

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

2
3 **Subtitle 01 GENERAL PROVISIONS**

4
5 **Chapter 01 General**

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7 **Authority: State Government Article, § 9-111, Annotated Code of Maryland**

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9 **.04 Lottery and Gaming Control Director.**

10 A. (text unchanged)

11 B. Powers of Director.

12 (1) The Director shall authorize the Agency to sell lottery tickets for purposes consistent with
13 the lottery law.

14 (2) The Director may authorize the Agency to sell lottery tickets for a temporary period at any
15 promotional or special event being held in the State if:

16 (a) In the Director's determination, a licensed retailer is not available to conduct the sale;
17 and

18 (b) The person holding the promotional or special event has authorized the Agency to sell
19 Lottery tickets at the event.

20 (3) With the approval of the Commission in compliance with the lottery law and Division II
21 of the State Finance and Procurement Article, Annotated Code of Maryland, the Director may
22 enter into contracts for the:

23 (a) Operation of all or any part of the lottery; and

24 (b) Use of space, for advertising or promotional purposes, on tickets or publications
25 distributed by the Agency, if, in the Director's discretion, the action is fiscally prudent and in the
26 best interest of the lottery.

27 (4) With the approval of the Commission, the Director may:

For September 25, 2014 Commission.

The only proposed amendment to this regulation is the deletion in §B(4)(b) of a specific citation to a subsection of State Finance and Procurement §11-203. The General Assembly frequently passes legislation that effects a renumbering of SFP §11-203. This renders obsolete any reference in COMAR to a specific subsection (for example, “(a)(1)(xvi)”), which then requires a corresponding COMAR change. The proposed amendment would simply eliminate the need for frequently changing this regulation.

1 (a) Contract for the promotion of the lottery; and

2 (b) Enter into private sector cooperative marketing project agreements as provided for in
3 State Finance and Procurement Article, §11-203(a)(1)(xvi), Annotated Code of Maryland.

4 (5) With the approval of the Commission and the Legislative Policy Committee, the Director
5 may enter into agreements to operate multijurisdictional lotteries with:

6 (a) Any other political entity outside of the State or outside the United States that
7 operates a lottery; or

8 (b) A private licensee of a state or foreign nation.

9 (6) The Director may:

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11 (a) Make determinations on all issues relating to the Agency and all of the Agency's
12 games, promotions, and special activities;

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14 (b) Determine that a game ticket is void and if the game ticket shall be paid; and

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16 (c) Establish and announce special purchase options which reduce the purchase price of a
17 game for a specified period.

18
19 (7) The Director may determine, and change:

20
21 (a) The number of prize categories;

22
23 (a) The allocation of prize money among prizes;

24
25 (b) The price of games;

26
27 (d) The probability or odds of winning a game; and

28
29 (e) Any other aspect of game play, payment, and implementation.

30
31 (8) The Director may:
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1 (a) Authorize the Agency to substitute a prize of equivalent value or higher for a prize;
2 and
3

4 (b) Approve a winner's request to receive a cash equivalent value or other substitute
5 prize for a merchandise or experiential prize.
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7 (9) The Director may determine that a type of ticket shall be cancelled, including an instant
8 ticket, a multi-jurisdictional ticket, and an on-line ticket.
9

10 (10) The Director may disqualify a game ticket upon a player's breach of an Agency law or
11 regulation.

12 (11) Delegation of authority.

13 (a) The Director may delegate to another individual the performance of any activity,
14 function, or services in connection with the operation of the Lottery.

15 (b) The delegated activity, function, or service shall constitute a lawful activity, function,
16 or service of the Agency.
17
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