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P1

1997 Regular Session  
7lr2493

CF 7lr2473

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**By: Delegates C. Davis and Bonsack**

Introduced and read first time: January 31, 1997

Assigned to: Ways and Means

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A BILL ENTITLED

1 AN ACT concerning

2 **State Lottery - Assignment of Prizes**

3 FOR the purpose of providing that a winner of a certain State Lottery prize may assign  
4 the prize under certain circumstances if the winner follows certain procedures;  
5 allowing the State Lottery Agency to contest in court a certain petition only for  
6 good cause; providing for the manner in which certain lottery winnings may be  
7 assigned; defining a certain term; and generally relating to the payment of State  
8 Lottery prizes.

9 BY repealing and reenacting, with amendments,  
10 Article - State Government  
11 Section 9-122(b)  
12 Annotated Code of Maryland  
13 (1995 Replacement Volume and 1996 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 9-122.

18 (b) (1) (I) IN THIS SUBSECTION, "LOTTO" MEANS A PARI-MUTUEL GAME  
19 IN WHICH PAYERS SELECT A SET OF NUMBERS FROM A FIELD OF AT LEAST 40  
20 NUMBERS.

21 (II) "LOTTO" DOES NOT INCLUDE A PICK-3, PICK-4, PICK-5, KENO,  
22 OR SCRATCH-OFF GAME.

23 (2) Except as otherwise provided in this subsection, § 10-113.1 of the Family  
24 Law Article, and Article 27, § 811 of the Code a prize won under this subtitle is not  
25 assignable.

26 [(2)] (3) If the prize winner dies before the prize is paid, the prize may be  
27 paid to the estate of the prize winner.

28 [(3)] (4) (I) Under appropriate court order, a prize won under this  
29 subtitle may be paid to a person other than the winner.

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1 (II) WHEN A LOTTO WINNER SEEKS A COURT ORDER ALLOWING  
2 AN ASSIGNMENT OF THE WINNER'S PRIZE, THE WINNER SHALL FILE WITH THE  
3 COURT AN AFFIDAVIT STATING THAT THE WINNER:

4 1. IS OF SOUND MIND;

5 2. IS NOT ACTING UNDER DURESS; AND

6 3. HAS RECEIVED INDEPENDENT FINANCIAL AND TAX  
7 ADVICE CONCERNING THE CONSEQUENCES OF THE ASSIGNMENT.

8 (III) THE AGENCY MAY OPPOSE, ONLY FOR GOOD CAUSE, A LOTTO  
9 WINNER'S PETITION IN COURT FOR A COURT ORDER UNDER THIS PARAGRAPH.

10 (IV) IF LOTTO WINNINGS ARE ASSIGNED PURSUANT TO A COURT  
11 ORDER AS PROVIDED IN THIS PARAGRAPH:

12 1. THE ASSIGNMENT CAN ONLY BE MADE BY THE ORIGINAL  
13 LOTTO WINNER; AND

14 2. THE STATE LOTTERY AGENCY MAY LEVY AND IMPOSE A  
15 FEE NOT TO EXCEED \$500 IN CONNECTION WITH THE COURT ORDERED VOLUNTARY  
16 ASSIGNMENT.

17 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be  
18 construed only prospectively and may not be applied or interpreted to have any effect on  
19 or application to any litigation pending before the effective date of this Act.

20 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
21 October 1, 1997.