

# HOUSE BILL No. 5290

October 12, 2005, Introduced by Reps. Gonzales, Polidori, Zelenko, Vagnozzi, Tobocman, Byrnes and Clack and referred to the Committee on Government Operations.

A bill to amend 1972 PA 239, entitled  
"McCauley-Traxler-Law-Bowman-McNeely lottery act,"  
by amending section 32 (MCL 432.32), as amended by 1996 PA 13.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 32. (1) Before payment of a prize of \$1,000.00 or more,  
2       the bureau shall determine whether the department of treasury  
3       records show that a lottery winner has a current liability to this  
4       state or a support arrearage. The department of treasury shall  
5       provide the bureau with a list or computer access to a compilation  
6       of persons known to the department to have a current liability to  
7       this state, including delinquent accounts of ~~amounts~~ **MONEY** due  
8       ~~and owing~~ to a court that have been assigned to the state for  
9       collection, or a support arrearage. The information shall be  
10      updated not less than once a month. If a liability to this state or

support arrearage is identified, the bureau shall ascertain the amount owed from the department of treasury and first apply the amount of the prize to ~~the~~ **A SUPPORT ARREARAGE, NEXT TO** liability to the state other than ~~the amount of any~~ **AN** assigned delinquent account of ~~amounts~~ **MONEY** due ~~and owing~~ to a court, ~~next to the support arrearage,~~ and next to ~~the~~ **AN** assigned delinquent ~~accounts~~ **ACCOUNT** of ~~amounts~~ **MONEY** due ~~and owing~~ to a court, and the excess, if any, shall be paid to the lottery winner.

(2) A lottery winner shall receive notice and an opportunity for a hearing before the department of treasury or its designee with respect to ~~the~~ **ANY** liability to which the prize is to be applied ~~where~~ **UNDER THIS SECTION IF** the liability has not been reduced to judgment or has not been finalized under statutory review provisions of the statute under which the liability arose. The notice shall be ~~made~~ **GIVEN** by regular mail. The lottery winner may request a hearing within 15 days of the date of the notice by making a written request to the revenue commissioner.

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

(4) In regard to the information provided by the department of

1 treasury to the bureau under this section, the bureau is subject to  
2 the confidentiality restrictions and penalties provided in section  
3 28(1)(f) and (2) of ~~Act No. 122 of the Public Acts of 1941, being~~  
4 ~~section 205.28 of the Michigan Compiled Laws~~ **1941 PA 122, MCL**  
5 **205.28.**

6 (5) ~~Until October 1, 1995 each office of the friend of the~~  
7 ~~court may report to the department of treasury the names of persons~~  
8 ~~who have a current support arrearage. Beginning October 1, 1995~~  
9 ~~each~~ **EACH** office of the friend of the court shall report to the  
10 office of child support the names of persons who have a current  
11 support arrearage and the office of child support shall provide  
12 that information to the department of treasury.

13 (6) As used in this section:

14 (a) "Office of the friend of the court" means an agency  
15 created in section 3 of the friend of the court act, ~~Act No. 294~~  
16 ~~of the Public Acts of 1982, being section 552.503 of the Michigan~~  
17 ~~Compiled Laws~~ **1982 PA 294, MCL 552.503.**

18 (b) "Support" means that term as defined in section ~~31 of Act~~  
19 ~~No. 294 of the Public Acts of 1982, being section 552.531 of the~~  
20 ~~Michigan Compiled Laws~~ **2A OF THE FRIEND OF THE COURT ACT, 1982 PA**  
21 **294, MCL 552.502A.**