

B-Engrossed House Bill 2393

Ordered by the House July 1
Including House Amendments dated April 6 and July 1

Sponsored by Representatives OLSON, WHITSETT; Representatives BOONE, BUCKLEY, ESQUIVEL, GOMBERG, KRIEGER, SPRENGER, STARK, WEIDNER, WHISNANT, Senators DEMBROW, KRUSE, ROBLAN (Presession filed.)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

Requires Oregon State Lottery to hold lottery prize in excess of \$600 that is owed to person that has not repaid overpayment of certain public benefits. Prioritizes past-due child support over benefit repayment.

A BILL FOR AN ACT

Relating to recovery from lottery prize of overpayment of public benefits.

Be It Enacted by the People of the State of Oregon:

SECTION 1. Section 2 of this 2015 Act is added to and made a part of ORS chapter 461.

SECTION 2. (1) As used in this section, "assistance" includes:

(a) Medical assistance as defined in ORS 414.025.

(b) Public assistance as defined in ORS 411.010.

(c) Supplemental nutrition assistance provided under ORS 411.806 to 411.845.

(d) Any other benefit, aid or assistance for which the Department of Human Services or Oregon Health Authority is authorized to issue a final order for an overpayment under ORS chapter 183.

(2) The Oregon State Lottery Commission, by rule, shall develop procedures whereby:

(a) Before paying any portion of a lottery prize in excess of \$600, the Director of the Oregon State Lottery must check the names of the persons entitled to payment against a computer database containing the names and Social Security numbers of persons that have received an overpayment of assistance for which the Department of Human Services or the Oregon Health Authority has issued a final order for overpayment under ORS chapter 183.

(b) When the person is listed in the database, the commission shall:

(A) Place a 30-day hold on any payment to the person;

(B) Inform the person of the hold; and

(C) Notify the department or the authority that a recipient of an overpayment of assistance has won a lottery prize in excess of \$600 or is entitled to payment in excess of \$600 on a lottery prize.

(e) If a garnishment proceeding is initiated under ORS 18.600 to 18.850 within the 30-day hold period, the commission must continue to hold any payment to the person pending disposition of the proceeding.

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 **(d) If a garnishment proceeding is not initiated under ORS 18.600 to 18.850 within the**
2 **30-day hold period, the commission shall pay the prize to the person at the end of the 30-day**
3 **hold period or when the department or authority notifies the commission that a garnishment**
4 **proceeding will not be initiated, whichever is sooner.**

5 **(3) The commission shall establish and operate a data match system using automated**
6 **data exchanges with the department and the authority that identifies persons that have re-**
7 **ceived an overpayment of assistance for which a final order for overpayment has been issued**
8 **by the department or the authority under ORS chapter 183. Any information necessary to**
9 **identify the person and hold a payment on a prize must be available to the commission**
10 **through the data match system.**

11 **(4) The commission shall enter into an agreement regarding the procedures required by**
12 **subsections (2) and (3) of this section with the department and the authority.**

13 **(5) Payment of any past-due child support has priority over the recovery of any over-**
14 **payment of assistance from a lottery prize under this section.**

15