

HOUSE BILL 371

P1
HB 765/06 – W&M

71r0535

By: **Delegates Howard, Benson, Braveboy, Holmes, Ross, and Vaughn**
Introduced and read first time: February 2, 2007
Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **State Lottery – Unanticipated Revenues**

3 FOR the purpose of requiring the Comptroller to distribute certain unanticipated
4 lottery revenues to counties and municipal corporations on a certain pro rata
5 basis; defining a certain term; requiring the funds distributed under this Act to
6 be appropriated in a certain manner by the recipients for public education and
7 public safety purposes; and generally relating to the distribution of State lottery
8 revenues.

9 BY repealing and reenacting, with amendments,
10 Article – State Government
11 Section 9–120
12 Annotated Code of Maryland
13 (2004 Replacement Volume and 2006 Supplement)

14 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
15 MARYLAND, That the Laws of Maryland read as follows:

16 **Article – State Government**

17 9–120.

18 (a) The Comptroller shall distribute the State Lottery Fund to pay:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (1) on a pro rata basis for the daily and nondaily State lottery games,
2 the expenses of administering and operating the State lottery, as authorized under
3 this subtitle and the State budget; and

4 (2) then, except as provided in § 10–113.1 of the Family Law Article
5 and § 11–618 of the Criminal Procedure Article, the holder of each winning ticket or
6 share.

7 (b) (1) [Promptly] **EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS**
8 **SECTION, PROMPTLY** after the 1st day of each month, the Comptroller shall pay:

9 (i) into the Maryland Stadium Facilities Fund the money that
10 remains in the State Lottery Fund from the proceeds of the sports lotteries conducted
11 for the benefit of the Maryland Stadium Authority, after the distribution under
12 subsection (a) of this section; and

13 (ii) into the General Fund of the State the money that remains
14 in the State Lottery Fund from the proceeds of all other lotteries after the distribution
15 under subsection (a) of this section.

16 (2) The money paid into the General Fund under this subsection is
17 available in the fiscal year in which the money accumulates in the State Lottery Fund.

18 (c) (1) **IN THIS SUBSECTION, “UNANTICIPATED REVENUES” MEANS**
19 **STATE LOTTERY REVENUES THAT EXCEED BUDGETARY PROJECTIONS FOR A**
20 **FISCAL YEAR.**

21 (2) **IF THE STATE LOTTERY RECEIVES UNANTICIPATED**
22 **REVENUES FOR A FISCAL YEAR, THE COMPTROLLER:**

23 (I) **MAY NOT DISTRIBUTE INTO THE GENERAL FUND ANY**
24 **OF THE UNANTICIPATED REVENUES; AND**

25 (II) **SHALL DISTRIBUTE TO EACH COUNTY AND MUNICIPAL**
26 **CORPORATION THE UNANTICIPATED REVENUES ON A PRO RATA BASIS**
27 **ACCORDING TO THE TOTAL LOTTERY SALES MADE IN EACH OF THE POLITICAL**
28 **SUBDIVISIONS.**

29 (3) **FOR THE PURPOSE OF THE PRO RATA DISTRIBUTION TO**
30 **COUNTIES AND MUNICIPAL CORPORATIONS REQUIRED UNDER PARAGRAPH (2)**
31 **OF THIS SUBSECTION, LOTTERY SALES MADE IN A MUNICIPAL CORPORATION**

1 MAY NOT BE INCLUDED IN THE CALCULATION OF LOTTERY SALES FOR THE
2 COUNTY IN WHICH THE MUNICIPAL CORPORATION IS LOCATED.

3 (4) A COUNTY OR MUNICIPAL CORPORATION SHALL
4 APPROPRIATE THE UNANTICIPATED REVENUES IT RECEIVES EQUALLY
5 BETWEEN PUBLIC SCHOOL EXPENSES AND PUBLIC SAFETY EXPENSES.

6 [(c)] (D) The regulations of the Agency shall apportion the money in the
7 State Lottery Fund.

8 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
9 July 1, 2007.