
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1489 Session of
2013

INTRODUCED BY C. HARRIS, KORTZ, MILLARD, FLECK, O'NEILL,
MULLERY, CUTLER, CALTAGIRONE, WHITE, MOUL, OBERLANDER,
SCHLOSSBERG, F. KELLER, COHEN, BENNINGHOFF, CARROLL, GROVE,
MILNE AND MURT, JUNE 5, 2013

REFERRED TO COMMITTEE ON FINANCE, JUNE 5, 2013

AN ACT

1 Amending the act of August 26, 1971 (P.L.351, No.91), entitled
2 "An act providing for a State Lottery and administration
3 thereof; authorizing the creation of a State Lottery
4 Commission; prescribing its powers and duties; disposition of
5 funds; violations and penalties therefor; exemption of prizes
6 from State and local taxation and making an appropriation,"
7 providing for lottery winnings intercept.

8 The General Assembly of the Commonwealth of Pennsylvania
9 hereby enacts as follows:

10 Section 1. The act of August 26, 1971 (P.L.351, No.91),
11 known as the State Lottery Law, is amended by adding a section
12 to read:

13 Section 316. Lottery winnings intercept.

14 (a) Duty of Department of Revenue.--In the case of any
15 person winning a single lottery prize of more than \$2,500 in the
16 State Lottery, the Department of Revenue shall make reasonable
17 efforts to determine if the prizewinner is delinquent in the
18 payment of Pennsylvania State taxes prior to making the lottery
19 winnings payment. If the department determines that the

1 prizewinner is delinquent in the payment of Pennsylvania State
2 taxes, the department shall deduct the amount of any such
3 delinquent taxes from the amount of lottery winnings and pay
4 such amount to the Commonwealth to satisfy or partially satisfy
5 any such delinquencies. Any deductions under this part may only
6 be made after the Department of Revenue determines that either
7 the prizewinner is not subject to a deduction for delinquent
8 support, or that, after deducting for delinquent support, prize
9 amounts remain that can be subject to deduction for delinquent
10 Pennsylvania State taxes. If applicable, within 30 days of the
11 date the prize was won, the Department of Revenue shall notify
12 the prizewinner that the prize or a portion of the prize was
13 used to satisfy or partially satisfy State delinquent taxes
14 owed.

15 (b) Right to review.--A lottery prizewinner whose prize is
16 used to satisfy or partially satisfy an obligation under this
17 section may appeal to the Department of Revenue in accordance
18 with 2 Pa.C.S. (relating to administrative law and procedure),
19 except that no appeal may be taken under this section regarding
20 any Pennsylvania State tax delinquency. The appeal shall be
21 filed within 30 days after the prizewinner is notified by the
22 Department of Revenue that the prize has been reduced or totally
23 withheld to satisfy or partially satisfy the amount of the
24 prizewinner's State delinquent taxes due.

25 (c) Administrative fee.--The Department of Revenue shall
26 determine and set a fee which reflects the actual costs it
27 incurs to administer this section and deduct the calculated
28 amount from the lottery winnings.

29 (d) Report.--The Department of Revenue shall annually report
30 to the Finance Committee of the Senate and the Finance Committee

1 of the House of Representatives the amount of State delinquent
2 taxes collected under this section.

3 (e) Rules and regulations.--The Department of Revenue shall
4 promulgate rules and regulations necessary to carry out this
5 section.

6 Section 2. This act shall take effect immediately.