

SENATE BILL No. 811

October 18, 2005, Introduced by Senators CHERRY, GARCIA, BROWN, PRUSI and HARDIMAN and referred to the Committee on Appropriations.

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

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

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

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

27 (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.**