices – \$2,250 per device[.];

**Council Bill 11-0791**

1 (ii) for each additional device up to the 20<sup>th</sup> – \$1,750 per device[.]; AND

2 (iii) for each device in addition to 20 – \$1,250 per device.

3 (2) [for] FOR all other types of amusement devices, THE ANNUAL REGISTRATION TAX IS AS  
4 FOLLOWS:

5 (i) \$200; plus

6 (ii) \$50 per device.

7 (c) *For less than full year.*

8 The annual fee or tax for less than a full initial year is prorated quarterly.

9 (d) *Payments not refundable.*

10 No refunds, in whole or in part, may be made of any of the fees or taxes [required by]  
11 PAID UNDER this Part 3.

12 (e) *Quarterly payments for simulated slot machines.*

13 (1) Fees and taxes required to be paid under this Part 3 for simulated slot machines may  
14 be made in equal quarterly installments if:

15 (i) an additional service charge is paid with each quarterly payment;

16 (ii) all payments required by this part for the previous year have been made; and

17 (iii) by [January 31, 2011, and by] January 1 of each [subsequent] year in which  
18 quarterly payments are to be made, the person responsible for the payments:

19 (A) makes a written election, in the form required by the Director, to make  
20 quarterly payments; and

21 (B) submits to the Director the full amount of that year's 1<sup>st</sup> quarterly  
22 installment plus the applicable service charge.

23 (2) (i) QUARTERLY INSTALLMENTS OF THE LICENSE FEE AND REGISTRATION TAX FOR A  
24 SIMULATED SLOT MACHINE NEED NOT BE PAID FOR:

25 (A) AS TO THE LICENSE FEE, ANY QUARTER THAT FOLLOWS SURRENDER TO THE  
26 DIRECTOR OF THE DEVICE'S LICENSE, TOGETHER WITH EVIDENCE  
27 SATISFACTORY TO THE DIRECTOR THAT THE DEVICE HAS BEEN TAKEN OUT  
28 OF SERVICE FOR THE REST OF THE LICENSE YEAR; AND

29 (B) AS TO THE REGISTRATION TAX, ANY QUARTER THAT FOLLOWS SURRENDER  
30 TO THE DIRECTOR OF THE DEVICE'S REGISTRATION, TOGETHER WITH  
31 EVIDENCE SATISFACTORY TO THE DIRECTOR THAT THE DEVICE HAS BEEN  
32 REMOVED FROM THE CITY FOR THE REST OF THE LICENSE YEAR.

**Council Bill 11-0791**

1 (ii) IF A MASTER LICENSEE SURRENDERS 1 OR MORE DEVICES UNDER THIS PARAGRAPH  
2 AND IS LEFT WITH 5 OR FEWER DEVICES BEING OWNED, CONTROLLED, OR  
3 POSSESSED BY THE LICENSEE, THE LICENSEE MAY SURRENDER THE MASTER  
4 LICENSE TO THE DIRECTOR AND NEED NOT PAY ANY QUARTERLY INSTALLMENT  
5 FOR ANY QUARTER THAT FOLLOWS THE SURRENDER.

6 (3) [(2)] The rules and regulations adopted under § 2-17 of this subtitle must establish:

7 (i) the amount of the service charge to be paid with each quarterly installment;  
8 [and]

9 (ii) a schedule indicating when quarterly payments are due each year.

10 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the catchlines contained in this Ordinance  
11 are not law and may not be considered to have been enacted as a part of this or any prior  
12 Ordinance.

13 **SECTION 3. AND BE IT FURTHER ORDAINED,** That any person who was paying quarterly  
14 installments for or in relation to a device and who, on or after January 1, 2011, terminated the  
15 operation of that device and surrendered or sought to surrender the applicable license or  
16 registration to the Finance Director is entitled to receive, on application submitted no later than  
17 90 days after the effective date of this Ordinance, a refund for any installments paid after the  
18 surrender or attempted surrender.

19 **SECTION 4. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the date it  
20 is enacted.