

2001 DRAFTING REQUEST

Bill

Received: **10/02/2000**

Received By: **isagerro**

Wanted: **As time permits**

Identical to LRB:

For: **Administration-Budget**

By/Representing: **Geisler**

This file may be shown to any legislator: **NO**

Drafter: **isagerro**

May Contact:

Alt. Drafters:

Subject: **Gambling - lottery**

Extra Copies:

Pre Topic:

DOA:.....Geisler -

Topic:

Multiple payees of lottery prize

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	isagerro 10/05/2000	jdyer 10/05/2000		_____			S&L
/1			pgreensl 10/06/2000	_____	lrb_docadmin 10/06/2000		S&L
/2	isagerro 10/16/2000	jdyer 10/17/2000	rschluet 10/17/2000	_____	gretskl 10/17/2000		S&L
	isagerro 12/26/2000	jdyer 12/26/2000		_____			
/3			pgreensl 12/27/2000	_____	lrb_docadmin 12/27/2000		

Vers. Drafted Reviewed Typed Proofed Submitted Jacketed Required

FE Sent For:

<END>

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/?	isagerro 10/05/2000	jdyer 10/05/2000					S&L
/1			pgreensl 10/06/2000	<u>12/27</u> <u>PG/KM</u>	lrb docadmin 10/06/2000		S&L
/2	isagerro 10/16/2000	jdyer 10/17/2000	rschlue 10/17/2000		gretskl 10/17/2000		

FE Sent For:

13 12/26 jld

12/27
pgs.

<END>

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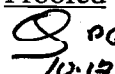
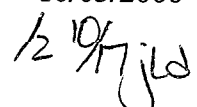
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/?	isagerro 10/05/2000	jdyer 10/05/2000	 10-17-00	 10-17-00			S&L
/1		 10/17/00	pgreensl 10/06/2000		lrb_docadmin 10/06/2000		

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1/1	isagerro	10/5 JW	10/6 PGI	10/6 PGI KM			

FE Sent For:

<END>

Legislative Proposal Summary
Wisconsin Department of Revenue
Lottery Division

June 15, 2000

TITLE: Multiple Payees of Lottery Prize

LOT 3

01-0610
*Per Jeff Geisler 10/2/00
6-1805
-redraft 99-5004/1

SUMMARY OF RECOMMENDATION:

Clarify that a lottery prize winner must obtain a court order before the Lottery will split lottery prize payments. Currently the Lottery allows split payments through an internal procedure called "club payments." Current law states that a prize may be split under a court order; the Lottery would like the statute to state that a prize may split "only under a court order." With this change, a court order would be required to split lottery prizes, and the Lottery would no longer use its "club payments" procedure.

DESCRIPTION OF CURRENT LAW AND PROBLEM

Existing language is not explicit concerning situations where "groups" or "clubs" of several persons want to split lottery prize-winning payments. The Lottery currently performs a procedure called "club payments" which are difficult to reconcile with existing statute under s.565.30(1); there is only one winner but several persons receive taxation forms from the Lottery based on a list provide by the one winner. If the winner decides on a whim not to share the prize, the Lottery may find it difficult to avoid bad public relations if forced to appear in court in a high profile proceeding related to a large jackpot. Additionally, the Lottery may also find it difficult to ensure that the appropriate level of taxation has been withheld if there are future changes in taxation law at the state or federal level.

Currently, it appears that these "clubs" in effect avoid getting a court order that may be required by law under s.565.30(1). This procedure could expose the Lottery to legal appearances in the future if members of a club can no longer amicably resolve the dividing up of the prize. Additionally, some persons who do (or do not) search out a court order may perceive that they were treated differently under the law and this may cause confusion. To ensure that the Lottery is not unnecessarily involved in these proceedings, and to provide clarity, a change in the language of the statute is necessary.

ADMINISTRATIVE IMPACT/FISCAL EFFECT

The current practice by the Lottery of honoring "club" information would stop if this proposal were adopted. By their nature, clubs appear to allow winners to bend the law regarding prize winnings. The Lottery would no longer honor such a process – a court order would be mandatory.

Clubs take up more administrative processing time and paperwork than regular group court orders, and unnecessarily expose the Lottery to possible court proceedings that could become expensive. Overall, the elimination of the clubs practice would save administrative time, simplify the procedures of validation, and reduce fiscal risks.

