

HOUSE BILL No. 4459

March 16, 1989, Introduced by Reps. Emmons, Camp, Power, Fitzgerald, Dolan, Bankes, Trim, Honigman, Crandall, Stacey and Munsell and referred to the Committee on State Affairs.

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 added by Act No. 55 of the Public Acts of 1987, 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 added by Act No. 55 of the Public Acts of 1987, 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 ~~more than~~
6 ~~\$5,000.00~~ \$1,000.00 OR MORE, the bureau shall determine ~~if~~
7 WHETHER RECORDS OF the department of treasury ~~knows of any~~
8 ~~liability of the lottery winner to this state~~ SHOW THAT A
9 LOTTERY WINNER HAS A CURRENT LIABILITY TO THIS STATE OR A CHILD

1 SUPPORT ARREARAGE. THE DEPARTMENT OF TREASURY SHALL PROVIDE THE
2 BUREAU WITH A LIST OR COMPUTER ACCESS TO A COMPILATION OF PERSONS
3 KNOWN TO THE DEPARTMENT TO HAVE A CURRENT LIABILITY TO THIS STATE
4 OR A CHILD SUPPORT ARREARAGE. THE INFORMATION SHALL BE UPDATED
5 NOT LESS THAN ONCE A MONTH. If a liability TO THIS STATE OR SUP-
6 PORT ARREARAGE is identified, the bureau shall ASCERTAIN THE
7 AMOUNT OWED FROM THE DEPARTMENT OF TREASURY AND first apply the
8 amount of the prize to the liability TO THE STATE AND NEXT TO THE
9 SUPPORT ARREARAGE, and the excess, if any, shall be paid to the
10 lottery winner.

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

20 (3) AN AMOUNT APPLIED TO PAY A SUPPORT ARREARAGE SHALL BE
21 PAID TO THE OFFICE OF THE FRIEND OF THE COURT FOR THE APPROPRIATE
22 JUDICIAL CIRCUIT IN THE SAME MANNER AS IS PRESCRIBED FOR A PAY-
23 MENT PURSUANT TO AN ORDER OF INCOME WITHHOLDING UNDER SECTION 9
24 OF THE SUPPORT AND VISITATION ENFORCEMENT ACT, ACT NO. 295 OF THE
25 PUBLIC ACTS OF 1982, BEING SECTION 552.609 OF THE MICHIGAN
26 COMPILED LAWS.

1 (4) IN REGARD TO THE INFORMATION PROVIDED BY THE DEPARTMENT
2 OF TREASURY TO THE BUREAU PURSUANT TO THIS SECTION, THE BUREAU IS
3 SUBJECT TO THE CONFIDENTIALITY RESTRICTIONS AND PENALTIES PRO-
4 VIDED IN SECTION 28(1)(F) AND (2) OF ACT NO. 122 OF THE PUBLIC
5 ACTS OF 1941, BEING SECTION 205.28 OF THE MICHIGAN COMPILED LAWS.

6 (5) AS USED IN THIS SECTION:

7 (A) "OFFICE OF THE FRIEND OF THE COURT" MEANS THE AGENCY
8 CREATED IN SECTION 3 OF THE FRIEND OF THE COURT ACT, ACT NO. 294
9 OF THE PUBLIC ACTS OF 1982, BEING SECTION 552.503 OF THE MICHIGAN
10 COMPILED LAWS.

11 (B) "SUPPORT ARREARAGE" MEANS UNPAID SPOUSE OR CHILD SUPPORT
12 PAYMENTS AS DETERMINED BY THE OFFICE OF THE FRIEND OF THE COURT
13 UNDER SECTION 11 OF ACT NO. 294 OF THE PUBLIC ACTS OF 1982, BEING
14 SECTION 552.511 OF THE MICHIGAN COMPILED LAWS.