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By: **Delegate Howard**

Introduced and read first time: January 30, 2002

Assigned to: Ways and Means

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A BILL ENTITLED

1 AN ACT concerning

2 **State Lottery - Unanticipated Revenues**

3 FOR the purpose of requiring the Comptroller to distribute certain unanticipated  
4 lottery revenues to counties and municipal corporations for a certain purpose on  
5 a certain pro rata basis; defining a certain term; and generally relating to the  
6 distribution of State lottery revenues.

7 BY repealing and reenacting, with amendments,  
8 Article - State Government  
9 Section 9-120  
10 Annotated Code of Maryland  
11 (1999 Replacement Volume and 2001 Supplement)

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

14 **Article - State Government**

15 9-120.

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

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

20 (2) then, except as provided in § 10-113.1 of the Family Law Article and  
21 § 11-618 of the Criminal Procedure Article, the holder of each winning ticket or share.

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

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

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

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

7 (C) (1) IN THIS SUBSECTION, "UNANTICIPATED REVENUES" MEANS STATE  
8 LOTTERY REVENUES THAT EXCEED BUDGETARY PROJECTIONS FOR A FISCAL YEAR.

9 (2) IF THE STATE LOTTERY RECEIVES UNANTICIPATED REVENUES FOR  
10 A FISCAL YEAR, THE COMPTROLLER:

11 (I) MAY NOT DISTRIBUTE INTO THE GENERAL FUND ANY OF THE  
12 UNANTICIPATED REVENUES; AND

13 (II) SHALL DISTRIBUTE TO EACH COUNTY OR MUNICIPAL  
14 CORPORATION THE UNANTICIPATED REVENUES ON A PRO RATA BASIS ACCORDING  
15 TO THE TOTAL LOTTERY SALES MADE IN EACH OF THE POLITICAL SUBDIVISIONS.

16 (3) A COUNTY SHALL USE THE UNANTICIPATED REVENUES  
17 DISTRIBUTED UNDER PARAGRAPH (2)(II) OF THIS SUBSECTION ONLY FOR PUBLIC  
18 EDUCATION.

19 (4) FOR THE PURPOSE OF THE PRO RATA DISTRIBUTION TO POLITICAL  
20 SUBDIVISIONS REQUIRED UNDER PARAGRAPH (2) OF THIS SUBSECTION, LOTTERY  
21 SALES MADE IN A MUNICIPAL CORPORATION MAY NOT BE INCLUDED IN THE  
22 CALCULATION OF LOTTERY SALES FOR THE COUNTY IN WHICH THE MUNICIPAL  
23 CORPORATION IS LOCATED.

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

26 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take  
27 effect October 1, 2002.