

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 413 Session of 2011

INTRODUCED BY SCHRODER, BAKER, BOBACK, BOYD, CALTAGIRONE,
CLYMER, COHEN, D. COSTA, CUTLER, DENLINGER, FLECK, FRANKEL,
GILLESPIE, GINGRICH, GOODMAN, GRELL, GROVE, HARRIS,
HUTCHINSON, KAUFFMAN, KORTZ, MILLER, MILNE, MOUL, MUNDY,
PICKETT, PYLE, RAPP, RAVENSTAHL, ROAE, SABATINA, SCAVELLO,
K. SMITH, STERN, STURLA, SWANGER, TOEPEL, VULAKOVICH, WAGNER
AND WATSON, FEBRUARY 3, 2011

REFERRED TO COMMITTEE ON JUDICIARY, FEBRUARY 3, 2011

AN ACT

1 Amending Title 23 (Domestic Relations) of the Pennsylvania
2 Consolidated Statutes, providing for the definition of
3 "licensed gaming entity" and for the intercept of winnings on
4 slot machines.

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

7 Section 1. Section 4302 of Title 23 of the Pennsylvania
8 Consolidated Statutes is amended by adding a definition to read:
9 § 4302. Definitions.

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

13 * * *

14 "Licensed gaming entity" or "slot machine licensee." The
15 term shall have the same meaning as given to it under 4 Pa.C.S.
16 § 1103 (relating to definitions).

1 * * *

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

3 \$ 4310. Slot machine winnings intercept.

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

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

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

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

25 (c) Duties of department.--The department shall do all of
26 the following:

27 (1) Cause a search to be made periodically of all of the
28 following:

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

1 (ii) Any information received from county domestic
2 relations offices relative to arrearages of court-ordered
3 child support.

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

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

9 (i) The department identifier.

10 (ii) The obligor's full name and Social Security
11 number.

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

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

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

21 (i) By deducting from the amount received, from the
22 licensed gaming entity or slot machine licensee, any
23 amount assigned to the State disbursement unit.

24 (ii) By paying to the State disbursement unit, for
25 distribution to the obligee of the child-support court
26 order, the amount of slot machine winnings that satisfy
27 the arrearage owed to the obligee.

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

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

2 (ii) The department may reinitiate the procedures
3 set forth under this section if the obligor wins
4 subsequent slot money.

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

15 (7) Within 30 days of the date the slot machine winnings
16 were won, do all of the following:

17 (i) Award the winner the slot machine winnings in
18 whole or in part.

19 (ii) If applicable, notify the winner that the slot
20 machine winnings or a portion of the slot machine
21 winnings was used to satisfy arrearages owed for court-
22 ordered child support.

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

27 (e) Right to review.--A winner whose slot machine winnings
28 are used to satisfy an obligation under this section may appeal
29 to the department in accordance with 2 Pa.C.S. (relating to
30 administrative law and procedure). The appeal shall be filed

1 within 30 days after the winner is notified by the department
2 that the slot machine winnings have been reduced or totally
3 withheld to satisfy outstanding arrearages for child support and
4 related obligations.

5 (f) Rules and regulations.--The department shall promulgate
6 the rules and regulations necessary to carry out its
7 responsibilities under this section.

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

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