

EHB 1649

THE STATE SENATE
Wednesday, April 13, 2005

ENGROSSED

House Bill No. 1649

ENGROSSED HOUSE BILL NO. 1649 - By: WINCHESTER and WESSELHOFT of the House and MONSON of the Senate.

An Act relating to Oklahoma Education Lottery Act; amending Section 11, Chapter 58, O.S.L. 2003 (3A O.S. Supp. 2004, Section 710), which relates to Oklahoma Lottery Commission; restricting method of payment; providing for withholding of certain lottery prize monies; providing for distribution of withheld monies; requiring certain report; specifying contents of report; providing for codification; and declaring an emergency.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY Section 11, Chapter 58, O.S.L. 2003 (3A O.S. Supp. 2004, Section 710), is amended to read as follows:

Section 710. The board of trustees of the Oklahoma Lottery Commission may promulgate rules regulating the conduct of lottery games in general, including, but not limited to, rules specifying:

1. The type of lottery games to be conducted, including, but not limited to, instant lotteries and other games traditional to the lottery;

2. The sale price of tickets or shares and the manner of sale. All sales shall be for cash only and payment by checks, credit

1 cards, charge cards, debit cards, or any form of deferred payment is
2 prohibited;

3 3. The number and amount of prizes;

4 4. The method and location of selecting or validating winning
5 tickets or shares;

6 5. The manner and time of payment of prizes, which may include
7 lump-sum payments or installments over a period of years;

8 6. The manner of payment of prizes to the holders of winning
9 tickets or shares, including, without limitation, provision for
10 payment of prizes by retailers not exceeding Six Hundred Dollars
11 (\$600.00) after deducting the price of the ticket or share and after
12 performing validation procedures appropriate to the game and as
13 specified by the board. The board may provide for a limited number
14 of retailers who can pay prizes of up to Five Thousand Dollars
15 (\$5,000.00) after performing validation procedures appropriate to
16 the game and as specified by the board without regard to where the
17 ticket or share was purchased;

18 7. The frequency of games and drawings or selection of winning
19 tickets or shares;

20 8. The means of conducting drawings;

21 9. The method to be used in selling tickets or shares;

22 10. The manner and amount of compensation to lottery retailers;

23 and

1 11. Any other matters necessary to ensure the efficient and
2 effective operation of lottery games, the continued entertainment
3 and convenience of the public, and the integrity of the lottery.

4 The board of trustees shall not permit the operation of any
5 lottery game using a video lottery machine. "Video lottery machine"
6 means any electronic video game machine that, upon furnishing of
7 consideration, is available to play or simulate the play of a video
8 game, including, but not limited to, bingo and games conducted
9 pursuant to the Oklahoma Charity Games Act, poker, blackjack, slot
10 machines, pulltab machines, card games, dice, dominos, roulette
11 wheels, or other similar forms of gambling, or games where winners
12 are determined by the outcome of a sports contest, using a video
13 display and microprocessors in which the player may receive free
14 games or credits that can be redeemed for cash, coins or tokens, or
15 that directly dispenses cash, coins or tokens.

16 SECTION 2. NEW LAW A new section of law to be codified
17 in the Oklahoma Statutes as Section 724.1 of Title 3A, unless there
18 is created a duplication in numbering, reads as follows:

19 A. The Oklahoma Lottery Commission shall withhold the amount of
20 delinquent debt as established by the Department of Human Services
21 from the lottery prize monies won by an individual pursuant to
22 Section 710 of Title 3A of the Oklahoma Statutes.

1 B. The Oklahoma Lottery Commission shall pay the monies
2 withheld from the lottery prize, as provided in subsection A of this
3 section, to the Oklahoma Department of Human Services, not to exceed
4 the amount of debt established by the Oklahoma Department of Human
5 Services.

6 C. The Commission for Human Services shall promulgate rules to
7 define the debts that will be submitted to the Oklahoma Lottery
8 Commission for withholding.

9 D. The Commission for Human Services shall develop procedures
10 for notifying the Oklahoma Lottery Commission of the debts that
11 should be processed for withholding. The information on debt
12 withholding will be reported to the Oklahoma Lottery Commission on a
13 periodic basis and should include, but not be limited to:

14 1. Identification of the individuals who have been determined
15 to be delinquent in the repayment of debt established by the
16 Oklahoma Department of Human Services; and

17 2. The amounts of debt to be withheld by the Oklahoma Lottery
18 Commission.

19 E. The Oklahoma Lottery Commission shall provide a report to
20 the Oklahoma Department of Human Services upon withholding that
21 includes, but is not limited to, the following information:

22 1. Identification of the individuals who have had monies
23 withheld; and

1 2. The amount of monies that will be paid to the Oklahoma
2 Department of Human Services to be applied to the established debt.

3 SECTION 3. It being immediately necessary for the preservation
4 of the public peace, health and safety, an emergency is hereby
5 declared to exist, by reason whereof this act shall take effect and
6 be in full force from and after its passage and approval.

7 COMMITTEE REPORT BY: COMMITTEE ON FINANCE, dated 4-5-05 - DO PASS.