

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 AND VOGEL, JANUARY 20, 2017

REFERRED TO JUDICIARY, JANUARY 20, 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 within
11 30 days after the person is notified by the Department of
12 Revenue that the winnings have been reduced or totally withheld
13 to satisfy the person's outstanding court-ordered obligation.

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

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

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

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