



HOUSE BILL No. 6044

September 11, 1996, Introduced by Reps. Goschka, Ryan, Cropsey, Bush, Whyman, Horton, Green, Hill, McManus and Bodem and referred to the Committee on Human Services.

A bill to amend section 32 of Act No. 239 of the Public Acts of 1972, entitled as amended "McCauley-Traxler-Law-Bowman-McNeely lottery act," as amended by Act No. 13 of the Public Acts of 1996, being section 432.32 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 32 of Act No. 239 of the Public Acts of
2 1972, as amended by Act No. 13 of the Public Acts of 1996, being
3 section 432.32 of the Michigan Compiled Laws, is amended to read
4 as follows:

5 Sec. 32. (1) Before payment of a prize of \$1,000.00 or
6 more, the bureau shall determine whether the department of trea-
7 sury records show that a lottery winner has a current liability
8 to this state or a support arrearage. The department of treasury
9 shall provide the bureau with a list or computer access to a

1 compilation of persons known to the department to have a current
2 liability to this state, including delinquent accounts of amounts
3 due and owing to a court that have been assigned to the state for
4 collection, or a support arrearage. The information shall be
5 updated not less than once a month. If a liability to this state
6 or support arrearage is identified, the bureau shall ascertain
7 the amount owed from the department of treasury and first apply
8 the amount of the prize to the liability to the state other than
9 the amount of any assigned delinquent account of amounts due and
10 owing to a court, next to the support arrearage, and next to the
11 assigned delinquent accounts of amounts due and owing to a court,
12 and the excess, if any, shall be paid to the lottery winner.

13 (2) A lottery winner shall receive notice and an opportunity
14 for a hearing before the department of treasury or its designee
15 with respect to the liability to which the prize is to be applied
16 where the liability has not been reduced to judgment or has not
17 been finalized under statutory review provisions of the statute
18 under which the liability arose. The notice shall be made by
19 regular mail. The lottery winner may request a hearing within 15
20 days of the date of the notice by making a written request to the
21 revenue commissioner. IN THE CASE OF LIABILITY TO THE STATE FOR
22 RECEIPT OF ONGOING CASH ASSISTANCE, FOSTER CARE PAYMENTS, OR MED-
23 ICAL OR EDUCATIONAL ASSISTANCE UNDER THE SOCIAL WELFARE ACT, ACT
24 NO. 280 OF THE PUBLIC ACTS OF 1939, BEING SECTIONS 400.1 TO
25 400.119B OF THE MICHIGAN COMPILED LAWS, ADMINISTRATIVE REMEDIES
26 UNDER SECTION 43B OF ACT NO. 280 OF THE PUBLIC ACTS OF 1939,

1 BEING SECTION 400.43B OF THE MICHIGAN COMPILED LAWS, APPLY
2 INSTEAD OF THE HEARING UNDER THIS SECTION.

3 (3) An amount applied to pay a support arrearage shall be
4 paid by the bureau to the department of treasury which shall pay
5 the amount to the office of the friend of the court for the
6 appropriate judicial circuit in the same manner as is prescribed
7 for a payment ~~pursuant to~~ IN an order of income withholding
8 under section 9 of the support and parenting time enforcement
9 act, Act No. 295 of the Public Acts of 1982, being section
10 552.609 of the Michigan Compiled Laws.

11 (4) In regard to the information provided by the department
12 of treasury to the bureau under this section, the bureau is
13 subject to the confidentiality restrictions and penalties pro-
14 vided in section 28(1)(f) and (2) of Act No. 122 of the Public
15 Acts of 1941, being section 205.28 of the Michigan Compiled
16 Laws.

17 (5) Until October 1, 1995 each office of the friend of the
18 court may report to the department of treasury the names of per-
19 sons who have a current support arrearage. Beginning October 1,
20 1995 each office of the friend of the court shall report to the
21 office of child support the names of persons who have a current
22 support arrearage and the office of child support shall provide
23 that information to the department of treasury.

24 (6) As used in this section:

25 (a) "Office of the friend of the court" means an agency cre-
26 ated in section 3 of the friend of the court act, Act No. 294 of

1 the Public Acts of 1982, being section 552.503 of the Michigan
2 Compiled Laws.

3 (b) "Support" means that term as defined in section 31 of
4 Act No. 294 of the Public Acts of 1982, being section 552.531 of
5 the Michigan Compiled Laws.