

EHB 2333

THE STATE SENATE
Monday, April 5, 2010

ENGROSSED

House Bill No. 2333

As Amended

ENGROSSED HOUSE BILL NO. 2333 - By: McDaniel (Randy) of the House and Newberry of the Senate.

An Act relating to lotteries; amending Section 4, Chapter 336, O.S.L. 2007 (3A O.S. Supp. 2009, Section 724.3), which relates to withholding in excess of prize; providing for withholding and payment of delinquent debt from the Oklahoma Employment Security Commission; providing for promulgation of rules; requiring development of certain procedures; requiring certain report; providing for priority of delinquent debt withholding; providing for codification; providing an effective date; and declaring an emergency.

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

SECTION 1. AMENDATORY Section 4, Chapter 336, O.S.L. 2007 (3A O.S. Supp. 2009, Section 724.3), is amended to read as follows:

Section 724.3 ~~In the event~~ A. The Oklahoma Lottery Commission shall withhold the total withholdings from amount of delinquent debt as established by the Oklahoma Employment Security Commission from the lottery prizes required by prize monies won by an individual pursuant to Section 724.1 710 of Title 3A of the Oklahoma Statutes and Section 3 of this act exceed the amount of the prize remaining after deduction of the required state and federal income tax withholdings, the amount withheld pursuant to Section 724.1 of Title

1 ~~3A of the Oklahoma Statutes shall take precedence and any remaining~~
2 ~~prize amount, if any, shall be applied to the withholdings required~~
3 ~~pursuant to Section 3 of this act.~~

4 B. The Oklahoma Lottery Commission shall pay the monies
5 withheld from the lottery prize, as provided in subsection A of this
6 section, to the Oklahoma Employment Security Commission, not to
7 exceed the amount of debt established by the Oklahoma Employment
8 Security Commission.

9 C. The Oklahoma Employment Security Commission shall promulgate
10 rules to define the debts that will be submitted to the Oklahoma
11 Lottery Commission for withholding.

12 D. The Oklahoma Employment Security Commission shall develop
13 procedures for timely notifying the Oklahoma Lottery Commission of
14 the debts that should be processed for withholding. The information
15 on debt withholding shall be reported to the Oklahoma Lottery
16 Commission on a periodic basis and should include, but not be
17 limited to:

18 1. Identification of the persons who have been determined to be
19 delinquent in the repayment of debt established by the Oklahoma
20 Employment Security Commission; and

21 2. The amounts of debt to be withheld by the Oklahoma Lottery
22 Commission.

1 E. The Oklahoma Lottery Commission shall provide a report to
2 the Oklahoma Employment Security Commission upon withholding that
3 includes, but is not limited to, the following information:

4 1. Identification of the persons who have had monies withheld;
5 and

6 2. The amount of monies that shall be paid to the Oklahoma
7 Employment Security Commission to be applied to the established
8 debt.

9 SECTION 2. NEW LAW A new section of law to be codified
10 in the Oklahoma Statutes as Section 724.4 of Title 3A, unless there
11 is created a duplication in numbering, reads as follows:

12 If the total withholdings from lottery prizes required by
13 Oklahoma law exceed the amount of the prize remaining after
14 deduction of the required state and federal income tax withholdings,
15 the withholdings shall be made in the following order:

16 1. Withholdings to the Department of Human Services pursuant to
17 Section 724.1 of Title 3A of the Oklahoma Statutes.

18 2. Withholdings to the Oklahoma Tax Commission pursuant to
19 Section 724.2 of Title 3A of the Oklahoma Statutes; and

20 3. Withholdings to the Oklahoma Employment Security Commission
21 pursuant to Section 1 of this act.

22 SECTION 3. This act shall become effective July 1, 2010.

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

5 COMMITTEE REPORT BY: COMMITTEE ON BUSINESS & LABOR, dated 3-29-10 -
6 DO PASS, As Amended and Coauthored.