DRAFTING INSTRUCTIONS

Under s.565.30(1), delete "...except that a prize may be paid to another person under a court order.." and replace with "...except that a prize shall be paid to another person or persons or organization only under a court order.."

See LRB 5004/1, attached. This draft is currently being reviewed by DOR technical and legal staff. Their comments will be available soon.

EFFECTIVE DATE AND/OR INITIAL APPLICABILITY

The effective date and initial applicability are immediate. As soon as the change is made, the new language can apply. There is, however, no policy deadline date by which the change must occur.

DOR CONTACT PERSON

James Amberson, 267-4840, jjambers@dor.state.wi.us

PREPARED BY

James Amberson, 267-4840, jjambers@dor.state.wi.us

DOH Budget

RM not run

1999 BILL

Soon

CAPS

Gambling

Regen not

1 AN ACT to renumber and amend 565.30 (1); and to create 565.30 (2g) of the
2 statutes; relating to: the ^{budget} payment of a lottery prize.

Analysis by the Legislative Reference Bureau

Currently, the administrator of the lottery (administrator) is required to pay a lottery prize to the holder of a winning lottery ticket or to a person who is designated to receive the prize on behalf of a minor. Current law permits the administrator to pay a lottery prize to another person under a court order or to the estate of a deceased prize winner.

This bill requires that, if the holder of a single winning ticket is more than one person, those persons must petition a circuit court for an order declaring each person's interest in the lottery prize. The order must contain the name and social security number of each person whom the court determines has an interest in the prize and the amount of each person's share of the prize. Finally, the bill requires the administrator to pay a lottery prize to a person under the terms of any court order.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

3 SECTION 1. 565.30 (1) of the statutes, ^X as affected by 1999 Wisconsin Act 9, is
4 renumbered 565.30 (1) (a) and amended to read:

BILL

SECTION 1

1 565.30 (1) (a) The administrator shall direct the payment of a prize, in the form
 2 elected under s. 565.28, if applicable, to the holder of the winning lottery ticket or
 3 lottery share ~~or~~, to a person designated under sub. (2) ^{plain} ~~except that a prize may be paid~~
 4 ~~to another person under a court order or to a person under the terms of a court order,~~
 5 including an order issued under sub. (2g).

6 (b) Notwithstanding par. (a), the administrator may direct the payment of a
 7 prize, in the form elected under s. 565.28, if applicable, to the estate of a deceased
 8 prize winner.

9 (c) The department, administrator, state and any contractor for materials,
 10 equipment or services of the game in which the prize is won are discharged of all
 11 liability upon payment of the prize to the holder of a winning lottery ticket or lottery
 12 share a person under par. (a) or (b).

13 **SECTION 2.** 565.30 (2g) of the statutes is created to read:

14 565.30 (2g) MULTIPLE PAYEES OF A PRIZE. (a) If the holder of a single winning
 15 lottery ticket or lottery share is more than one person, those persons shall petition
 16 a circuit court for an order declaring each person's interest in the lottery prize.

17 (b) An order issued under par. (a) shall include all of the following:

18 1. The name and social security number of each person whom the court
 19 determines has an interest in the prize.

20 2. The amount of each person's share of the lottery prize.

21 **SECTION 3. Initial applicability.** ^{9344 (B)} ^{revenue (B)}

22 (1) ~~This act~~ first applies to lottery prizes won on the effective day of this
 23 subsection.

24 (END)

(1) of the statutes
The treatment of section 565.30 (1) and (2g) ~~is~~

RWF

Fix component



RMR

DOA:.....Geisler – Multiple payees of lottery prize

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

NOTE
Section

only correction
pg 2, line 22

don't gen

1 AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau

GAMBLING

Currently, the administrator of the lottery (administrator) is required to pay a lottery prize to the holder of a winning lottery ticket or to a person who is designated to receive the prize on behalf of a minor. Current law permits the administrator to pay a lottery prize to another person under a court order or to the estate of a deceased prize winner.

This bill requires that, if the holder of a single winning ticket is more than one person, those persons must petition a circuit court for an order declaring each person's interest in the lottery prize. The order must contain the name and social security number of each person whom the court determines has an interest in the prize and the amount of each person's share of the prize. Finally, the bill requires the administrator to pay a lottery prize to a person under the terms of any court order.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

2 SECTION 1. 565.30 (1) of the statutes is renumbered 565.30 (1) (a) and amended

3 to read:

D-NOTE

October 16, 2000

This "1/2" version corrects a technical error in
⁽⁵⁾
Section 9344 (1) of the bill.

