

BY: Senator Mooney

AMENDMENTS TO SENATE BILL NO. 323, AS AMENDED

AMENDMENT NO. 1

On page 1 of the Budget and Taxation Committee Amendments (SB0323/559239/2), in line 24 of Amendment No. 1, after “purposes;” insert “requiring the Comptroller to distribute certain unanticipated lottery revenues to a special fund, to be used only for certain purposes;”.

On page 5 of the Budget and Taxation Committee Amendments, after line 13 of Amendment No. 1, insert:

“BY repealing and reenacting, with amendments,

Article - State Government

Section 9-120

Annotated Code of Maryland

(1999 Replacement Volume and 2001 Supplement)”.

AMENDMENT NO. 2

On page 27 of the Budget and Taxation Committee Amendments, after line 14 of Amendment No. 6, insert:

“Article - State Government

9-120.

(a) The Comptroller shall distribute 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

(Over)

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

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

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

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

(II) “SPECIAL FUND” MEANS THE SPECIAL FUND ESTABLISHED UNDER THIS SUBSECTION.

(III) “UNANTICIPATED REVENUES” MEANS STATE LOTTERY REVENUES FOR ANY FISCAL YEAR THAT EXCEED THE BOARD OF REVENUE ESTIMATES’ PROJECTION FOR THOSE REVENUES IN DECEMBER PRECEDING THE FISCAL YEAR:

1. AS ADJUSTED BY THE BOARD OF REVENUE ESTIMATES IN MARCH OF THE FISCAL YEAR; AND

2. ADJUSTED TO REFLECT THE IMPACT OF ANY LEGISLATION ENACTED AT THE LEGISLATIVE SESSION PRECEDING THE FISCAL YEAR.

(2) UNANTICIPATED REVENUES FOR ANY FISCAL YEAR SHALL BE DISTRIBUTED TO A SPECIAL FUND, TO BE USED ONLY AS PROVIDED IN THIS SUBSECTION.

(3) SUBJECT TO THE BUDGET AMENDMENT PROCEDURE PROVIDED FOR IN § 7-209 OF THE STATE FINANCE AND PROCUREMENT ARTICLE, MONEYS IN THE SPECIAL FUND MAY BE USED ONLY TO FUND THE RECOMMENDATIONS INCLUDED IN THE FINAL REPORT OF THE COMMISSION ON EDUCATION FINANCE, EQUITY, AND EXCELLENCE SUBMITTED TO THE GOVERNOR IN JANUARY 2002.

(4) UNEXPENDED PORTIONS OF THE SPECIAL FUND SHALL REMAIN IN THE SPECIAL FUND AND MAY NOT REVERT TO THE GENERAL FUND.

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