

1           **Title 36 MARYLAND STATE LOTTERY AND GAMING CONTROL AGENCY**

2                           **Subtitle 02 LOTTERY PROVISIONS**

3                                   **Chapter 03 Retailer Requirements**

4   **Authority: Criminal Law Article, § 12-301.1; State Government Article, §§ 9-110 - 9-113;**  
5                           **Ch. 603, §6, Acts of 2012, Annotated Code of Maryland**

6   **.01 - .10** (text unchanged)

7  
8   **.11 Prohibited Acts.**

9       A. This regulation does not:

10           (1) Prevent a person from giving a lottery ticket to another as a gift; or

11           (2) Prohibit the purchase of a ticket for the purpose of making a gift to a person younger  
12           than 18 years old.

13       B. No person other than a licensed lottery retailer or the retailer's employee or the Agency may  
14       sell a lottery ticket or a lottery subscription.

15       C. A retailer shall require all lottery tickets to be paid for by the purchaser at the time of  
16       purchase ~~buying and before the time of the drawing.~~

17       D. A retailer may not:

18           (1) Sell a ticket at any price other than that established by the Director;

19           (2) Sell to or cash a lottery ticket for a person younger than 18 years old; ~~or~~

20           (3) Allow an employee younger than 18 years old to sell or cash a lottery ticket or operate  
21       lottery equipment-;

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For November 21, 2019 Commission meeting.

The proposed amendment to §C is stylistic, consistent with §§A and C. New §D(6) would clarify that a retailer may not have an illegal gaming device or a slot machine on its premises. Moving H. and I. into D.(4) and (5) is non-substantive, and would simply bring the structure of this regulation into compliance with the *Style Manual for Maryland Regulations*. The proposed new §E. would clarify that, except as provided in §E.(1), a retailer cannot offer any gaming activity except Lottery play.

1 **(4) Extend credit in any manner for the sale of lottery tickets;**

2 **(5) Offer customers alcoholic beverages to induce them into purchase or redeem a**  
3 **lottery ticket; or**

4 **(6) Except as provided in Criminal Law Article, §§ 12-301.1, 12-304, and 12-308,**  
5 **Annotated Code of Maryland, have on its premises an illegal gaming device or a slot**  
6 **machine as defined in Criminal Law Article, § 12-301, Annotated Code of Maryland.**

7 **E. (1) This section does not apply to a game of chance offered legally by a retailer that is:**

8 **(a) A video lottery facility;**

9 **(b) A legal operator of an electronic gaming device that is licensed as an amusement**  
10 **game in Baltimore City or Baltimore County under Criminal Law Article, § 12-**  
11 **301.1, Annotated Code of Maryland;**

12 **(c) Subject to regulation by the Comptroller under Criminal Law Article, § 12-304,**  
13 **Annotated Code of Maryland;**

14 **(d) A legal operator of instant bingo under Criminal Law Article, § 12-308,**  
15 **Annotated Code of Maryland; or**

16 **(e) Authorized to offer paper tip jar gaming under Criminal Law Article, Title 13,**  
17 **Annotated Code of Maryland.**

18 **(2) Except for a lottery game or promotion, a retailer may not offer a game of chance on**  
19 **the retailer's premises.**

20 ~~E. F.~~ Except as otherwise provided in these regulations or with the approval of the Director, a  
21 retailer may not cancel or accept ticket returns for draw games.

22 ~~F. G.~~ All instant ticket sales are final and may not be cancelled once sold.

23 ~~G. H.~~ Void Ticket.

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- 1 (1) A ticket may not be sold for a drawing after that drawing has occurred; and
- 2 (2) A ticket sold for a drawing after that drawing has occurred is void.
- 3 ~~H. A retailer may not extend credit in any manner for the sale of lottery tickets.~~
- 4 ~~I. A retailer may not offer customers alcoholic beverages to induce them into purchasing or~~
- 5 ~~redeeming a lottery ticket.~~
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