

HOUSE BILL No. 6309

September 17, 2002, Introduced by Rep. Wojno and referred to the Committee on Family and Children Services.

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
2 more, the bureau shall determine whether the department of trea-
3 sury records show that a lottery winner has a current liability
4 to this state or a support arrearage. The department of treasury
5 shall provide the bureau with a list or computer access to a com-
6 pilation of persons known to the department to have a current
7 liability to this state, including delinquent accounts of amounts
8 due 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
11 or support arrearage is identified, the bureau shall ascertain

1 the amount owed from the department of treasury and first apply
2 the amount of the prize to the liability to the state other than
3 the amount of any assigned delinquent account of amounts due and
4 owing to a court, next to the support arrearage, and next to the
5 assigned delinquent accounts of amounts due and owing to a court,
6 and the excess, if any, shall be paid to the lottery winner.

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

16 (3) An amount applied to pay a support arrearage shall be
17 paid by the bureau to the department of treasury which shall pay
18 the amount to the office of the friend of the ~~court~~ CHILD for
19 the appropriate judicial circuit in the same manner as is pre-
20 scribed for a payment ~~pursuant to~~ UNDER an order of income
21 withholding under section 9 of the support and parenting time
22 enforcement act, ~~Act No. 295 of the Public Acts of 1982, being~~
23 ~~section 552.609 of the Michigan Compiled Laws~~ 1982 PA 295,
24 MCL 552.609.

25 (4) In regard to the information provided by the department
26 of treasury to the bureau under this section, the bureau is
27 subject to the confidentiality restrictions and penalties

1 provided in section 28(1)(f) and (2) of ~~Act No. 122 of the~~
2 ~~Public Acts of 1941, being section 205.28 of the Michigan~~
3 ~~Compiled Laws~~ 1941 PA 122, MCL 205.28.

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

12 (6) As used in this section:

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

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

21 Enacting section 1. This amendatory act does not take
22 effect unless Senate Bill No. _____ or House Bill No. 6317
23 (request no. 07684'02) of the 91st Legislature is enacted into
24 law.