

MCCAULEY-TRAXLER-LAW-BOWMAN-MCNEELY LOTTERY ACT (EXCERPT)
Act 239 of 1972

432.32 Payment of prize of \$1,000.00 or more; determination by bureau; compilation of persons having current liability to state; application of prize to liability; notice; hearing; application of amount to support arrearage; confidentiality; names provided by office of friend of the court; definitions.

Sec. 32.

(1) Before payment of a prize of \$1,000.00 or more, the bureau shall determine both of the following:

(a) Whether department of treasury records show that the lottery winner has a current liability to this state or a support arrearage.

(b) Whether unemployment insurance agency records show that the lottery winner has any current liability for restitution of unemployment benefits, penalty, or interest under section 15 of the Michigan employment security act, 1936 (Ex Sess) PA 1, MCL 421.15.

(c) Whether records of the department of human services show that the lottery winner has any current liability to the department of human services.

(2) The department of treasury shall provide the bureau with a list or computer access to a compilation of persons known to the department to have a current liability to this state, including a delinquent account of money owed to a court that has been assigned to this state for collection, or a support arrearage. The information shall be updated not less than once a month.

(3) If a liability to this state, a support arrearage, an unemployment compensation debt, or a debt to the department of human services is identified under subsection (1), the bureau shall ascertain the amount owed from the department of treasury, the unemployment insurance agency, or the department of human services, as applicable.

(4) After ascertaining the amount owed by the lottery winner under subsection (3), the bureau shall pay the amount determined under subsection (3) to the department of treasury and pay the balance, if any, to the lottery winner. The department of treasury shall apply the amount as determined under subsection (3) as follows:

(a) First to any liability to this state other than an assigned delinquent account of money owed to a court, an unemployment compensation debt, or a debt to the department of human services.

(b) Next to any support arrearage.

(c) Next to any unemployment compensation debt.

(d) Next to any debt to the department of human services.

(e) Next to any assigned delinquent accounts of money owed to a court.

(5) Except for a payment applied to a liability under subsection (4)(c) or (d), a lottery winner shall be given notice and an opportunity for a hearing before the department of treasury or its designee with respect to the liability to which the prize is to be applied if the liability has not been reduced to judgment or has not been finalized under statutory review provisions of the statute under which the liability arose. The notice shall be given by regular mail. The lottery winner may request a hearing before the department of treasury within 15 days after the date of the notice by making a written request to the state treasurer.

(6) An amount applied to pay a support arrearage shall be paid by the department of treasury to the state disbursement unit for disbursement as provided in section 48 of the support and parenting time enforcement act, 1982 PA 295, MCL 552.648.

(7) In regard to information provided by the department of treasury to the bureau under this section, the bureau is subject to the confidentiality restrictions and penalties provided in section 28(1)(f) and (2) of 1941 PA 122, MCL 205.28. In regard to information provided by the unemployment insurance agency to the bureau under section 15 of the Michigan employment security act, 1936 (Ex Sess) PA 1, MCL 421.15, the bureau is subject to the confidentiality restrictions and penalties provided in sections 11 and 54 of the Michigan employment security act, 1936 (Ex Sess) PA 1, MCL 421.11 and 421.54. In regard to information provided by the department of human services to the bureau, the bureau is subject to the same extent as is the department of human services to restrictions prescribed by federal regulations governing temporary assistance to needy families or other federal programs, by rules of the department of human services, or otherwise, for preventing the disclosure of confidential information to any person not authorized by law to receive the information.

(8) The office of child support shall provide the names of persons who have a current support arrearage to the department of treasury.

(9) As used in this section:

(a) "State disbursement unit" means the entity established by section 6 of the office of child support act, 1971 PA 174, MCL 400.236.

(b) "Support" means that term as defined in section 2a of the friend of the court act, 1982 PA 294, MCL 552.502a.

History: Add. 1987, Act 55, Imd. Eff. June 22, 1987 ;-- Am. 1994, Act 11, Imd. Eff. Feb. 24, 1994 ;-- Am. 1996, Act 13, Eff. June 1, 1996 ;-- Am. 2012, Act 428, Imd. Eff. Dec. 21, 2012 ;-- Am. 2014, Act 388, Eff. Mar. 22, 2015

Compiler's Notes: For transfer of the Bureau of State Lottery from the Department of Management and Budget to be an autonomous entity within the Department of Treasury, see E.R.O. No. 1991-2, compiled at MCL 12.161 of the Michigan Compiled Laws.

Popular Name: Lottery Act