

CHAPTER 353

(Senate Bill 406)

AN ACT concerning

State Lottery – Prizes – Sovereign Immunity Defense Exception for Multistate Lottery Actions

FOR the purpose of authorizing the State to raise a sovereign immunity defense to certain contract actions brought by annuitants or prize winners of any multistate lottery game for claims that exceed a certain amount; and generally relating to prizes of the State Lottery Agency.

BY repealing and reenacting, with amendments,

Article – State Government

Section 9-122

Annotated Code of Maryland

(1995 Replacement Volume and 1996 Supplement)

(As enacted by Chapter 505 of the Acts of the General Assembly of 1996)

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

Article – State Government

9-122.

(a) The regulations of the Agency shall provide for winning tickets to be drawn at least once a week.

(b) (1) Except as otherwise provided in this subsection, § 10-113.1 of the Family Law Article, and Article 27, § 811 of the Code a prize won under this subtitle is not assignable.

(2) If the prize winner dies before the prize is paid, the prize may be paid to the estate of the prize winner.

(3) Under appropriate court order, a prize won under this subtitle may be paid to a person other than the winner.

(c) A licensed agent may pay in cash game prizes of not more than \$5,000.

(d) (1) In this subsection, the words “bank” and “guardian” and references to a “member” of a “minor’s family” have the meanings stated in § 13-301 of the Estates and Trusts Article.

(2) If a minor wins a prize of less than \$5,000, the Director may give a draft, as provided for in rules and regulations of the [Lottery Commission] AGENCY payable to the order of the minor, to:

(i) an adult member of the minor’s family; or