

SENATE BILL 180

P1, P3

8lr0171

By: **Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Lottery)**

Introduced and read first time: January 18, 2008

Rules suspended

Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable

Senate action: Adopted

Read second time: February 5, 2008

CHAPTER _____

1 AN ACT concerning

2 **State Lottery – Purchasing, Selling, or Cashing Lottery Tickets or Prizes**

3 FOR the purpose of prohibiting the purchasing, selling, or cashing of lottery tickets or
4 prizes validated by the State Lottery Agency under certain circumstances;
5 prohibiting a licensed agent of the State Lottery Agency from paying a prize
6 winner less than the lawful amount or seeking a certain payment,
7 reimbursement, or cashing fee under certain circumstances; and generally
8 relating to the purchase and redemption of State lottery tickets and prizes.

9 BY repealing and reenacting, with amendments,
10 Article – State Government
11 Section 9–124
12 Annotated Code of Maryland
13 (2004 Replacement Volume and 2007 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 9–124.

18 (a) This section does not prohibit:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



- 1 (1) giving a State lottery ticket or share as a gift;
- 2 (2) buying a State lottery ticket or share as a gift for a minor; or
- 3 (3) the Agency from directly selling any State lottery ticket to the
4 public as provided in § 9–111(d) of this subtitle.

5 (b) Except as otherwise provided in this section, a person or governmental
6 unit may not:

7 (1) unless a licensed agent or employee of a licensed agent, sell a State
8 lottery ticket or share;

9 (2) sell **OR PURCHASE:**

10 (I) a State lottery ticket or share at any price other than the
11 price that the regulations of the Agency set; **OR**

12 (II) **THE PRIZE VALIDATED FOR PAYMENT BY THE AGENCY;**

13 (3) sell a State lottery ticket or share to a minor;

14 (4) knowingly present a counterfeit or altered State lottery ticket or
15 share for payment; [or]

16 (5) knowingly transfer a counterfeit or altered State lottery ticket or
17 share to another person to present for payment; **OR**

18 (6) **KNOWINGLY PURCHASE A STATE LOTTERY TICKET OR SHARE**
19 **FROM ANOTHER PERSON WITH THE INTENT TO DECEIVE OR CIRCUMVENT THE**
20 **PAYMENT OF PRIZE WINNINGS TO THE STATE, IN ACCORDANCE WITH:**

21 (I) **§ 11–616(B) OF THE CRIMINAL PROCEDURE ARTICLE;**

22 (II) **§ 10–113.1(A) OF THE FAMILY LAW ARTICLE; OR**

23 (III) **§ 10–905(C)(3) OF THE TAX – GENERAL ARTICLE.**

24 (c) (1) A licensed agent may not fail to report, as required by the Internal
25 Revenue Service or the Agency, income tax information relating to holders of winning
26 lottery tickets.

27 (2) For prizes of over \$600, a licensed agent may not fail to determine,
28 through the Agency and prior to paying the prize whether a holder of a winning lottery
29 ticket has been certified under:

1 (i) § 11–616(b) of the Criminal Procedure Article; or

2 (ii) § 10–113.1(a) of the Family Law Article.

3 (3) A licensed agent may not pay a prize to a holder of a winning
4 lottery ticket if the Agency has notified the licensed agent that the holder has been
5 certified under:

6 (i) § 11–616(b) of the Criminal Procedure Article; or

7 (ii) § 10–113.1 of the Family Law Article.

8 (4) **A LICENSED AGENT MAY NOT:**

9 (I) **PAY A PRIZE WINNER LESS THAN THE LAWFULLY DUE**
10 **PRIZE AMOUNT;**

11 (II) **DECEIVE OR CONSPIRE WITH ANOTHER PERSON TO PAY**
12 **LESS THAN THE LAWFULLY DUE PRIZE AMOUNT TO ANY PRIZE WINNER;**

13 (III) **SEEK PAYMENT OR CLAIM REIMBURSEMENT OF A**
14 **CASHING FEE FOR CASHING A WINNING TICKET FOR LESS THAN THE LAWFULLY**
15 **DUE PRIZE AMOUNT; OR**

16 (IV) **RECEIVE A CASHING FEE FOR CASHING A WINNING**
17 **TICKET FILED IN ERROR.**

18 (d) A person who violates any provision of subsection (b) or (c) of this section
19 is guilty of a misdemeanor and on conviction is subject to a fine not exceeding \$2,500
20 or imprisonment not exceeding 3 years or both.

21 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
22 October 1, 2008.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.