

# SENATE BILL No. 528

September 19, 2013, Introduced by Senators NOFS and COLBECK and referred to the Committee on Families, Seniors and Human 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 2012 PA 428.

## 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 both of the following:

3           (a) Whether department of treasury records show that the  
4 lottery winner has a current liability to this state or a support  
5 arrearage.

6           (b) Whether unemployment insurance agency records show that  
7 the lottery winner has any current liability for restitution of  
8 unemployment benefits, penalty, or interest under section 15 of the  
9 Michigan employment security act, 1936 (Ex Sess) PA 1, MCL 421.15.

10           (2) The department of treasury shall provide the bureau with a

1 list or computer access to a compilation of persons known to the  
2 department to have a current liability to this state, including **A**  
3 delinquent ~~accounts~~**ACCOUNT** of money ~~due and owing~~**OWED** to a court  
4 that ~~have~~**HAS** been assigned to this state for collection, or a  
5 support arrearage. The information shall be updated not less than  
6 once a month.

7 (3) If a liability to this state, a support arrearage, or an  
8 unemployment compensation debt is identified under subsection (1),  
9 the bureau shall ascertain the amount owed from the department of  
10 treasury or the unemployment insurance agency, as applicable.

11 (4) After ascertaining the amount owed by the lottery winner  
12 under subsection (3), the bureau shall apply the amount of the  
13 prize as follows:

14 (a) First to any liability to this state other than an  
15 assigned delinquent account of money ~~due and owing~~**OWED** to a court  
16 or an unemployment compensation debt.

17 (b) Next to any support arrearage.

18 (c) Next to any unemployment compensation debt.

19 (d) Next to any assigned delinquent accounts of money ~~due and~~  
20 ~~owing~~**OWED** to a court.

21 (e) The balance, if any, shall be paid to the lottery winner.

22 (5) Except for a payment applied to a liability under  
23 subsection (4)(c), a lottery winner shall be given notice and an  
24 opportunity for a hearing before the department of treasury or its  
25 designee with respect to the liability to which the prize is to be  
26 applied if the liability has not been reduced to judgment or has  
27 not been finalized under statutory review provisions of the statute

1 under which the liability arose. The notice shall be given by  
2 regular mail. The lottery winner may request a hearing before the  
3 department of treasury within 15 days after the date of the notice  
4 by making a written request to the state treasurer.

5 (6) An amount applied to pay a support arrearage shall be paid  
6 by the bureau to ~~the department of treasury, which shall pay the~~  
7 ~~amount to the office of the friend of the court for the appropriate~~  
8 ~~judicial circuit or to the state disbursement unit in the same~~  
9 ~~manner as a payment pursuant to an order of income withholding~~  
10 ~~under section 9~~ **FOR DISBURSEMENT AS PROVIDED IN SECTION 48** of the  
11 support and parenting time enforcement act, 1982 PA 295, MCL  
12 ~~552.609.552.648.~~

13 (7) In regard to information provided by the department of  
14 treasury to the bureau under this section, the bureau is subject to  
15 the confidentiality restrictions and penalties provided in section  
16 28(1)(f) and (2) of 1941 PA 122, MCL 205.28. In regard to  
17 information provided by the unemployment insurance agency to the  
18 bureau under section 15 of the Michigan employment security act,  
19 1936 (Ex Sess) PA 1, MCL 421.15, the bureau is subject to the  
20 confidentiality restrictions and penalties provided in sections 11  
21 and 54 of the Michigan employment security act, 1936 (Ex Sess) PA  
22 1, MCL 421.11 and 421.54.

23 (8) ~~Each office of the friend of the court shall report to the~~  
24 **THE** office of child support **SHALL PROVIDE** the names of persons who  
25 have a current support arrearage ~~and the office of child support~~  
26 ~~shall provide that information to the department of treasury.~~

27 (9) As used in this section:

1 ~~—— (a) "Office of the friend of the court" means an agency~~  
2 ~~created in section 3 of the friend of the court act, 1982 PA 294,~~  
3 ~~MCL 552.503.~~

4 (A) "STATE DISBURSEMENT UNIT" MEANS THE ENTITY ESTABLISHED BY  
5 SECTION 6 OF THE OFFICE OF CHILD SUPPORT ACT, 1971 PA 174, MCL  
6 400.236.

7 (b) "Support" means that term as defined in section 2a of the  
8 friend of the court act, 1982 PA 294, MCL 552.502a.