

HOUSE BILL 254

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HB 764/03 - W&M

2004 Regular Session
4r1735

By: **Delegate Howard**

Introduced and read first time: January 23, 2004

Assigned to: Ways and Means

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 2003 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, 2004.