

BY: Finance Committee

AMENDMENTS TO SENATE BILL NO. 33

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, after “circumstances;” insert “providing for a certain appeal;”; in line 24, after “(4)” insert “SUBJECT TO THE LIMITATIONS OF PARAGRAPHS (5), (6), (7), AND (8) OF THIS SUBSECTION.”.

AMENDMENT NO. 2

On page 2, strike lines 11 and 12 in their entirety and substitute:

“(5) THE AGENCY MAY CHARGE BACK TO A VIOLATING AGENT ANY COSTS OR PENALTIES RESULTING FROM THE VIOLATION AND IMPOSED BY A THIRD PARTY ON THE AGENCY.

(6) IN ADDITION TO THE CHARGES IN PARAGRAPH (5) OF THIS SUBSECTION, THE AGENCY MAY IMPOSE A PENALTY OF:

(I) \$100 FOR EACH FAILURE TO INTERCEPT A CHILD SUPPORT ARREARAGE OR CRIMINAL RESTITUTION; OR

(II) \$50 FOR A VIOLATION OTHER THAN A FAILURE TO INTERCEPT A CHILD SUPPORT ARREARAGE OR CRIMINAL RESTITUTION.

(7) (I) IN ADDITION TO THE CHARGES AND PENALTIES IN PARAGRAPHS (5) AND (6) OF THIS SUBSECTION, FOR A VIOLATION INVOLVING INTENTIONAL OR WILLFUL MISCONDUCT OR GROSS NEGLIGENCE BY THE AGENT, THE AGENCY:

1. MAY ASSESS OTHER REASONABLE PENALTIES OR

(Over)

FINES, SUBJECT TO THE DISCRETION OF THE DIRECTOR BUT NOT TO EXCEED \$300;
AND

2. MAY NOT PAY A COMMISSION FOR THE VIOLATING
INCIDENT OR TRANSACTION.

(II) THE AMOUNT OF A FINE IMPOSED UNDER THIS
PARAGRAPH SHALL BE BASED ON:

1. THE SERIOUSNESS OF THE VIOLATION;
2. THE GOOD FAITH OF THE VIOLATING AGENT;
3. ANY PREVIOUS VIOLATIONS;
4. THE AGENT'S HISTORY;
5. THE HARMFUL EFFECT OF THE VIOLATION ON THE
STATE, STATE LOTTERY PLAYERS, THE PUBLIC, AND ANY OTHER AFFECTED
PERSON; AND
6. ANY OTHER RELEVANT FACTORS.

(8) AN AGENT MAY APPEAL A PENALTY OR FINE IMPOSED UNDER
THIS SUBSECTION TO THE COMMISSION.”.