
By: **Delegate Greenip**

Introduced and read first time: February 5, 2001

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Education - Funding - Lottery Proceeds**

3 FOR the purpose of requiring the State Lottery Agency to deposit certain lottery
4 proceeds into the General State School Fund for educational purposes; requiring
5 the Comptroller to distribute certain unanticipated lottery revenues to all the
6 public school systems in the State; specifying that the money distributed under
7 this Act is intended to provide additional revenue for public school systems and
8 may not supplant any appropriation to the public school systems; defining
9 certain terms; repealing the requirement that the Comptroller pay for certain
10 programs or services from the General State School Fund; and generally
11 relating to the distribution of lottery proceeds to public school systems in the
12 State.

13 BY repealing and reenacting, with amendments,
14 Article - Education
15 Section 5-201(c)
16 Annotated Code of Maryland
17 (1999 Replacement Volume and 2000 Supplement)

18 BY repealing and reenacting, with amendments,
19 Article - State Government
20 Section 9-120
21 Annotated Code of Maryland
22 (1999 Replacement Volume and 2000 Supplement)

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

1

Article - Education

2 5-201.

3 (c) The State Comptroller shall charge against and, as provided in this
4 section, pay from the General State School Fund the following annual appropriations
5 for:

6 (1) The support of the Department, including the expenses of the State
7 Board and the support and expenses of the office of the State Superintendent;

8 (2) The Maryland Teachers' Retirement System;

9 (3) The education of handicapped children;

10 (4) Subsidized or free feeding programs;

11 (5) The administration and supervision of career and technology
12 education in public high schools and career and technology centers;

13 (6) Physical education and recreation;

14 (7) Case and guidance service for handicapped individuals who need
15 vocational rehabilitation;

16 [(8) Equivalence examinations;

17 (9) Public libraries;

18 (10) Adult education;]

19 [(11)] (8) The State share of basic current expenses as provided in §
20 5-202 of this subtitle;

21 [(12)] (9) Student transportation, as provided in § 5-205 of this subtitle;
22 and

23 [(13)] (10) The school building construction aid as provided in § 5-301(c) of
24 this title.

25

Article - State Government

26 9-120.

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

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

1 (2) then, except as provided in § 10-113.1 of the Family Law Article and
2 Article 27, § 810 of the Code, the holder of each winning ticket or share.

3 (b) (1) Promptly after the 1st day of each month, the Comptroller shall pay:

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

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

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

14 (C) (1) (I) IN THIS SUBSECTION THE FOLLOWING WORDS HAVE THE
15 MEANINGS INDICATED.

16 (II) "PUBLIC SCHOOL SYSTEM" MEANS THE COLLECTION OF PUBLIC
17 ELEMENTARY AND SECONDARY EDUCATION SCHOOLS UNDER THE CONTROL OF A
18 COUNTY BOARD OF EDUCATION OR THE NEW BALTIMORE CITY BOARD OF SCHOOL
19 COMMISSIONERS.

20 (III) "UNANTICIPATED REVENUES" MEANS STATE LOTTERY
21 REVENUES THAT EXCEED BUDGETARY PROJECTIONS FOR A FISCAL YEAR.

22 (2) NOTWITHSTANDING THE PROVISIONS OF SUBSECTION (B) OF THIS
23 SECTION, IF THE STATE LOTTERY RECEIVES UNANTICIPATED REVENUES FOR A
24 FISCAL YEAR, THE COMPTROLLER:

25 (I) MAY NOT TRANSFER ANY OF THOSE REVENUES TO THE
26 GENERAL FUND; AND

27 (II) SHALL DISTRIBUTE TO EACH PUBLIC SCHOOL SYSTEM THE
28 REVENUES ON A PRO RATA BASIS ACCORDING TO THE TOTAL LOTTERY SALES MADE
29 IN THE COUNTY IN WHICH THE PUBLIC SCHOOL SYSTEM IS LOCATED.

30 (3) A DISTRIBUTION UNDER THIS SUBSECTION IS INTENDED TO
31 PROVIDE ADDITIONAL REVENUE FOR A PUBLIC SCHOOL SYSTEM AND MAY NOT
32 SUPPLANT ANY OTHER DISTRIBUTION OF LOTTERY PROCEEDS TO THE PUBLIC
33 SCHOOL SYSTEMS.

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

36 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
37 October 1, 2001.

