

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 146 Session of 2017

INTRODUCED BY BOSCOLA, COSTA, GORDNER, MENSCH, HUGHES, FARNESE, SCHWANK, BREWSTER, HAYWOOD, TARTAGLIONE, YUDICHAK, FOLMER, RAFFERTY, VULAKOVICH, VOGEL AND BROWNE, JANUARY 20, 2017

SENATOR GREENLEAF, JUDICIARY, AS AMENDED, JANUARY 31, 2017

AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the
2 Pennsylvania Consolidated Statutes, in sentencing, providing
3 for lottery winnings intercept.

4 The General Assembly of the Commonwealth of Pennsylvania
5 hereby enacts as follows:

6 Section 1. Title 42 of the Pennsylvania Consolidated
7 Statutes is amended by adding a section to read:

8 § 9778. Lottery winnings intercept.

9 (a) Duty of Department of Revenue.--In the case of a person
10 claiming Pennsylvania State Lottery winnings that exceed \$2,500,
11 the Department of Revenue, after it has made its determination
12 subject to 23 Pa.C.S. § 4308 (relating to lottery winnings
13 intercept), shall:

14 (1) in consultation with the Administrative Office of
15 Pennsylvania Courts, make a reasonable effort to determine if
16 the person owes a court-ordered obligation prior to making a
17 lottery winnings payment;

18 (2) if the person is found to owe a court-ordered

1 obligation, intercept and deduct the amount owed in the
2 court-ordered obligation from the amount of lottery winnings
3 and remit the amount to the Administrative Office of
4 Pennsylvania Courts for distribution under applicable law;

5 (3) notify the claimant of a payment made under this
6 section; and

7 (4) pay the remaining lottery winnings to the claimant.

8 (b) Right to review.--A person whose lottery winnings are
9 used to satisfy an obligation under this section may appeal in
10 accordance with applicable law. The appeal must be filed WITH A <--
11 COURT OF COMPETENT JURISDICTION within 30 days after the person
12 is notified by the Department of Revenue that the winnings have
13 been reduced or totally withheld to satisfy the person's
14 outstanding court-ordered obligation.

15 (c) Administrative fee.--The Department of Revenue may
16 determine and set a fee to cover actual costs to administer this
17 section and may deduct the calculated amount from the lottery
18 winnings subject to intercept under this section.

19 (d) Rules and regulations.--The Department of Revenue, in
20 conjunction with the Administrative Office of Pennsylvania
21 Courts, may, in the manner provided by law, jointly promulgate
22 the rules and regulations necessary to carry out this section.

23 (e) Duty of Administrative Office of Pennsylvania Courts.--
24 The Administrative Office of Pennsylvania Courts shall provide
25 to the Department of Revenue the information necessary to
26 fulfill its duties under this section.

27 Section 2. This act shall take effect in 90 days.