

deleted in light of the reference to a "place".

In subsection (a)(3)(i) of this section, the former phrases "in any manner, or by any means," and "by any means or devices whatsoever" are deleted as surplusage.

In subsection (a)(4) of this section, the word "agree" is substituted for the former word "argue" to correct a publishing error by the Michie Company, which occurred in the publication of the 1992 Replacement Volume of Article 27.

Also in subsection (a)(4) of this section, the reference to "propos[ing]" to forward is substituted for the former reference to "purpos[ing]" to forward for clarity.

Also in subsection (a)(4) of this section, the former references to "bet" and "wager", used as nouns, are deleted for consistency with § 12-101(d)(1) and (2) of this subtitle.

Also in subsection (a)(4) of this section, the former reference to money bet "in any manner" is deleted as surplusage.

In subsection (b) of this section, the former phrase "in the discretion of the court" is deleted as implicit in the range of penalties set forth in that subsection.

The Criminal Law Article Review Committee notes, for consideration of the General Assembly, that the specific reference to establishing a place for making, selling, or "buying" books or pools contained in subsection (a)(3)(ii) of this section is not reflected in the specific prohibition against "making or selling" books or pools in subsection (a)(2) of this section, although it is covered by the general prohibition against "bet[ting], wager[ing], or gamb[ling]" in subsection (a)(1) of this section. The General Assembly may wish to add a specific prohibition against "buying" books or pools in subsection (a)(2) of this section, in order to ensure that the outright prohibitions against books and pools in subsection (a)(2) of this section reflect the prohibitions against establishing a place for books and pools in subsection (a)(3)(ii) of this section.

The Criminal Law Article Review Committee also notes, for the consideration of the General Assembly, that in subsection (b) of this section, the former reference to "one half of said fine to go to the informer", enacted by Ch. 285, Acts of 1890, is deleted in light of Art. 38, § 3, enacted by Ch. 37, Acts of 1931, which provides that no portion of any fine, penalty, or forfeiture shall be paid to any informer.

Defined term: "Person" § 1-101

12-103. PLAYING CERTAIN GAMES.

(A) PROHIBITED.