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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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SENATE BILL

No. 919 Session of  
2013

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INTRODUCED BY STACK, RAFFERTY, FERLO, BREWSTER, WOZNIAK, WAUGH,  
VULAKOVICH, SOLOBAY AND FARNESE, JUNE 11, 2013

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REFERRED TO JUDICIARY, JUNE 11, 2013

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AN ACT

1 Amending Title 23 (Domestic Relations) of the Pennsylvania  
2 Consolidated Statutes, in support matters generally,  
3 providing for gaming winnings intercept.

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

6 Section 1. Title 23 of the Pennsylvania Consolidated  
7 Statutes is amended by adding a section to read:

8 § 4307.1. Gaming winnings intercept.

9 (a) General rule.--In the case of any person who plays a  
10 slot machine or table game authorized under 4 Pa.C.S. Pt. 2  
11 (relating to gaming) and is entitled to be paid gaming winnings  
12 of more than \$500 in cash or cash equivalents by a slot machine  
13 licensee, the slot machine licensee shall notify the Department  
14 of Revenue and the Department of Revenue shall request the  
15 department to make all reasonable efforts to determine if the  
16 person is a delinquent support obligor prior to the slot machine  
17 licensee making any gaming winnings payment. If the person is so  
18 found, the amount of any arrearages shall be deducted from the

1 amount of gaming winnings and paid to the obligee in the manner  
2 provided in this title for the administration of support  
3 payments.

4 (b) Duties of department.--The department:

5 (1) Shall conduct a search periodically of the  
6 following:

7 (i) Its records relative to the Title IV-D Program.

8 (ii) Any information received from county domestic  
9 relations offices relative to arrearages of court-ordered  
10 child support.

11 (iii) Any information received from states with  
12 reciprocal enforcement of child support relative to  
13 arrearages of court-ordered child support.

14 (2) Shall furnish the Department of Revenue with the  
15 following information:

16 (i) The department identifier.

17 (ii) The obligor's full name and Social Security  
18 number.

19 (iii) The amount of the arrearage and the identifier  
20 of the court order which underlies it.

21 (3) Shall request the slot machine licensee, through the  
22 Department of Revenue, to withhold from a gaming winner the  
23 amount of any arrearage discovered pursuant to the provisions  
24 of paragraph (1).

25 (4) Shall request the slot machine licensee, through the  
26 Department of Revenue, to pay over, whether in a lump sum or  
27 by installment, to the department that part of the prize  
28 which satisfies this arrearage and:

29 (i) Deduct from the amount received from the  
30 Department of Revenue any amount assigned to the

1           department.

2           (ii) Pay over to the domestic relations section for  
3           distribution to the obligee of the child support court  
4           order the amount of gaming winnings which satisfies the  
5           arrearage owed to the obligee. This payment shall be made  
6           within 30 days of the date when the gaming winnings are  
7           withheld.

8           (5) May, if gaming winnings are insufficient to satisfy  
9           the arrearages owed under the child support order, proceed as  
10          follows:

11           (i) It may collect as provided by law.

12           (ii) It may reinitiate the procedures set forth in  
13           this section if the obligor wins subsequent gaming  
14           winnings of \$500 or more in cash or cash equivalents.

15           (6) Shall determine and set a fee which reflects the  
16           actual costs it and the Department of Revenue incur to  
17           administer this section, submit this calculation to the  
18           Department of Revenue for its approval, request the  
19           Department of Revenue to deduct the calculated amount from  
20           the amount to be paid to the gaming winner after the gaming  
21           winner's child support obligation has been fully satisfied  
22           and request that the deducted amount be divided between both  
23           departments based on the administrative expenses incurred by  
24           each.

25           (7) Shall, within 30 days of the date the gaming  
26           winnings were won:

27           (i) Award the gaming winner the winnings in whole or  
28           in part.

29           (ii) If applicable, notify the gaming winner that  
30           the gaming winnings or a portion thereof was used to

1 satisfy arrearages owed for court-ordered child support.

2 (c) Notice.--The domestic relations section shall send a  
3 one-time notice to all obligors of existing orders informing  
4 them that arrearages may be intercepted as provided by this  
5 section.

6 (d) Right to review.--A gaming winner whose game winnings  
7 are used to satisfy an obligation under this section may appeal  
8 to the department in accordance with 2 Pa.C.S. (relating to  
9 administrative law and procedure). The appeal shall be filed  
10 within 30 days after the gaming winner is notified by the  
11 Department of Revenue that the gaming winnings have been reduced  
12 or totally withheld to satisfy the gaming winner's outstanding  
13 arrearages for child support and related obligations.

14 (e) Rules and regulations.--The Department of Revenue and  
15 the department shall, in the manner provided by law, jointly  
16 promulgate the rules and regulations necessary to carry out this  
17 section.

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