

CITY OF BALTIMORE
ORDINANCE _____
Council Bill 11-0791

Introduced by: Councilmembers Curran, Clarke, Kraft, Conaway, Welch
Introduced and read first time: October 24, 2011
Assigned to: Taxation, Finance and Economic Development Committee

Committee Report: Favorable with amendments
Council action: Adopted
Read second time: December 5, 2011

AN ORDINANCE CONCERNING

1 Simulated Slot Machines – License Fee and Registration Tax

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

7 BY repealing and reordaining, without amendments

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

12 BY repealing and reordaining, with amendments

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

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

19 Baltimore City Code

20 Article 15. Licensing and Regulation

21 Subtitle 2. Amusements

22 Part 3. Amusement Devices

EXPLANATION: CAPITALS indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.
Underlining indicates matter added to the bill by amendment.
~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from existing law by amendment.

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 an
28 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 20th – \$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 1st 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 THE LICENSE AND REGISTRATION FOR 1 OR
2 MORE DEVICES UNDER THIS PARAGRAPH, TOGETHER WITH EVIDENCE
3 SATISFACTORY TO THE DIRECTOR THAT THE DEVICES HAVE BEEN TAKEN OUT OF
4 SERVICE OR REMOVED FROM THE CITY, AS THE CASE MAY BE, FOR THE REST OF THE
5 LICENSE YEAR, AND IS LEFT WITH 5 OR FEWER DEVICES BEING OWNED,
6 CONTROLLED, OR POSSESSED BY THE LICENSEE, THE LICENSEE MAY SURRENDER
7 THE MASTER LICENSE TO THE DIRECTOR AND NEED NOT PAY ANY QUARTERLY
8 INSTALLMENT FOR ANY QUARTER THAT FOLLOWS THE SURRENDER.

9 (3) [(2)] The rules and regulations adopted under § 2-17 of this subtitle must establish:

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

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

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

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

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

Council Bill 11-0791

Certified as duly passed this _____ day of _____, 20__

President, Baltimore City Council

Certified as duly delivered to Her Honor, the Mayor,
this _____ day of _____, 20__

Chief Clerk

Approved this _____ day of _____, 20__

Mayor, Baltimore City