
By: **Delegates Howard, Kelley, and Parker**
Introduced and read first time: January 28, 2004
Assigned to: Ways and Means

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 on a certain pro rata
5 basis; defining a certain term; requiring the funds distributed under this Act to
6 be appropriated in a certain manner by the recipients for public education and
7 public safety purposes; and generally relating to the distribution of State lottery
8 revenues.

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) IN THIS SUBSECTION, "UNANTICIPATED REVENUES" MEANS STATE
10 LOTTERY REVENUES THAT EXCEED BUDGETARY PROJECTIONS FOR A FISCAL YEAR.

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

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

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

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

23 (4) A COUNTY OR MUNICIPAL CORPORATION SHALL APPROPRIATE THE
24 UNANTICIPATED REVENUES IT RECEIVES EQUALLY BETWEEN PUBLIC SCHOOL
25 EXPENSES AND PUBLIC SAFETY EXPENSES.

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

28 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take
29 effect July 1, 2004.