

STATE OF MAINE

IN THE YEAR OF OUR LORD
TWO THOUSAND NINETEEN

H.P. 1161 - L.D. 1609

An Act To Set Off Court Fines, Surcharges and Assessments against Lottery Winnings

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 8 MRSA §378-A is enacted to read:

§378-A. Setoff of claims against lottery winnings; priority

If the bureau is required under state law or court order to set off a person's lottery winnings against a claim of an amount due and more than one claim is made against the lottery winnings, the bureau shall set off against the winnings as many claims as possible in the following order of priority:

1. Liquidated child support debts. Liquidated child support debts owed to or through the Department of Health and Human Services pursuant to Title 19-A, section 2360;

2. Liquidated tax liabilities. Liquidated tax liabilities pursuant to Title 36, section 185, subsection 3;

3. Unemployment compensation debt. Unemployment compensation debt pursuant to Title 26, section 1051, subsection 8;

4. Court-ordered restitution obligations. Court-ordered restitution obligations when the amounts due are identified by a district attorney's office;

5. Fines, surcharges and assessments owed to State. Fines, surcharges and assessments imposed by any of the courts and owed to the State pursuant to Title 14, section 3141-A; and

6. All other claims. All other claims in the order of their receipt.

Sec. 2. 14 MRSA §3141-A is enacted to read:

§3141-A. Setoff of fines against lottery winnings

The State Court Administrator appointed pursuant to Title 4, section 15 shall periodically notify the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations, referred to in this subsection as "the bureau," of all persons who owe a monetary fine, surcharge or assessment imposed by a court to the State under this Title. Prior to paying any lottery winnings that must be paid directly by the bureau, the bureau shall determine whether the lottery winner is on the list of persons who owe a monetary fine, surcharge or assessment imposed by a court to the State under this Title. If the winner is on the list of persons who owe a monetary fine, surcharge or assessment imposed by a court, the bureau shall suspend payment of the winnings and provide notice to the winner of its intention to set off the winnings against the monetary fine, surcharge or assessment owed. The bureau shall provide the winnings due to the winner to the State Court Administrator in payment of any monetary fine, surcharge or assessment owed by the winner under this Title. The bureau shall release any remaining winnings in accordance with state law.