



# SENATE BILL No. 1211

November 12, 1996, Introduced by Senator BOUCHARD 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. 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~~ SUBJECT TO SUBSECTION (6), BEFORE  
6 payment of a prize of \$1,000.00 or more, the bureau shall deter-  
7 mine whether the department of treasury records show that a  
8 lottery winner has a current liability to this state or a support  
9 arrearage. The department of treasury shall provide the bureau

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

14 (2) A lottery winner shall receive notice and an opportunity  
15 for a hearing before the department of treasury or its designee  
16 with respect to the liability to which the prize is to be applied  
17 where the liability has not been reduced to judgment or has not  
18 been finalized under statutory review provisions of the statute  
19 under which the liability arose. The notice shall be made by  
20 regular mail. The lottery winner may request a hearing within 15  
21 days of the date of the notice by making a written request to the  
22 revenue commissioner.

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

1 under section 9 of the support and parenting time enforcement  
2 act, Act No. 295 of the Public Acts of 1982, being section  
3 552.609 of the Michigan Compiled Laws.

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

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

17 (6) IN THE CASE OF LIABILITY TO THE STATE UNDER SECTION 43B  
18 OF THE SOCIAL WELFARE ACT, ACT NO. 280 OF THE PUBLIC ACTS OF  
19 1939, BEING SECTION 400.43B OF THE MICHIGAN COMPILED LAWS, THIS  
20 SECTION APPLIES TO PRIZES OF \$600.00 OR MORE.

21 (7) ~~(6)~~ As used in this section:

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

1 (b) "Support" means that term as defined in section ~~31~~ 2  
2 of Act No. 294 of the Public Acts of 1982, being section  
3 ~~552.531~~ 552.502 of the Michigan Compiled Laws.

4 Section 2. This amendatory act shall not take effect unless  
5 Senate Bill No. 1210  
6 of the 88th Legislature is enacted into law.