JSR

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0610/2dn
ISR:jld:rs

October 17, 2000

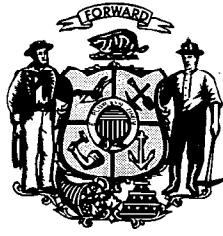
This "/2" version corrects a technical error in SECTION 9344 (1) of the bill.

Ivy G. Sager-Rosenthal
Legislative Attorney
Phone: (608) 261-4455
E-mail: ivy.sager-rosenthal@legis.state.wi.us

STATE OF WISCONSIN
DEPARTMENT OF ADMINISTRATION
101 East Wilson Street, Madison, Wisconsin

TOMMY G. THOMPSON
GOVERNOR

GEORGE LIGHTBOURN
SECRETARY



Division of Executive Budget and Finance
Post Office Box 7864
Madison, WI 53707-7864
Voice (608) 266-1736
Fax (608) 267-0372
TTY (608) 267-9629

Date: December 18, 2000

To: Steve Miller, LRB

From: Jeffrey A. Geisler, DOA
266-1805

A handwritten signature in black ink, appearing to read "J. Geisler".

Subject: Multiple Payees of Lottery Prizes Statutory Language Draft

Please revise LRB 0610/1 to incorporate the attached comments of Mr. James Amberson of the Department of Revenue. Specifically, the draft should be revised to

- specify that the Lottery is not actually a party to any dispute that arises between/among multiple winners, and that any court order must indicate this;
- set a threshold of \$1,000 prize value at which the Lottery shall require a court order;
- require that the Lottery will state, in all its game features and procedures documents as indicated under s.565.27, that for any prize which is group-claimed and is below the threshold value, that all claimants to that prize will provide their social security number to the Lottery and
- require the Lottery to amend its existing game features and procedures to include the treatment of below-threshold multiple winners of a lottery prize with an effective date of 60 days after the effective date of the legislation.

Please call me (6-1805) if you have questions.

Thanks

**James*

→ So that for group winners, ^{even} if prize is under \$1000 or if their portion is under \$1000.

Geisler, Jeffrey

From: Gates-Hendrix, Sherrie
Sent: Thursday, December 07, 2000 2:28 PM
To: Geisler, Jeffrey
Subject: Multiple Payees of Lottery Prize (LRB 5004/1)

Hi Jeff ---

If it's of interest, I'm copying below the comments of James Amberson on LRB 5004/1, a draft that was attached to one of our statutory language requests for the budget. Subject: multiple payees of lottery prize. If you have any questions, feel free to contact either me or James directly.

Hope all is going well. Happy holidays...

Sherrie

1. **Type of Taxes Affected:** Personal income; this proposal allows more than one payee of a Lottery prize, and may also result in collection of additional delinquent fees, taxes or other revenues owed to the state by winners of Lottery prizes who have been checked by the Lottery for withholding of delinquency under s.565.30 (5).
2. **Description of the Bill:** Allows for the payment of a Lottery prize to more than one winning person only if the group or "club" of individuals presents the Lottery with a complete court order delineating the payment structure and including their social security numbers.
3. **Statutory language problems, if any:** Yes No

The bill language is clear, but two issues require addressing. The first issue is that the draft needs language that specifies that the Lottery is not actually a party to any dispute that arises between/among multiple winners, and that any court order must indicate thus.

The draft also needs language that indicates a threshold amount of prize value at which the Lottery shall require a court order. This threshold is currently suggested to be \$1000, to be consistent with s.565.30 (5). The threshold amount of prize value would keep any costs associated with seeking the court order from becoming a burden upon the group or club of individuals. It is possible, in rare circumstances, that the cost of a court order could exceed the value of the prize if the prize were of a lesser amount.

Related to this, the language should also include a requirement that the Lottery will state, in all its game features and procedures documents as indicated under s.565.27, that for any prize which is group-claimed and is below the threshold value, that all claimants to that prize will provide their social security number to the Lottery. The social security number will then be used by the Lottery to complete all delinquency checks that are required under s. 565.30(5). Language should also generate an amendment to s.565.27 to indicate that the "below-threshold treatment" of group winners is a requirement of all game features and procedures documents.

