

STATE OF OKLAHOMA

1st Session of the 50th Legislature (2005)

HOUSE BILL 1649

By: Winchester

AS INTRODUCED

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 Education Lottery Act; 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; prohibiting purchase of lottery tickets with certain assistance; providing for punishment; prohibiting sale of lottery tickets to certain persons; 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 cards, charge cards, debit cards, or any form of deferred payment is prohibited;

3. The number and amount of prizes;

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

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

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

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

8. The means of conducting drawings;

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

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

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

The board of trustees shall not permit the operation of any lottery game using a video lottery machine. "Video lottery machine" means any electronic video game machine that, upon furnishing of consideration, is available to play or simulate the play of a video game, including but not limited to, bingo and games conducted pursuant to the Oklahoma Charity Games Act, poker, blackjack, slot machines, pulltab machines, card games, dice, dominos, roulette wheels, or other similar forms of gambling, or games where winners are determined by the outcome of a sports contest, using a video

display and microprocessors in which the player may receive free games or credits that can be redeemed for cash, coins or tokens, or that directly dispenses cash, coins or tokens.

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

A. The Oklahoma Lottery Commission shall withhold the amount of assistance as reported by the Department of Human Services from the lottery prize monies won by an individual pursuant to Section 710 of Title 3A of the Oklahoma Statutes in the following circumstances:

1. The individual received assistance from the Department of Human Services;

2. The individual has been determined to be ineligible, or partially ineligible to receive assistance from the Department and the determination is final and not subject to further appeal; and

3. The individual is delinquent in reimbursing the Department for receipt of assistance.

B. The Oklahoma Lottery Commission shall pay the monies withheld from the lottery prize, as provided in paragraph A of this section, to the Department, not to exceed the amount of assistance received by the individual.

C. The Department shall provide a monthly report to the Oklahoma Lottery Commission and the report shall contain the following:

1. The names of the individuals who have been finally determined to be delinquent in the repayment of erroneously paid assistance; and

2. The amounts of assistance to be withheld by the Oklahoma Lottery Commission.

D. As used in this act, "assistance" means any person eligible for assistance pursuant to the requirements of Section 164 of Title 56 of the Oklahoma Statutes.

SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 726.1 of Title 3A, unless there is created a duplication in numbering, reads as follows:

A. A person who intentionally purchases a lottery ticket with a debit card or any other assistance issued by the Department of Human Services shall, upon conviction, be guilty of a misdemeanor.

B. A person who intentionally accepts payment for the purchase of a lottery ticket with a debit card or any other assistance issued by the Department of Human Services shall, upon conviction, be guilty of a misdemeanor.

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

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