

the court" is deleted as implicit in the establishment of minimum and maximum penalties.

In subsection (c) of this section, the defined term "lottery device" is substituted for the former phrase "certificate, or any other device, by which the vendor promises that he or any other person will pay or deliver to the purchaser any money, property or evidence of debt, on the happening of any contingency in the nature of a lottery" for brevity.

Also in subsection (c) of this section, the reference to a "lottery device purchased or obtained" is substituted for the former phrase "every lottery ticket, certificate or other device in the nature thereof so purchased or obtained by him" for brevity.

Defined terms: "Lottery device" § 12-201  
 "Person" § 1-101

#### 12-204. LOCATION OF SALES OR BARTER OF LOTTERY DEVICES.

##### (A) PROHIBITED.

A PERSON MAY NOT:

- (1) KEEP A HOUSE, OFFICE, OR OTHER PLACE FOR THE PURPOSE OF SELLING OR BARTERING A LOTTERY DEVICE IN VIOLATION OF § 12-203 OF THIS SUBTITLE; OR
- (2) ALLOW A HOUSE OR OFFICE THAT THE PERSON OWNS TO BE USED FOR THE PURPOSE OF SELLING OR BARTERING A LOTTERY DEVICE IN VIOLATION OF § 12-203 OF THIS SUBTITLE.

##### (B) PRESUMPTION.

A PERSON WHO KNOWS THAT THE PERSON'S HOUSE OR OFFICE IS BEING USED FOR THE PURPOSE OF SELLING OR BARTERING A LOTTERY DEVICE IN VIOLATION OF § 12-203 OF THIS SUBTITLE IS DEEMED TO BE ALLOWING THE HOUSE OR OFFICE TO BE USED FOR THOSE PURPOSES.

##### (C) PENALTY.

A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 1 YEAR OR A FINE NOT EXCEEDING \$1,000 OR BOTH.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 27, §§ 360 and 361.

In subsection (a) of this section, the former references to being liable or subject to "indictment" for keeping or allowing a house or office to be used for selling or bartering lottery tickets or devices are deleted as implicit in the prohibition on conducting these activities and on conviction, being subject to imprisonment and fine. The former references are construed to mean simply that a person "may be charged" with violating this section,