

BILL ANALYSIS

Senate Research Center

H.B. 2424
By: Puente (Wentworth)
State Affairs
5-12-97
Engrossed

DIGEST

Under current law, the Texas Lottery Commission is authorized to deduct from a person's winnings for delinquent child support only if the child support payments are administered or collected by the attorney general. This bill will provide regulations regarding deductions from lottery winnings and compensation of the amount of certain child support, taxes, and other payments.

PURPOSE

As proposed, H.B. 2424 provides regulations regarding deductions from lottery winnings and compensation of the amount of certain child support, taxes, and other payments.

RULEMAKING AUTHORITY

Rulemaking authority is granted to the Texas Lottery Commission in SECTIONS 1 and 2 (Sections 466.4075(e) and 466.358(e), Government Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 466I, by adding Section 466.4075, as follows:

Sec. 466.4075. DEDUCTIONS OF CHILD SUPPORT FROM CERTAIN LOTTERY WINNINGS. Provides that this section applies only to a prize that is required to be paid in periodic installments and is awarded by the director of the lottery division established by the commission under Chapter 467 (director) under Section 466.402(b). Sets forth regulations regarding deductions of child support from lottery winnings. Requires the Texas Lottery Commission (commission) to adopt rules under this section that allow a person with a court order under Chapter 157 or 158, Family Code, to file copies of the order with the commission; and describe the procedures used by the commission to compare the list of persons winning periodic installment prizes under Section 466.402(b) with a list of obligors compiled from orders filed under Subdivision (1) and to make the deductions required under this section.

SECTION 2. Amends Section 466.358, Government Code, by adding Subsections (c)-(e), to require the executive director of the commission (executive director) to deduct the amount of a delinquent tax or other money from the payments made as compensation to a sales agent who has been finally determined to meet certain requirements. Requires the director to pay the balance to the sales agent if a sales agent's compensation exceeds a delinquency under Subsection (c). Requires certain persons to each provide the executive director with a report of persons who have been finally determined to be delinquent in the payment of a tax or other money collected by the agency. Requires the commission to adopt rules regarding the form and frequency of reports under this section.

SECTION 3. Amends Sections 466.407(a) and (c), Government Code, to require the executive director to deduct the amount of a delinquent tax or other money from the winnings of a person who has been finally determined to be delinquent in the payment of a tax or other money collected by the Texas Workforce Commission, rather than the state treasurer. Makes a conforming change.

SECTION 4. Emergency clause.
Effective date: upon passage.