



# SENATE BILL No. 617

June 15, 1995, Introduced by Senators YOUNG, GEAKE, DINGELL, HOFFMAN, GOUGEON, SHUGARS, STILLE, MC MANUS, BYRUM, PETERS and EMMONS and referred to the Committee on Families, Mental Health and 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. 11 of the Public Acts of 1994, 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. 11 of the Public Acts of 1994, 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.

22 (3) An amount applied to pay a support arrearage shall be  
23 paid by the bureau to the department of treasury which shall pay  
24 the amount to the office of the friend of the court for the  
25 appropriate judicial circuit in the same manner as is prescribed  
26 for a payment pursuant to an order of income withholding under  
27 section 9 of the support and ~~visitation~~ PARENTING TIME

1 enforcement act, Act No. 295 of the Public Acts of 1982, being  
2 section 552.609 of the Michigan Compiled Laws.

3 (4) In regard to the information provided by the department  
4 of treasury to the bureau ~~pursuant to~~ UNDER this section, the  
5 bureau is subject to the confidentiality restrictions and penal-  
6 ties provided in section 28(1)(f) and (2) of Act No. 122 of the  
7 Public Acts of 1941, being section 205.28 of the Michigan  
8 Compiled Laws.

9 (5) Until October 1, 1995 each office of the friend of the  
10 court may report to the department of treasury the names of per-  
11 sons who have a current support arrearage. Beginning October 1,  
12 1995 each office of the friend of the court shall report to the  
13 office of child support the names of persons who have a current  
14 support arrearage and the office of child support shall provide  
15 that information to the department of treasury.

16 (6) As used in this section:

17 (a) "Office of the friend of the court" means an agency cre-  
18 ated in section 3 of the friend of the court act, Act No. 294 of  
19 the Public Acts of 1982, being section 552.503 of the Michigan  
20 Compiled Laws.

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

24 Section 2. This amendatory act shall not take effect unless  
25 Senate Bill No. 624  
26 of the 88th Legislature is enacted into law.