

In subsection (h)(1)(ii) of this section, the reference to "individuals play[ing]" is substituted for the former reference to "participants" for clarity, since arguably the individuals conducting the bingo game also participate in the game in some capacity.

In subsection (i)(2) of this section, the reference to "net proceeds" is substituted for the former references to "net earnings" and "entire proceeds, excluding costs incurred for" for clarity, brevity, and consistency.

In subsection (i)(2)(iii) of this section, the reference to "a value not exceeding" a specified amount is added for clarity, since prizes of merchandise may be awarded.

In subsection (i)(3)(i) of this section, the word "regular", which formerly modified the phrase "restaurant or tavern", is deleted as surplusage.

Defined term: "Commissioner" § 13-501

13-508. SAME — SOCIAL CLUB.

NOTWITHSTANDING § 13-507 OF THIS SUBTITLE, AN ORGANIZATION MAY CONDUCT BINGO IF:

(1) THE MEMBERSHIP OF THE ORGANIZATION CONSISTS ONLY OF INDIVIDUALS WHO ARE AT LEAST 60 YEARS OLD;

(2) THE ORGANIZATION WAS FORMED PRIMARILY FOR SOCIAL PURPOSES;

(3) ALL PROCEEDS OF THE GAMES OF BINGO ARE USED ONLY TO FURTHER THE PURPOSES OF THE ORGANIZATION; AND

(4) THE ORGANIZATION COMPLIES WITH THE PERMIT PROCEDURES AND CONDITIONS IMPOSED UNDER § 13-507 OF THIS SUBTITLE.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 27, § 260A.

In item (3) of this section, the word "all" is substituted for the former phrase "the entire".

The second sentence of former Art. 27, § 260A(b), which provided that nothing in the provisions of the former "Gaming" subheading of Article 27 may be construed to defeat the intent of former § 260A, is deleted as surplusage.

The Criminal Law Article Review Committee notes, for the consideration of the General Assembly, that this section raises constitutional concerns under the federal and State constitutions regarding equal protection, in that it establishes a class of organizations based on the age of membership. The rational basis for this classification is unclear.