

Act No. 11
Public Acts of 1994
Approved by the Governor
February 23, 1994
Filed with the Secretary of State
February 24, 1994

**STATE OF MICHIGAN
87TH LEGISLATURE
REGULAR SESSION OF 1994**

Introduced by Senator Welborn

ENROLLED SENATE BILL No. 501

AN ACT to amend section 32 of Act No 239 of the Public Acts of 1972 entitled as amended An act to establish and operate a state lottery to create a bureau of state lottery to prescribe its powers and duties to prescribe certain powers and duties of other state departments and agencies to license and regulate sales agents to create the state lottery fund to provide for the distribution of lottery revenues and earnings to provide for an appropriation and to provide penalties 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

Section 1 Section 32 of Act No 239 of the Public Acts of 1972 as added by Act No 55 of the Public Acts of 1987 being section 432 32 of the Michigan Compiled Laws is amended to read as follows

Sec 32 (1) Before payment of a prize of \$1 000 00 or more the bureau shall determine whether the department of treasury records show that a lottery winner has a current liability to this state or a support arrearage The department of treasury shall provide the bureau with a list or computer access to a compilation of persons known to the department to have a current liability to this state including delinquent accounts of amounts due and owing to a court that have been assigned to the state for collection or a support arrearage The information shall be 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 liability to the state other than the amount of any assigned delinquent account of amounts due and owing to a court next to the support arrearage and next to the assigned delinquent accounts of amounts 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 liability to which the prize is to be applied where 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 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 applied to pay a support arrearage shall be paid by the bureau to the department of treasury which shall pay the amount 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 visitation enforcement act Act No 295 of the Public Acts of 1982 being section 552 609 of the Michigan Compiled Laws

(4) In regard to the information provided by the department of treasury to the bureau pursuant to this section the bureau is subject to the confidentiality restrictions and penalties provided in section 28(1)(f) and (2) of Act No 122 of the Public Acts of 1941 being section 205 28 of the Michigan Compiled Laws

(5) Until October 1 1995 each office of the friend of the court may report to the department of treasury the names of persons who have a current support arrearage Beginning October 1 1995 each office of the friend of the court shall report to the office of child support the names of persons who have a current support arrearage and the office of child support shall provide that information to the department of treasury

(6) As used in this section

(a) Office of the friend of the court means an agency created in section 3 of the friend of the court act Act No 294 of the Public Acts of 1982 being section 552 503 of the Michigan Compiled Laws

(b) Support means that term as defined in section 31 of Act No 294 of the Public Acts of 1982 being section 552 531 of the Michigan Compiled Laws

This act is ordered to take immediate effect

Secretary of the Senate

Co Clerk of the House of Representatives

Approved

Governor

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