

CHAPTER 20*

(Senate Bill 332)

AN ACT to add new Section 369A to Article 27 of the Annotated Code of Maryland (1967 Replacement Volume), title "Crimes and Punishments," subtitle "Lotteries" to follow immediately after Section 369 thereof, prohibiting the use of any game, contest, lottery or other scheme BY RETAIL ESTABLISHMENTS to give away gifts, prizes or gratuities as determined by chance for the purpose of promoting, furthering or advertising any product or service, whether or not a purchase is required to participate in such game, contest, lottery or scheme, and to amend Section 370 of Article 27 to include therein provisions for a penalty for a violation of new Section 369A.

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That new Section 369A be and is hereby added to Article 27 of the Annotated Code of Maryland (1967 Replacement Volume), title "Crimes and Punishments," subtitle "Lotteries" to follow immediately after Section 369 thereof, to read as follows:

369A.

No person NO RETAIL ESTABLISHMENT REGULATED OR LICENSED PURSUANT TO THE PROVISIONS CONTAINED IN ARTICLE 56 OF THE ANNOTATED CODE OF MARYLAND, AS AMENDED, shall use any game, contest, lottery or other scheme or device, whereby a person or persons may receive gifts, prizes or gratuities as determined by chance for the purpose of promoting, furthering or advertising the sale of any product or service of whatsoever nature or kind, and the fact that no purchase is required in order to participate in the game, contest, lottery or scheme shall not exclude such game, contest, lottery or scheme from the provisions of this section.

SEC. 2. *And be it further enacted,* That Section 370 of Article 27 of the Annotated Code of Maryland (1967 Replacement Volume), title "Crimes and Punishments," subtitle "Lotteries" be, and the same is, hereby repealed and re-enacted, with amendments, to read as follows:

370.

Any person or body corporate violating *any* of the provisions of Section 369 or ~~370~~ 369A of this Article shall be deemed guilty of a misdemeanor, and upon conviction thereof before any justice of the peace or court of competent jurisdiction in this State, shall be fined not less than fifty dollars for any such offense.

SEC. 3. *And be it further enacted,* That this Act shall take effect July 1, 1969.

*This Act was introduced as S.B. 332 of the Regular Session of 1969. It was vetoed by the Governor on June 19, 1969. The General Assembly passed the bill over the Governor's veto on December 16, 1969, during the Special Session which began on that day. By the provisions of Section 17 of Article 2 of the Constitution of Maryland, the Act takes effect on June 1, 1970.

Passed over Governor's Veto, December 16, 1969.