
By: **Delegate Rawlings**

Introduced and read first time: January 31, 2003

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Child Support Enforcement - Intercepting Lottery and Video Lottery**
3 **Winnings**

4 FOR the purpose of requiring the Child Support Enforcement Administration to
5 certify to the State Lottery Agency the name of any obligor who is in arrears of
6 \$150 or more if the Administration has accepted an assignment of support from
7 a recipient of temporary cash assistance or an application for support services
8 from a support recipient; adding a "video lottery" prize to the type of prize which
9 may be intercepted by the Administration via the State Lottery Agency by
10 specified means; making this Act subject to a certain contingency; and generally
11 relating to interception of lottery and video lottery prizes.

12 BY repealing and reenacting, with amendments,
13 Article - Family Law
14 Section 10-113.1
15 Annotated Code of Maryland
16 (1999 Replacement Volume and 2002 Supplement)

17 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
18 MARYLAND, That the Laws of Maryland read as follows:

19 **Article - Family Law**

20 10-113.1.

21 (a) The Administration [may] SHALL certify to the State Lottery Agency the
22 name of any obligor who is in arrears in the amount of \$150 or more if:

23 (1) the Administration has accepted an assignment of support under
24 Article 88A, § 50(b)(2) of the Code; or

25 (2) the recipient of support payments has filed an application for support
26 enforcement services with the Administration.

27 (b) The certification shall contain:

1 (1) the full name of the obligor, and any other names known to be used
2 by the obligor;

3 (2) the Social Security number of the obligor; and

4 (3) the amount of the arrearage.

5 (c) If an obligor who has been certified as an obligor wins a lottery OR VIDEO
6 LOTTERY prize to be paid [by check] directly by the State Lottery Agency, the State
7 Lottery Agency shall send a notice to the obligor that:

8 (1) the obligor has won a prize to be paid [by check] directly by the State
9 Lottery Agency;

10 (2) the State Lottery Agency has received certification from the Child
11 Support Enforcement Administration of the obligor's child support arrearage in the
12 amount specified;

13 (3) subsection (d) of this section requires the State Lottery Agency to
14 withhold the prize to pay it towards the obligor's support arrearage;

15 (4) the State Lottery Agency proposes to transfer the prize, or that part
16 of it which is equal to the support arrearage, to the Administration if no appeal is filed
17 within 15 days;

18 (5) the obligor may appeal to the Administration if the obligor disputes
19 the existence or the amount of the arrearage;

20 (6) if the obligor appeals to the Administration, the prize will be
21 distributed as the Administration directs; and

22 (7) if no appeal is filed within 15 days, the prize, or that part of it equal
23 to the support arrearage, will be transferred to the Administration.

24 (d) If the prize exceeds the arrearage, the State Lottery Agency shall
25 immediately pay the excess to the obligor. The State Lottery Agency shall withhold
26 any part of the prize that does not exceed the arrearage until notified by the
27 Administration to whom the withheld prize money shall be paid.

28 (e) Upon receipt of a notice from the State Lottery Agency any obligor who
29 disputes the existence or amount of the arrearage may appeal the proposed transfer
30 within 15 days of the date of the notice to the Administration.

31 (f) If no appeal is filed within 15 days, the State Lottery Agency shall transfer
32 the amount of the prize withheld to the Administration.

33 (g) The Administration shall notify the State Lottery Agency that upon
34 appeal, the withheld prize shall be:

35 (1) paid to the obligor;

1 (2) transferred to the Administration; or

2 (3) partly paid to the obligor and partly transferred to the
3 Administration, in the amounts specified.

4 (g-1) The State Lottery Agency shall honor lottery AND VIDEO LOTTERY prize
5 interception requests in the following order:

6 (1) an interception request under this section; and

7 (2) an interception request under § 11-618 of the Criminal Procedure
8 Article.

9 (h) The Secretary of Human Resources and the Director of the State Lottery
10 Agency may jointly adopt regulations to implement this section.

11 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
12 October 1, 2003, contingent on the taking effect of Chapter ____ (H.B. 78) of the Acts
13 of the General Assembly of 2003, and if Chapter ____ (H.B. 78) does not become
14 effective, this Act shall be null and void without the necessity of further action by the
15 General Assembly.