

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1017 Session of
2013

INTRODUCED BY BOSCOLA, HUGHES, BROWNE, WAUGH, STACK, SCHWANK,
FARNESE, SOLOBAY, WOZNIAK, VULAKOVICH, BRUBAKER, MENSCH,
ALLOWAY, RAFFERTY AND VANCE, JUNE 17, 2013

SENATOR GREENLEAF, JUDICIARY, AS AMENDED, JANUARY 28, 2014

AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the
2 Pennsylvania Consolidated Statutes, providing for lottery
3 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) Investigation and deduction.--AFTER THE DEPARTMENT HAS <--
10 MADE ITS DETERMINATION SUBJECT TO 23 PA.C.S. § 4308 (RELATING TO
11 LOTTERY WINNINGS INTERCEPT) THE DEPARTMENT SHALL:

12 (1) In the case of any person winning more than \$2,500
13 in the Pennsylvania State Lottery, the Department of Revenue
14 shall ~~request~~ IN CONSULTATION WITH the Administrative Office <--
15 of the Pennsylvania Courts to make all reasonable efforts to
16 determine if the person owes ~~any restitution as a result of a~~ <--
17 ~~criminal conviction in this Commonwealth~~ ANY COURT-ORDERED <--
18 OBLIGATION prior to making any lottery winnings payment.

1 (2) If the person is found to owe any ~~restitution~~ COURT- <--
2 ORDERED OBLIGATION, the amount shall be deducted from the
3 amount of lottery winnings and paid to the obligee in the <--
4 manner provided by PURSUANT TO APPLICABLE law for the <--
5 administration of payments of court fines, fees or costs <--
6 COURT-ORDERED OBLIGATIONS. <--

7 (b) Intercept required.--

8 (1) The Department of Revenue shall periodically review
9 information provided by the Administrative Office of the
10 Pennsylvania Courts that identifies persons with outstanding
11 ~~restitution~~ COURT-ORDERED OBLIGATIONS. <--

12 (2) Prior to any payment of winnings, the Department of
13 Revenue shall intercept and remit winnings of a person owing
14 ~~restitution~~ ANY COURT-ORDERED OBLIGATION to the <--
15 Administrative Office of the Pennsylvania Courts for
16 distribution pursuant to APPLICABLE law. <--

17 (c) Right to review.--A person whose lottery prize is used
18 to satisfy an obligation under this section may appeal to the
19 Department of Revenue in accordance with 2 Pa.C.S. (relating to <--
20 ~~administrative law and procedure~~) ARTICLE XXVII OF THE ACT OF <--
21 MARCH 4, 1971 (P.L.6, NO.2), KNOWN AS THE TAX REFORM CODE OF
22 1971. The appeal must be filed within 30 days after the person
23 is notified by the Department of Revenue that the prize has been
24 reduced or totally withheld to satisfy the person's outstanding
25 ~~restitution~~ COURT-ORDERED OBLIGATION. <--

26 (d) Rules and regulations.--The Department of Revenue and IN <--
27 CONJUNCTION WITH the Administrative Office of the Pennsylvania
28 Courts shall, in the manner provided by law, jointly promulgate
29 the rules and regulations necessary to carry out this section.

30 Section 2. This act shall take effect in 60 days.