

Defined term: "State" § 1-101

12-203. SALES AND DRAW OF LOTTERY DEVICES.

(A) PROHIBITED.

A PERSON MAY NOT:

(1) HOLD A LOTTERY IN THIS STATE; OR

(2) SELL A LOTTERY DEVICE IN THE STATE FOR A LOTTERY DRAWN IN THIS STATE OR ELSEWHERE.

(B) PENALTY.

A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A MISDEMEANOR AND ON CONVICTION SHALL BE SENTENCED TO IMPRISONMENT FOR NOT LESS THAN 3 MONTHS AND NOT EXCEEDING 12 MONTHS OR A FINE OF NOT LESS THAN \$200 AND NOT EXCEEDING \$1,000 OR BOTH FOR EACH VIOLATION.

(C) CIVIL RECOVERY.

IN ADDITION TO THE PENALTY PROVIDED UNDER SUBSECTION (B) OF THIS SECTION, A PERSON WHO GIVES MONEY OR ANY OTHER THING TO PURCHASE OR OBTAIN A LOTTERY DEVICE, FOR EACH LOTTERY DEVICE PURCHASED OR OBTAINED, MAY RECOVER \$50 FROM:

(1) THE PERSON TO WHOM THE MONEY OR OTHER THING WAS GIVEN;  
OR

(2) ANY PERSON WHO AIDED OR ABETTED THAT PERSON.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 27, §§ 356, 357, 358, 359, and the second clause of 367.

In subsection (a)(1) of this section, the reference to "hold[ing]" a lottery is substituted for the former reference to "draw[ing]" a lottery to eliminate an archaic construction.

In subsection (a)(2) of this section and throughout this subtitle, the references to the defined term "lottery device" are substituted for the former references to a "lottery ticket", "policies, certificates or anything by which the vendor or other person promises or guarantees that any particular number, character, ticket or certificate shall in any event or on the happening of contingency entitle the purchaser or holder to receive money, property or evidence of debt", and a "contrivance" for brevity.

In subsection (b) of this section, the former reference to a person's "aiders and abettors" is deleted because the distinctions among principals and accessories before the fact have been abrogated. See General Revisor's Note to article and CP § 4-204.

Also in subsection (b) of this section, the former phrase "in the discretion of