

SENATE BILL 14

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SB 37/02 - FIN

2003 Regular Session
3lr0291

By: **Senator Ruben**

Introduced and read first time: January 10, 2003

Assigned to: Finance

Reassigned: Finance and Budget and Taxation, January 13, 2003

A BILL ENTITLED

1 AN ACT concerning

2 **State Lottery - Unclaimed Prizes - Payment to Community Services Trust**
3 **Fund**

4 FOR the purpose of requiring the Director of the State Lottery Agency to remit to the
5 Comptroller each unclaimed prize that remains after a certain period; requiring
6 the Comptroller to pay the unclaimed prize money received from the Director of
7 the State Lottery Agency into the Community Services Trust Fund within the
8 Office of the Treasurer for providing community-based services; and generally
9 relating to the sending of unclaimed State lottery prizes to the Community
10 Services Trust Fund.

11 BY repealing and reenacting, without amendments,
12 Article - State Government
13 Section 9-101
14 Annotated Code of Maryland
15 (1999 Replacement Volume and 2002 Supplement)

16 BY repealing and reenacting, with amendments,
17 Article - State Government
18 Section 9-122(f)
19 Annotated Code of Maryland
20 (1999 Replacement Volume and 2002 Supplement)

21 BY repealing and reenacting, with amendments,
22 Article 41 - Governor - Executive and Administrative Departments
23 Section 18-205
24 Annotated Code of Maryland
25 (1997 Replacement Volume and 2002 Supplement)

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

1

Article - State Government

2 9-101.

3 (a) In this subtitle the following words have the meanings indicated.

4 (b) "Agency" means the State Lottery Agency.

5 (c) "Commission" means the State Lottery Commission.

6 (d) "Director" means the Director of the Agency.

7 (e) "Governmental unit" means:

8 (1) an instrumentality of the State;

9 (2) a county or municipal corporation of the State; or

10 (3) an instrumentality of a county or municipal corporation of the State.

11 (f) "License" means a license issued by the Director to act as a licensed agent.

12 (g) "Licensed agent" means a person or governmental unit licensed by the
13 Director to act as a State lottery sales agent.14 (h) "State lottery" means the lottery established and operated under this
15 subtitle.

16 9-122.

17 (f) (1) A prize winner shall claim a prize within 182 days after the drawing
18 in which the prize is won.19 (2) Except as provided in paragraph [(3)] (4) of this subsection, the
20 Director shall:

21 (I) keep an unclaimed prize[:

22 (i)] for 182 days after the drawing in which the prize is won, for
23 payment of the winner; and

24 (ii) [then in an unclaimed prize fund for use for other prizes]

25 REMIT TO THE COMPTROLLER EACH UNCLAIMED PRIZE THAT REMAINS AFTER THE
26 182-DAY PERIOD.27 (3) THE COMPTROLLER SHALL PAY INTO THE COMMUNITY SERVICES
28 TRUST FUND UNDER ARTICLE 41, § 18-205 OF THE CODE THE UNCLAIMED PRIZE
29 MONEY THAT REMAINS AFTER THE 182-DAY PERIOD.

1 (4) For a game that the Agency designates as a bonus game or drawing
2 and that is not a daily or weekly State lottery drawing, the period for claiming a prize
3 may differ from the period set in paragraph (2) of this subsection.

4 **Article 41 - Governor - Executive and Administrative Departments**

5 18-205.

6 (a) In this section, "Trust Fund" means the Community Services Trust Fund.

7 (b) There is a Community Services Trust Fund within the Office of the
8 Treasurer.

9 (c) (1) The purpose of the Trust Fund is to receive and hold the proceeds
10 from the sale or long-term lease of property and equipment of a Developmental
11 Disabilities Administration facility or a Mental Hygiene Administration facility.

12 (2) For purposes of this section, proceeds are the gross proceeds minus
13 the costs associated with the sale, lease, or disposition of property and equipment, as
14 determined by the Department of General Services.

15 (d) (1) The Trust Fund shall consist of two accounts.

16 (2) (i) One account shall hold the proceeds:

17 1. [from] FROM the sale or long-term lease of property and
18 equipment resulting from the sale or long-term lease of Developmental Disabilities
19 Administration facilities; and

20 2. FROM UNCLAIMED STATE LOTTERY PRIZE MONEY
21 RECEIVED BY THE COMPTROLLER FROM THE DIRECTOR OF THE STATE LOTTERY
22 AGENCY; AND

23 (ii) One account shall hold the proceeds from the sale or long-term
24 lease of property and equipment resulting from the sale or long-term lease of Mental
25 Hygiene Administration facilities.

26 (e) (1) The Trust Fund shall be used only as provided in this subsection.

27 (2) The Comptroller shall transfer:

28 (i) Into the Waiting List Equity Fund established under § 7-206 of
29 the Health - General Article the investment earnings that accrue in the
30 Developmental Disabilities Administration account of the Trust Fund; and

31 (ii) Into the Mental Hygiene Community-Based Services Fund
32 established under § 10-208 of the Health - General Article investment earnings that
33 accrue in the Mental Hygiene Administration account of the Trust Fund.

1 (3) Transfers from the Trust Fund under paragraph (2) of this subsection
2 may be made only in accordance with an appropriation approved by the General
3 Assembly in the annual State budget.

4 (f) (1) The State Treasurer shall hold the Trust Fund and the Comptroller
5 shall account for the Trust Fund.

6 (2) The Trust Fund shall be invested and reinvested in the same manner
7 as other State funds and any investment earnings of the Trust Fund shall be paid into
8 the Trust Fund.

9 (3) The State Treasurer shall deposit funds into the two accounts of the
10 Trust Fund in the manner described in subsection (d) of this section.

11 (g) (1) The Trust Fund is a continuing, nonlapsing fund and is not subject to
12 § 7-302 of the State Finance and Procurement Article.

13 (2) No part of the Trust Fund may revert or be credited to the General
14 Fund of the State.

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