

**HB0907/469830/1**

BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 907  
(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, strike beginning with “the” in line 3 down through “date;” in line 9 and substitute “certain video lottery operation licensees to provide certain notices to certain obligors who win certain prizes and who owe child support; requiring certain video lottery operation licensees to make certain payments, withhold certain amounts, and transfer certain amounts under certain circumstances; authorizing certain obligors to appeal certain proposed transfers; requiring the Child Support Enforcement Administration to notify the video lottery operation licensee on the distribution of certain prizes; prohibiting a video lottery operation licensee from being held liable for certain acts or omissions; requiring certain video lottery operation licensees to comply with a certain provision of law; defining certain terms;”;

after line 10, insert:

“BY repealing and reenacting, with amendments,

Article – Family Law

Section 10-113.1

Annotated Code of Maryland

(2012 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, without amendments,

Article – State Government

Section 9-1A-24(a)

Annotated Code of Maryland

(2009 Replacement Volume and 2013 Supplement)”;

and in line 13, strike “9-1A-02.1” and substitute “9-1A-24(h)”.

(Over)

AMENDMENT NO. 2

On page 2, after line 17, insert:

“Article – Family Law

10–113.1.

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) “VIDEO LOTTERY FACILITY” HAS THE MEANING STATED IN § 9-1A-01 OF THE STATE GOVERNMENT ARTICLE.

(3) “VIDEO LOTTERY OPERATION LICENSEE” HAS THE MEANING STATED IN § 9-1A-01 OF THE STATE GOVERNMENT ARTICLE.

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

(1) the Administration has accepted an assignment of support under § 5–312(b)(2) of the Human Services Article; or

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

[(b)] (C) The certification shall contain:

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

- (2) the Social Security number of the obligor; and
- (3) the amount of the arrearage.

**[(c)] (D)** If an obligor who has been certified as an obligor wins a lottery prize to be paid by check directly by the State Lottery and Gaming Control Agency, the State Lottery and Gaming Control Agency shall send a notice to the obligor that:

(1) the obligor has won a prize to be paid by check directly by the State Lottery and Gaming Control Agency;

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

(3) subsection [(d)] (F) of this section requires the State Lottery and Gaming Control Agency to withhold the prize to pay it towards the obligor's support arrearage;

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

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

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

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

(Over)

(E) IF AN OBLIGOR WHO OWES CHILD SUPPORT AND HAS BEEN CERTIFIED AS AN OBLIGOR WINS A PRIZE AT A VIDEO LOTTERY FACILITY REQUIRING THE ISSUANCE OF INTERNAL REVENUE SERVICE FORM W-2G OR A SUBSTANTIALLY EQUIVALENT FORM BY A VIDEO LOTTERY OPERATION LICENSEE, THE VIDEO LOTTERY OPERATION LICENSEE SHALL PROVIDE A NOTICE TO THE OBLIGOR THAT:

(1) THE OBLIGOR HAS WON A PRIZE TO BE PAID BY CASH OR CHECK DIRECTLY BY THE VIDEO LOTTERY OPERATION LICENSEE;

(2) THE STATE LOTTERY AND GAMING CONTROL AGENCY HAS RECEIVED CERTIFICATION FROM THE CHILD SUPPORT ENFORCEMENT ADMINISTRATION OF THE OBLIGOR'S CHILD SUPPORT ARREARAGE IN THE AMOUNT SPECIFIED;

(3) SUBSECTION (F) OF THIS SECTION REQUIRES THE VIDEO LOTTERY OPERATION LICENSEE TO WITHHOLD THE PRIZE TO PAY IT TOWARDS THE OBLIGOR'S CHILD SUPPORT ARREARAGE;

(4) THE VIDEO LOTTERY OPERATION LICENSEE PROPOSES TO TRANSFER THE PRIZE, OR THAT PART OF IT WHICH IS EQUAL TO THE CHILD SUPPORT ARREARAGE, TO THE ADMINISTRATION IF NO APPEAL IS FILED WITHIN 15 DAYS;

(5) THE OBLIGOR MAY APPEAL TO THE ADMINISTRATION IF THE OBLIGOR DISPUTES THE EXISTENCE OR THE AMOUNT OF THE CHILD SUPPORT ARREARAGE;

(6) IF THE OBLIGOR APPEALS TO THE ADMINISTRATION, THE PRIZE WILL BE DISTRIBUTED AS THE ADMINISTRATION DIRECTS; AND

(7) IF NO APPEAL IS FILED WITHIN 15 DAYS, THE PRIZE, OR THAT PART OF IT EQUAL TO THE CHILD SUPPORT ARREARAGE, WILL BE TRANSFERRED TO THE ADMINISTRATION.

[(d)] (F) If the prize exceeds the arrearage, the State Lottery and Gaming Control Agency OR VIDEO LOTTERY OPERATION LICENSEE shall immediately pay the excess to the obligor. The State Lottery and Gaming Control Agency OR VIDEO LOTTERY OPERATION LICENSEE shall withhold any part of the prize that does not exceed the arrearage until notified by the Administration to whom the withheld prize money shall be paid.

[(e)] (G) Upon receipt of a notice from the State Lottery and Gaming Control Agency OR VIDEO LOTTERY OPERATION LICENSEE any obligor who disputes the existence or amount of the arrearage may appeal the proposed transfer within 15 days of the date of the notice to the Administration.

[(f)] (H) If no appeal is filed within 15 days, the State Lottery and Gaming Control Agency OR VIDEO LOTTERY OPERATION LICENSEE shall transfer the amount of the prize withheld to the Administration.

[(g)] (I) The Administration shall notify the State Lottery and Gaming Control Agency OR VIDEO LOTTERY OPERATION LICENSEE that upon appeal, the withheld prize shall be:

- (1) paid to the obligor;
- (2) transferred to the Administration; or

(Over)

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

**[(h)] (I)** The State Lottery and Gaming Control Agency shall honor lottery prize interception requests in the following order:

(1) an interception request under this section;

(2) an interception request under § 11-618 of the Criminal Procedure Article; and

(3) an interception request under § 3-307 of the State Finance and Procurement Article.

**[(i)] (K)** The Secretary of Human Resources and the Director of the State Lottery and Gaming Control Agency may jointly adopt regulations to implement this section.

**(L) A VIDEO LOTTERY OPERATION LICENSEE MAY NOT BE HELD LIABLE FOR AN ACT OR OMISSION TAKEN IN GOOD FAITH TO COMPLY SUBSTANTIALLY WITH THE REQUIREMENTS OF THIS SECTION.**”;

and strike in their entirety lines 19 through 22, inclusive.

On pages 4 and 5, strike in their entirety the lines beginning with line 24 on page 4 through line 17 on page 5, inclusive, and substitute:

“9-1A-24.

(a) Except as provided in subsection (b) of this section, the Commission shall ensure that a video lottery operation licensee complies with the requirements of this section as a condition of holding the video lottery operation license.

**(H) A VIDEO LOTTERY OPERATION LICENSEE SHALL COMPLY WITH § 10-113.1 OF THE FAMILY LAW ARTICLE.**

On page 5, in line 18, strike “3.” and substitute “2.”; and in line 19, strike “June” and substitute “October”.