

**Maryland General Assembly
Department of Legislative Services**

**Proposed Regulations
Maryland State Lottery and Gaming Control Agency
(DLS Control No. 15-247)**

Overview and Legal and Fiscal Impact

These regulations (1) allow for the inclusion of “electronic Playslip” or “ePlayslip,” an electronically generated game play selection process, as an acceptable method for a player to purchase a lottery ticket and as an option for monitor game play; (2) allow lottery retailers to accept ePlayslips; and (3) clarify that the agency is not responsible or liable for outdated or incorrect ePlayslip or consumer game information.

The regulations present no legal issues of concern.

There is no fiscal impact on State or local agencies.

Regulations of COMAR Affected

Maryland State Lottery and Gaming Control Agency:

Lottery Provisions: General: COMAR 36.02.01.01

Retailer Requirements: COMAR 36.02.03.02

Common Provisions for All Lottery Games: COMAR 36.02.04.03, and .06

Specific Game Provisions: COMAR 36.02.05.01

Claims Procedures: COMAR 36.02.06.11

Legal Analysis

Summary of Regulations

The regulations define “ePlayslip” as an electronically-generated game play selection process using an official web or mobile application issued by the agency that is used by a player to select the purchaser’s playable numbers (COMAR 36.02.01.01B(10)).

New COMAR 36.02.03.02C requires retailers to process ePlayslips through a ticket terminal. If a game may be played by using an ePlayslip and the purchaser chooses to play by this method, the purchaser presents a completed ePlayslip to the retailer. The player may play as many panels or play areas as are available on the ePlayslip but must select all necessary areas on the ePlayslip. The retailer must return incomplete ePlayslips to the player. A ticket produced by an invalid ePlayslip is invalid.

New COMAR 36.02.04.06D provides that the State Lottery and Gaming Control Agency is not responsible or liable for an outdated or incorrect ePlayslip or consumer game information.

Finally, the regulations authorize a retailer to require the use of an ePlayslip for monitor games.

Legal Issue

The regulations present no legal issues of concern.

Statutory Authority and Legislative Intent

The Maryland State Lottery and Gaming Control Agency cites § 9-110 of the State Government Article as statutory authority for the regulations. Section 9-110 provides that, with the approval of the State Lottery and Gaming Control Commission, the director may adopt regulations of the agency; those regulations shall provide for all matters that are necessary or desirable for the efficient and economical operation and administration of the State lottery and the convenience of buyers of State lottery tickets and shares and of the holders of a winning ticket or share.

This authority is correct and complete. The regulations comply with the legislative intent of the law.

Fiscal Analysis

There is no fiscal impact on State or local agencies.

Agency Estimate of Projected Fiscal Impact

The regulations implement procedural rules relating to the use of ePlayslips, which is an electronically generated game play selection process. The agency advises that the regulations have no impact on State or local governments. The Department of Legislative Services concurs.

Impact on Budget

There is no impact on the State operating or capital budget.

Agency Estimate of Projected Small Business Impact

The agency advises that the regulations have minimal or no economic impact on small businesses in the State. The Department of Legislative Services concurs.

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