

HOUSE BILL 764

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P1  
HB 630/01 - W&M

2003 Regular Session  
3r0671  
CF 3r0801

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By: **Delegate Patterson**

Introduced and read first time: February 7, 2003

Assigned to: Ways and Means

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A BILL ENTITLED

1 AN ACT concerning

2 **State Lottery - Unanticipated Revenues - Public School Systems**

3 FOR the purpose of requiring the Comptroller to distribute certain unanticipated  
4 lottery revenues to all the public school systems in the State; specifying that the  
5 money distributed under this Act is intended to provide additional revenue for  
6 public school systems and may not supplant any other appropriation to public  
7 school systems; defining certain terms; and generally relating to the distribution  
8 of lottery proceeds to public school systems in the State.

9 BY repealing and reenacting, with amendments,  
10 Article - State Government  
11 Section 9-120  
12 Annotated Code of Maryland  
13 (1999 Replacement Volume and 2002 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 9-120.

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

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

22 (2) then, except as provided in § 10-113.1 of the Family Law Article and  
23 § 11-618 of the Criminal Procedure Article, the holder of each winning ticket or share.

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

26 (i) into the Maryland Stadium Facilities Fund the money that  
27 remains in the State Lottery Fund from the proceeds of the sports lotteries conducted

1 for the benefit of the Maryland Stadium Authority, after the distribution under  
2 subsection (a) of this section; and

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

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

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

11 (II) "PUBLIC SCHOOL SYSTEM" MEANS THE COLLECTION OF PUBLIC  
12 ELEMENTARY AND SECONDARY EDUCATION SCHOOLS UNDER THE CONTROL OF A  
13 COUNTY BOARD OF EDUCATION OR THE BALTIMORE CITY BOARD OF SCHOOL  
14 COMMISSIONERS.

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

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

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

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

24 (3) A DISTRIBUTION UNDER THIS SUBSECTION IS INTENDED TO  
25 PROVIDE ADDITIONAL REVENUE FOR A PUBLIC SCHOOL SYSTEM AND MAY NOT  
26 SUPPLANT ANY OTHER DISTRIBUTION OF LOTTERY PROCEEDS TO THE PUBLIC  
27 SCHOOL SYSTEMS.

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

30 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
31 October 1, 2003.