

with subsection (a)(1) of this section and § 12-102(a) of this subtitle.

In subsection (b) of this section, the former phrase "in the discretion of the court" is deleted as implicit in the establishment of maximum penalties.

The Criminal Law Article Review Committee notes, for the consideration of the General Assembly, that in subsection (b) of this section, the former reference to "one half 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 terms: "Gaming device" § 12-101
"Person" § 1-101

12-105. GAMBLING ON VESSEL OR BUILDING OR OTHER STRUCTURE ON OR OVER WATER WITHIN THE STATE.

(A) CONSTRUCTION OF SECTION.

THIS SECTION:

(1) APPLIES NOTWITHSTANDING THE ISSUANCE OF A LICENSE OR PERMIT THROUGH OR BY A COUNTY, MUNICIPAL CORPORATION, OR OTHER POLITICAL SUBDIVISION OF THE STATE; AND

(2) DOES NOT AUTHORIZE AN ACT THAT IS OTHERWISE PROHIBITED BY LAW.

(B) PROHIBITED — GAMING DEVICE ON OR OVER WATERS OF THE STATE.

A PERSON MAY NOT BET, WAGER, OR GAMBLE OR KEEP, CONDUCT, MAINTAIN, OR OPERATE A GAMING DEVICE ON:

(1) A VESSEL OR A PART OF A VESSEL ON WATER WITHIN THE STATE, EXCEPT AS PROVIDED IN § 6-209 OF THE TRANSPORTATION ARTICLE; OR

(2) ALL OR A PART OF A BUILDING OR OTHER STRUCTURE THAT IS BUILT ON OR OVER WATER WITHIN THE STATE, IF THE BUILDING OR OTHER STRUCTURE CANNOT BE ENTERED FROM THE SHORE OF THE STATE BY A PERSON ON FOOT.

(C) SAME — KEEPING VESSEL OR STRUCTURE FOR GAMING DEVICE.

TO CONDUCT, MAINTAIN, OR OPERATE A GAMING DEVICE, A PERSON MAY NOT ESTABLISH, KEEP, RENT, USE, OR OCCUPY, OR KNOWINGLY ALLOW TO BE ESTABLISHED, KEPT, RENTED, USED, OR OCCUPIED:

(1) A VESSEL ON WATER WITHIN THE STATE; OR

(2) A BUILDING OR OTHER STRUCTURE THAT IS BUILT ON OR OVER WATER WITHIN THE STATE, IF THE BUILDING OR OTHER STRUCTURE CANNOT BE ENTERED FROM THE SHORE OF THE STATE BY A PERSON ON FOOT.

(D) PENALTY.