

HOUSE BILL 1023

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By: **Delegates Stukes, Glenn, Anderson, Boteler, Branch, Carter, Clippinger, Conaway, Cullison, Fisher, George, Harper, Haynes, Kipke, McIntosh, A. Miller, Mitchell, Myers, Oaks, B. Robinson, Rosenberg, Tarrant, and M. Washington**

Introduced and read first time: February 6, 2014

Assigned to: Ways and Means

A BILL ENTITLED

AN ACT concerning

State Lottery – Proceeds – Parks and Recreation Departments

FOR the purpose of requiring the Comptroller to distribute certain lottery proceeds to certain counties to provide funding for county parks and recreation departments under certain circumstances; specifying that the distribution to a county may occur only with the approval of the governing body of the county; specifying that counties are entitled to a certain percentage share of proceeds; specifying that the money distributed under this Act shall provide additional revenue for county parks and recreation departments and may not supplant any other funds provided to those departments; and generally relating to State lottery proceeds and county parks and recreation departments.

BY repealing and reenacting, with amendments,
Article – State Government
Section 9–120
Annotated Code of Maryland
(2009 Replacement Volume and 2013 Supplement)

BY adding to
Article – State Government
Section 9–120.1
Annotated Code of Maryland
(2009 Replacement Volume and 2013 Supplement)

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

Article – State Government

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



9–120.

(a) The Comptroller shall distribute, or cause to be distributed, the State Lottery Fund to pay:

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

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

(b) (1) By the end of the month following collection, the Comptroller shall deposit or cause to be deposited:

(i) into the Maryland Stadium Facilities Fund established under § 7–312 of the State Finance and Procurement Article from the money that remains in the State Lottery Fund, after the distribution under subsection (a) of this section, an amount not to exceed \$20,000,000 in any fiscal year;

(ii) after June 30, 2014, into the Maryland Veterans Trust Fund 10% of the money that remains in the State Lottery Fund from the proceeds of sales of tickets from instant ticket lottery machines by veterans' organizations under § 9–112(d) of this subtitle, after the distribution under subsection (a) of this section;

(iii) after June 30, 2014, into the Baltimore City Public School Construction Financing Fund established under § 10–656 of the Economic Development Article the money that remains in the State Lottery Fund from the proceeds of all lotteries after the distributions under subsection (a) of this section and items (i) and (ii) of this paragraph, an amount equal to \$20,000,000 in each fiscal year that bonds are outstanding and unpaid, to be paid in two installments with at least \$10,000,000 paid no later than December 1 of each fiscal year; and

(iv) **[into] SUBJECT TO § 9–120.1 OF THIS SUBTITLE, INTO** the General Fund of the State the money that remains in the State Lottery Fund from the proceeds of all lotteries after the distributions under subsection (a) of this section and items (i), (ii), and (iii) of this paragraph.

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

(c) The regulations of the Agency shall apportion the money in the State Lottery Fund in accordance with subsection (b) of this section.

9–120.1.

(A) SUBJECT TO SUBSECTION (B) OF THIS SECTION, THE COMPTROLLER SHALL DISTRIBUTE ALL PROCEEDS FROM LOTTERY SALES DURING THE THIRD WEEK OF JULY OF EACH YEAR TO COUNTIES TO PROVIDE FUNDING FOR COUNTY PARKS AND RECREATION DEPARTMENTS.

(B) THE DISTRIBUTION OF LOTTERY PROCEEDS TO A COUNTY AS PROVIDED IN SUBSECTION (A) OF THIS SECTION MAY OCCUR ONLY WITH THE APPROVAL OF THE GOVERNING BODY OF THE COUNTY.

(C) THE SHARE OF LOTTERY PROCEEDS TO WHICH A COUNTY IS ENTITLED UNDER THIS SECTION SHALL BE BASED ON THAT COUNTY'S PERCENTAGE OF OVERALL LOTTERY SALES IN THE PREVIOUS FISCAL YEAR.

(D) A DISTRIBUTION OF LOTTERY PROCEEDS UNDER THIS SECTION SHALL PROVIDE ADDITIONAL REVENUE FOR COUNTY PARKS AND RECREATION DEPARTMENTS AND MAY NOT SUPPLANT ANY OTHER FUNDS PROVIDED TO THOSE DEPARTMENTS.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2014.