

CHAPTER 153

(Senate Bill 180)

AN ACT concerning

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

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

BY repealing and reenacting, with amendments,
Article – State Government
Section 9–124
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

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

Article – State Government

9–124.

- (a) This section does not prohibit:
- (1) giving a State lottery ticket or share as a gift;
 - (2) buying a State lottery ticket or share as a gift for a minor; or
 - (3) the Agency from directly selling any State lottery ticket to the public as provided in § 9–111(d) of this subtitle.
- (b) Except as otherwise provided in this section, a person or governmental unit may not:
- (1) unless a licensed agent or employee of a licensed agent, sell a State lottery ticket or share;
 - (2) sell **OR PURCHASE:**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Approved by the Governor, April 24, 2008.