

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1488 Session of
2007

INTRODUCED BY SCHRODER, BAKER, CALTAGIRONE, CLYMER, DONATUCCI,
EVERETT, FREEMAN, GOODMAN, GRELL, HENNESSEY, KIRKLAND, KORTZ,
MCILHATTAN, MENSCH, R. MILLER, MOUL, MOYER, O'NEILL, PETRONE,
RAPP, REICHLEY, RUBLEY, SEIP, SONNEY, STERN, TANGRETTI,
THOMAS, WATSON, YOUNGBLOOD AND BENNINGHOFF, JUNE 7, 2007

REFERRED TO COMMITTEE ON GAMING OVERSIGHT, JUNE 7, 2007

AN ACT

1 Amending Title 23 (Domestic Relations) of the Pennsylvania
2 Consolidated Statutes, providing for the intercept of
3 winnings on slot machines.

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

6 Section 1. Section 4302 of Title 23 of the Pennsylvania
7 Consolidated Statutes is amended by adding a definition to read:
8 § 4302. Definitions.

9 The following words and phrases when used in this chapter
10 shall have the meanings given to them in this section unless the
11 context clearly indicates otherwise:

12 * * *

13 "Licensed gaming entity" or "slot machine licensee." The
14 term shall have the same meaning as given to it under 4 Pa.C.S.
15 § 1103 (relating to definitions).

16 * * *

17 Section 2. Title 23 is amended by adding a section to read:

1 § 4310. Slot machine winnings intercept.

2 (a) General rule.--Winnings obtained from gambling on slot
3 machines may be applied to satisfy a winner's delinquent support
4 obligation.

5 (b) Duty of licensed gaming entity or slot machine
6 licensee.--In the case of any person winning more than \$1,200
7 from slot machine winnings, before making any monetary payment
8 from those winnings, the licensed gaming entity or slot machine
9 licensee shall obtain the name, address and Social Security
10 number of the winner from Form W-2G, or a substantially
11 equivalent form filed with the United States Internal Revenue
12 Service, and shall request the department to make all reasonable
13 efforts to determine if the winner is a delinquent support
14 obligor. If the winner is determined to be a delinquent support
15 obligor, all of the following shall apply:

16 (1) The amount of any arrearages shall be deducted from
17 the amount of slot machine winnings and paid to the obligee
18 in the manner provided for under this title for the
19 administration of support payments.

20 (2) The amount of any fee, calculated under subsection
21 (c)(6), shall be deducted from the winnings and distributed
22 according to this section.

23 (c) Duties of department.--The department shall do all of
24 the following:

25 (1) Cause a search to be made periodically of all of the
26 following:

27 (i) The department's records relative to the Title
28 IV-D program.

29 (ii) Any information received from county domestic
30 relations offices relative to arrearages of court-ordered

1 child support.

2 (iii) Any information received from states with
3 reciprocal enforcement of child support relative to
4 arrearages of court-ordered child support.

5 (2) Furnish the licensed gaming entity or slot machine
6 licensee with the following information:

7 (i) The department identifier.

8 (ii) The obligor's full name and Social Security
9 number.

10 (iii) The amount of the arrearage and the identifier
11 of the court order that underlies it.

12 (3) Request the licensed gaming entity or slot machine
13 licensee to withhold from the winner the amount of any
14 arrearage discovered under paragraph (1).

15 (4) Request the licensed gaming entity or slot machine
16 licensee to pay, in a lump sum or by installment, to the
17 department that portion of the slot machine winnings that
18 satisfy the arrearage as follows:

19 (i) By deducting from the amount received from the
20 licensed gaming entity or slot machine licensee any
21 amount assigned to the department.

22 (ii) By paying to the domestic relations section for
23 distribution to the obligee of the child support court
24 order the amount of slot machine winnings that satisfy
25 the arrearage owed to the obligee.

26 (5) If the slot machine winnings are insufficient to
27 satisfy the arrearages owed under the child support order,
28 the department shall proceed as follows:

29 (i) The department may collect as provided by law.

30 (ii) The department may reinitiate the procedures

1 set forth under this section if the obligor wins
2 subsequent slot money.

3 (6) Determine and set a fee that reflects the actual
4 costs to the department and the licensed gaming entity or
5 slot machine licensee to administer this section. The
6 department shall request the licensed gaming entity or slot
7 machine licensee to deduct the fee set from the amount to be
8 paid to the winner after the winner's child support
9 obligation has been fully satisfied and shall divide the fee
10 set based on the administrative expenses incurred by the
11 department and the licensed gaming entity or slot machine
12 licensee.

13 (7) Within 30 days of the date the money was won, do all
14 of the following:

15 (i) Award the winner the slot machine winnings in
16 whole or in part.

17 (ii) If applicable, notify the winner that the
18 winnings or a portion of the winnings were used to
19 satisfy arrearages owed for court-ordered child support.

20 (d) Notice.--The domestic relations section shall send a
21 one-time notice to all obligors of existing orders informing
22 them that arrearages may be intercepted as provided under this
23 section.

24 (e) Right to review.--A winner whose slot machine winnings
25 are used to satisfy an obligation under this section may appeal
26 to the department in accordance with 2 Pa.C.S. (relating to
27 administrative law and procedure). The appeal shall be filed
28 within 30 days after the winner is notified by the department
29 that the slot machine winnings have been reduced or totally
30 withheld to satisfy outstanding arrearages for child support and

1 related obligations.

2 (f) Rules and regulations.--The department shall promulgate
3 the rules and regulations necessary to carry out its
4 responsibilities under this section.

5 (g) Nonliability.--A licensed gaming entity or a slot
6 machine licensee that makes a payment to a winner in violation
7 of this section shall not be liable to the person to whom the
8 winner owes an outstanding debt.

9 Section 3. This act shall take effect in 60 days.