

H.244

Introduced by Representative Stevens of Waterbury

Referred to Committee on

Date:

Subject: Recreation and sports; State Lottery; repeal

Statement of purpose of bill as introduced: This bill proposes to repeal the
State Lottery.

An act relating to repealing the State Lottery

It is hereby enacted by the General Assembly of the State of Vermont:

Sec. 1. FINDINGS

The General Assembly finds:

(1) Problem gambling is a public health disorder characterized by a
preoccupation with gambling, restlessness and irritability when attempting to
stop gambling, and a loss of control over gambling behavior resulting in
continued gambling in spite of mounting, serious, negative consequences.

(2) Problem gambling is more prevalent among individuals that are
younger, less educated, and economically disadvantaged.

(3) Individuals struggling with problem gambling are more likely to
suffer from co-occurring behavioral problems such as substance abuse, or
mood and personality disorders.

(5) A child of a problem gambler is more likely to engage in damaging behaviors such as smoking, drinking, and using drugs, and has an increased risk of developing into a problem gambler him or herself.

31 V.S.A. chapter 14 (State Lottery) is repealed.

§ 7043. RESTITUTION

(n)(1) Any monies owed by the State to an offender who is under a restitution order, including ~~lottery winnings and~~ tax refunds, shall be used to discharge the restitution order to the full extent of the unpaid total financial losses, regardless of the payment schedule established by the courts.

~~(3)(A) For all Vermont lottery games, the Lottery Commission shall, before issuing prize money of \$500.00 or more to a winner, determine whether the winner has an outstanding restitution order. If the winner owes restitution, the Lottery Commission shall withhold the entire amount of restitution owed and pay it to the Restitution Unit. The remainder of the winnings, if any, shall~~

1 ~~be sent to the winner. The winner shall be notified by the Restitution Unit of~~
2 ~~the offset prior to payment to the victim and given a period not to exceed 20~~
3 ~~days to contest the accuracy of the information.~~

4 ~~(B) The Restitution Unit shall inform the Lottery Commission of~~
5 ~~persons with outstanding restitution orders upon request. Each person subject~~
6 ~~to such an order shall be identified by name, address, and Social Security~~
7 ~~number.~~

8 ~~(C) If a lottery winner has an outstanding restitution order and an~~
9 ~~outstanding child support order, the lottery winnings shall be offset first~~
10 ~~pursuant to 15 V.S.A. § 792 by the amount of child support owed, and second~~
11 ~~pursuant to this subsection by the amount of restitution owed. The remainder~~
12 ~~of the winnings, if any, shall be sent to the winner. [Repealed.]~~

13 * * *

14 Sec. 4. 15 V.S.A. § 792 is amended to read:

15 § 792. ~~LOTTERY OFFSET~~

16 ~~(a) For all Vermont lottery games, the lottery commission shall, before~~
17 ~~issuing prize money of \$500.00 or more to a winner, determine whether the~~
18 ~~winner has an outstanding child support arrearage payable to the office of child~~
19 ~~support. If the winner has a child support arrearage, the lottery commission~~
20 ~~shall withhold the entire amount of winnings and pay the same to the office of~~
21 ~~child support. The office of child support shall offset the winnings by the~~

1 amount of support arrearages and the remainder of the winnings, if any, shall
2 be sent to the winner. The obligor shall be notified by the office of child
3 support of the offset prior to payment to the obligee and given a period not to
4 exceed 20 days to contest the accuracy of the information.

5 (b) The office of child support shall inform the lottery commission of
6 persons with child support arrearages upon request. Each liable person shall be
7 identified by name, address and Social Security number.

8 (c) This section shall apply to tri state lottery games at such time as the
9 same or similar provisions become law in Maine and New Hampshire in
10 accordance with the tri state lotto compact. [Repealed.]

11 Sec. 5. 16 V.S.A. § 4025 is amended to read:

12 § 4025. EDUCATION FUND

13 (a) An Education Fund is established to comprise the following:

14 * * *

15 (3) Revenues from State lotteries under 31 V.S.A. chapter 14, and from
16 any multijurisdictional lottery game authorized under that chapter. [Repealed.]

17 * * *

18 Sec. 6. 32 V.S.A. § 3113b is amended as follows:

19 § 3113b. ~~LOTTERY WINNINGS; SATISFACTION OF TAX LIABILITIES~~

20 For all Vermont lottery games, the Lottery Commissioner may, before
21 issuing prize money to a winner, determine whether the winner has an

1 ~~outstanding tax liability payable to the Department of Taxes. If any such~~
2 ~~winner owes taxes to the State, the Commissioner of Taxes, after notice to the~~
3 ~~owner, may request and the Lottery Commission shall transfer the amount of~~
4 ~~such tax liability to the Department for setoff of the taxes owed. The notice~~
5 ~~shall advise the winner of the action being taken and the right to appeal the~~
6 ~~setoff if the tax debt is not the winner's debt; or if the debt has been paid; or if~~
7 ~~the tax debt was appealed within 60 days from the date of the assessment and~~
8 ~~the appeal has not been finally determined; or if the debt was discharged in~~
9 ~~bankruptcy. Any offset of lottery winnings for taxes shall be third in priority~~
10 ~~to the offset of lottery winnings to the Office of Child Support pursuant to 15~~
11 ~~V.S.A. § 792 and the offset of lottery winnings for restitution pursuant to 13~~
12 ~~V.S.A. § 7043. [Repealed.]~~

13 Sec. 7. EFFECTIVE DATE

14 This act shall take effect on July 1, 2015.