

# HOUSE BILL 183

P1, F1  
HB 8/08 – W&M

9lr0834

---

By: **Delegate Holmes**

Introduced and read first time: January 26, 2009

Assigned to: Ways and Means

---

## A BILL ENTITLED

1 AN ACT concerning

2 **Lottery for Schools Act of 2009**

3 FOR the purpose of requiring the Comptroller to distribute certain lottery proceeds to  
4 certain public school systems for certain purposes; specifying that certain  
5 lottery proceeds be distributed to the General Fund of the State and used to  
6 help fund a certain statewide program for public education; specifying that the  
7 proceeds distributed under this Act to a public school system are intended to  
8 provide additional revenue for public school systems and may not supplant  
9 other revenue distributed to public school systems; making stylistic changes;  
10 defining a certain term; and generally relating to the distribution of lottery  
11 proceeds to public school systems in the State and to the General Fund of the  
12 State.

13 BY repealing and reenacting, with amendments,  
14 Article – State Government  
15 Section 9–120  
16 Annotated Code of Maryland  
17 (2004 Replacement Volume and 2008 Supplement)

18 BY adding to  
19 Article – State Government  
20 Section 9–120.2  
21 Annotated Code of Maryland  
22 (2004 Replacement Volume and 2008 Supplement)

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

25 **Article – State Government**

26 9–120.

---

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (a) The Comptroller shall distribute the State Lottery Fund to pay:

2 (1) on a pro rata basis for the daily and nondaily State lottery games,  
3 the expenses of administering and operating the State lottery, as authorized under  
4 this subtitle and the State budget; and

5 (2) then, except as provided in § 10–113.1 of the Family Law Article  
6 and § 11–618 of the Criminal Procedure Article, the holder of each winning ticket or  
7 share.

8 (b) (1) Promptly after the 1st day of each month, **AFTER THE**  
9 **DISTRIBUTION UNDER SUBSECTION (A) OF THIS SECTION**, the Comptroller shall  
10 pay:

11 (i) into the Maryland Stadium Facilities Fund the money that  
12 remains in the State Lottery Fund from the proceeds of the sports lotteries conducted  
13 for the benefit of the Maryland Stadium Authority[, after the distribution under  
14 subsection (a) of this section]; and

15 (ii) [into the General Fund of the State] **SUBJECT TO §**  
16 **9–120.2 OF THIS SUBTITLE, OF** the money that remains in the State Lottery Fund  
17 from the proceeds of all [other lotteries after the distribution under subsection (a) of  
18 this section] **LOTTERIES OTHER THAN THE SPORTS LOTTERIES CONDUCTED FOR**  
19 **THE BENEFIT OF THE MARYLAND STADIUM AUTHORITY:**

20 **1. 25% TO THE PUBLIC SCHOOL SYSTEMS IN THE**  
21 **STATE; AND**

22 **2. 75% TO THE GENERAL FUND.**

23 (2) The money paid into the General Fund under this subsection is  
24 available in the fiscal year in which the money accumulates in the State Lottery Fund.

25 (c) The regulations of the Agency shall apportion the money in the State  
26 Lottery Fund.

27 **9–120.2.**

28 (A) IN THIS SECTION, “PUBLIC SCHOOL SYSTEM” MEANS THE  
29 COLLECTION OF PUBLIC ELEMENTARY AND SECONDARY EDUCATION SCHOOLS  
30 UNDER THE CONTROL OF A COUNTY BOARD OF EDUCATION OR THE BOARD OF  
31 SCHOOL COMMISSIONERS OF BALTIMORE CITY.

32 (B) (1) THE AMOUNT DISTRIBUTED TO EACH PUBLIC SCHOOL SYSTEM  
33 UNDER THE DISTRIBUTION REQUIREMENT UNDER § 9–120(B)(1)(II)1 OF THIS

1 SUBTITLE SHALL BE PROPORTIONATE TO THE AMOUNT OF SALES OF LOTTERY  
2 TICKETS MADE IN THE POLITICAL SUBDIVISION IN WHICH THE SCHOOL SYSTEM  
3 IS LOCATED.

4 (2) EACH PUBLIC SCHOOL SYSTEM SHALL USE THE MONEY FROM  
5 THE SALE OF STATE LOTTERY TICKETS THAT IS DISTRIBUTED UNDER §  
6 9-120(B)(1)(II)1 OF THIS SUBTITLE FOR:

7 (I) CLASSROOM STAFF; AND

8 (II) INSTRUCTIONAL MATERIALS.

9 (C) THE PROCEEDS PAID INTO THE GENERAL FUND UNDER §  
10 9-120(B)(1)(II)2 OF THIS SUBTITLE SHALL BE USED TO HELP PROVIDE AN  
11 ADEQUATE EDUCATION FOR THE CHILDREN ATTENDING PUBLIC SCHOOLS IN  
12 THE STATE IN PREKINDERGARTEN THROUGH GRADE 12 THROUGH THE BRIDGE  
13 TO EXCELLENCE IN PUBLIC SCHOOLS PROGRAM, ENACTED BY CHAPTER 288  
14 OF THE ACTS OF THE GENERAL ASSEMBLY OF 2002.

15 (D) A DISTRIBUTION UNDER § 9-120(B)(1)(II) OF THIS SUBTITLE IS  
16 INTENDED TO PROVIDE ADDITIONAL REVENUE FOR PUBLIC SCHOOL SYSTEMS  
17 AND MAY NOT SUPPLANT ANY OTHER REVENUE DISTRIBUTED TO PUBLIC  
18 SCHOOL SYSTEMS.

19 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
20 October 1, 2009.