

SENATE, No. 1286

STATE OF NEW JERSEY

INTRODUCED JUNE 3, 1996

By Senators CAFIERO, EWING and Bryant

1 AN ACT concerning lottery prizes and amending and supplementing
2 P.L.1991, c.384.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

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7 1. Section 1 of P.L.1991, c.384 (C.5:9-13.1) is amended to read as
8 follows:

9 1. The Director of the Division of the State Lottery in the
10 Department of the Treasury [and], the Director of the Division of
11 [Economic Assistance] Family Development in the Department of
12 Human Services and the Clerk of the Superior Court of the State of
13 New Jersey shall initiate an ongoing data exchange in the Office of
14 Telecommunications and Information Systems in the Department of
15 the Treasury before a payment is made of a State lottery prize in
16 excess of [\$2,500] \$1,000.

17 (cf. P.L.1991, c.384, s.1)

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19 2. Section 2 of P.L.1991, c.384 (C.5:9-13.2) is amended to read as
20 follows:

21 2. The Director of the Division of [Economic Assistance] Family
22 Development and the Clerk of the Superior Court, as appropriate, shall
23 periodically supply the Office of Telecommunications and Information
24 Systems with a list of:

25 a. those individuals in arrears of a court ordered child support
26 obligation; [and]

27 b. those former recipients of Aid to Families with Dependent
28 Children, pursuant to P.L.1959, c.86 (C.44:10-1 et seq.), food stamp
29 benefits issued pursuant to Pub.L. 95-113, Title XIII (7 U.S.C. §2011
30 et seq.), or low-income home energy assistance benefits issued
31 pursuant to Pub.L. 97-35, Title XXVI (42 U.S.C. §8621 et seq.) who
32 incurred an overpayment which has not been repaid; and

33 c. those individuals in arrears of a court ordered alimony payment.

34 (cf. P.L.1991, c.384, s.2)

EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and intended to be omitted in the law.

Matter underlined thus is new matter.

1 3. Section 4 of P.L.1991, c.384 (C.5:9-13.4) is amended to read as
2 follows:

3 4. The Office of Telecommunications and Information Systems
4 shall cross check the lottery list with the data supplied by the Director
5 of the Division of ~~[Economic Assistance] Family Development and the~~
6 ~~Clerk of the Superior Court~~ for a social security number match. If a
7 match is made, the Office of Telecommunications and Information
8 Systems shall notify the Division of ~~[Economic Assistance] Family~~
9 ~~Development and the Clerk of the Superior Court, as appropriate.~~
10 (cf. P.L.1991, c.384, s.4)

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12 4. Section 5 of P.L.1991, c.384 (C.5:9-13.5) is amended to read as
13 follows:

14 5. If a lottery prize claimant is in arrears of a child support order,
15 ~~an alimony order~~, or is a former recipient of Aid to Families with
16 Dependent Children, food stamp benefits or low-income home energy
17 assistance benefits who has incurred an overpayment which has not
18 been repaid, the Division of ~~[Economic Assistance] Family~~
19 ~~Development or the Clerk of the Superior Court, as appropriate~~, shall
20 promptly notify the Department of the Treasury and the Division of
21 the State Lottery of the claimant's name, address, social security
22 number and amount due on an arrears child support order, ~~an arrears~~
23 ~~alimony order~~ or the amount due on an overpayment. The Department
24 of the Treasury shall withhold this amount from the pending lottery
25 payment and transmit same to the Department of Human Services, ~~the~~
26 ~~Clerk of the Superior Court~~ or appropriate county probation
27 department, as the case may be, in accordance with regulations
28 promulgated by the State Treasurer.
29 (cf. P.L.1991, c.384, s.5)

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31 5. Section 6 of P.L.1991, c.384 (C.5:9-13.6) is amended to read as
32 follows:

33 6. The county welfare agency which provided the public assistance
34 benefits, ~~the court which issued the alimony order~~, or the county
35 probation office, acting as agent for the child support payee, shall have
36 a lien on the proceeds of the State lottery prize in an amount equal to
37 the amount of child support arrearage, ~~the amount of alimony~~
38 ~~arrears~~, or the amount of overpayment incurred.

39 The lien imposed by this act shall be enforceable in the Superior
40 Court.

41 (cf. P.L.1991, c.384, s.6)

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43 6. Section 9 of P.L. 1991, c. 384 (C. 5:9-13.9) is amended to read
44 as follows:

45 9. The costs associated with or necessary for the implementation
46 of P.L.1991, c.384 (C.5:9-13.1 et seq.) shall be borne by the Division

1 of [Economic Assistance] Family Development in the Department of
2 Human Services and the Administrative Office of the Courts.
3 (cf. P.L.1991, c.384, s.9)

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5 7. (New section) The alimony collected as a result of the data
6 exchange between the Division of State Lottery and the Clerk of the
7 Superior Court shall be distributed only after any child support
8 arrearage is collected from the lottery prize and is distributed to the
9 custodial parent.

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11 8. This act shall take effect immediately.

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14 STATEMENT

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16 This bill amends P.L.1991, c.384 (C.5:9-13.1 et seq.) to allow the
17 withholding of lottery prizes to satisfy alimony arrearages. The data
18 exchange between the Department of the Treasury and the Clerk of the
19 Superior Court would begin at a threshold of \$1,000. The Clerk of
20 the Superior Court would be required to provide the Office of
21 Telecommunications and Information Services with the names of
22 individuals who are behind in alimony payments, social security
23 numbers and the amount of the alimony arrearage. This information
24 would then be cross-referenced with the list of prize winners generated
25 by the State Lottery. If a match is made, the Department of the
26 Treasury would be required to notify the Superior Court and withhold
27 the amount owed from the pending lottery award.

28 The bill also updates references to the Division of Economic
29 Assistance whose name has been changed to the Division of Family
30 Development.

31 Finally, the bill requires that the alimony collected as a result of the
32 data exchange be distributed only after any child support arrearage is
33 collected from a lottery prize and is distributed to the custodial parent.

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38 Provides lottery prizes over \$1,000 be offset to satisfy alimony
39 arrearages.