

SENATE BILL 977

P1, F1
SB 636/02 – FIN & B&T

9lr3110

By: **Senators Mooney and Colburn**

Introduced and read first time: February 23, 2009

Assigned to: Rules

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
8 distribution 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 (2004 Replacement Volume and 2008 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,
20 the expenses of administering and operating the State lottery, as authorized under
21 this subtitle and the State budget; and

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (b) (1) [Promptly] **EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS**
2 **SECTION, PROMPTLY** after the 1st day of each month, the Comptroller shall pay:

3 (i) into the Maryland Stadium Facilities Fund the money that
4 remains in the State Lottery Fund from the proceeds of the sports lotteries conducted
5 for the benefit of the Maryland Stadium Authority, after the distribution under
6 subsection (a) of this section; and

7 (ii) into the General Fund of the State the money that remains
8 in the State Lottery Fund from the proceeds of all other lotteries after the distribution
9 under subsection (a) of this section.

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

12 (c) (1) **(I) IN THIS SUBSECTION THE FOLLOWING WORDS HAVE**
13 **THE MEANINGS INDICATED.**

14 **(II) “PUBLIC SCHOOL SYSTEM” MEANS THE COLLECTION OF**
15 **PUBLIC ELEMENTARY AND SECONDARY EDUCATION SCHOOLS UNDER THE**
16 **CONTROL OF A COUNTY BOARD OF EDUCATION OR THE BALTIMORE CITY**
17 **BOARD OF SCHOOL COMMISSIONERS.**

18 **(III) “UNANTICIPATED REVENUES” MEANS STATE LOTTERY**
19 **REVENUES THAT EXCEED BUDGETARY PROJECTIONS FOR A FISCAL YEAR.**

20 (2) **IF THE STATE LOTTERY RECEIVES UNANTICIPATED**
21 **REVENUES FOR A FISCAL YEAR, THE COMPTROLLER:**

22 **(I) MAY NOT TRANSFER ANY OF THOSE REVENUES TO THE**
23 **GENERAL FUND; AND**

24 **(II) SHALL DISTRIBUTE TO EACH PUBLIC SCHOOL SYSTEM**
25 **THE REVENUES ON A PRO RATA BASIS ACCORDING TO THE TOTAL LOTTERY**
26 **SALES MADE IN THE COUNTY IN WHICH THE PUBLIC SCHOOL SYSTEM IS**
27 **LOCATED.**

28 (3) **A DISTRIBUTION UNDER THIS SUBSECTION IS INTENDED TO**
29 **PROVIDE ADDITIONAL REVENUE FOR A PUBLIC SCHOOL SYSTEM AND MAY NOT**
30 **SUPPLANT ANY OTHER DISTRIBUTION OF LOTTERY PROCEEDS TO THE PUBLIC**
31 **SCHOOL SYSTEMS.**

32 [(c)] **(D) The regulations of the Agency shall apportion the money in the**
33 **State Lottery Fund.**

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