1. **Effective date problems, if any, including transitional problems:** Yes No

The effective date statement should provide language that requires the Lottery to have amended all its existing game features and procedures as delineated under s.565.27, the amendment to include the treatment of below-threshold multiple winners of a lottery prize as indicated above. Effective date could be as soon as all features and procedures amendments have been made, or within 60 days after the effective date of the legislation, whichever is earlier.

* James Amberson 12/20/00 7-4890

- agrees specific language, that lottery not liable
w/it necessary if multiple payees are
required to get court order

- should clarify that if total prize is \$1000 or more,
all members of prize group must give SSN for
purposes of conducting checks under s. 565.30(5)
- e.g. 5 winners, total prize = \$1000 \therefore ea.
winner gets \$200, each winner
still subject to s. 565.30(5)

if total prize below \$1000, then no check under
s. 565.30(5)

* Jeff Geisler 12/20/00

- OK w/ changes discussed w/ James Amberson

SOON

DOA:.....Geisler - Multiple payees of lottery prize

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

if a lottery prize is equal to or greater than \$1,000

Also under current law, the administrator is required to report the name, address, and social security number or federal income tax number of the winner or persons to whom the prize has been assigned, to DOR to determine whether the winner or assignee is delinquent in state taxes or court-ordered child support. The administrator must also report the name, address, and social security number or federal income tax number of

If a lottery prize is payable in installments

don't gen

1 AN ACT ...; relating to: the budget. the winner or assignee to DWD to determine whether the winner or assignee is obligated to pay court-ordered child, spousal, or family support and to each clerk of circuit court to determine whether the winner or assignee owes any court-ordered fines, assessments, or restitution.

Analysis by the Legislative Reference Bureau

GAMBLING in this state

Currently, the administrator of the lottery (administrator) is required to pay a lottery prize to the holder of a winning lottery ticket or to a person who is designated to receive the prize on behalf of a minor. Current law permits the administrator to pay a lottery prize to another person under a court order or to the estate of a deceased prize winner.

and the total amount of the prize is equal to or greater than \$1,000

This bill requires that, if the holder of a single winning ticket is more than one person, those persons must petition a circuit court for an order declaring each person's interest in the lottery prize. The order must contain the name and social security number of each person whom the court determines has an interest in the prize and the amount of each person's share of the prize. Finally, the bill requires the administrator to pay a lottery prize to a person under the terms of any court order.

Insert A-1

For further information see the **state and local** fiscal estimate, which will be printed as an appendix to this bill.

whom a court has determined has an interest in the prize

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

2 SECTION 1. 565.30 (1) of the statutes is renumbered 565.30 (1) (a) and amended

3 to read:

Share of the prize as specified in

Except as provided in sub. (2g)(c), the

1 565.30 (1) (a) ~~The~~ administrator shall direct the payment of a prize, in the form
 2 elected under s. 565.28, if applicable, to the holder of the winning lottery ticket or
 3 lottery share or, to a person designated under sub. (2), ~~except that a prize may be paid~~
 4 ~~to another person under a court order or~~ to a person under the terms of a court order,
 5 ~~including~~ other than (an order issued under sub. (2g)).

6 (b) Notwithstanding par. (a), the administrator may direct the payment of a
 7 prize, in the form elected under s. 565.28, if applicable, to the estate of a deceased
 8 prize winner.

9 (c) The department, administrator, state and any contractor for materials,
 10 equipment or services of the game in which the prize is won are discharged of all
 11 liability upon payment of the prize to ~~the holder of a winning lottery ticket or lottery~~
 12 share a person under par. (a) or (b). or sub. (2g)

SECTION 2. 565.30 (2g) of the statutes is created to read:

14 565.30 (2g) MULTIPLE PAYEES OF A PRIZE. (a) If the holder of a single winning
 15 lottery ticket or lottery share is more than one person, ^{and the total amount of the prize is} those persons shall petition ^{equal to or}
 16 a circuit court for an order declaring each person's interest in the lottery prize. ^{greater than} \$1,000

17 (b) An order issued under par. (a) shall include all of the following:

- 18 1. The name and social security number of each person whom the court
 19 determines has an interest in the ^{lottery} prize.
- 20 2. The amount of each person's share of the lottery prize.

SECTION 9344. Initial applicability; revenue.

22 (1) MULTIPLE PAYEES OF A LOTTERY PRIZE. The treatment of section 565.30 (1) (2g) ^{(5), (5m) and} ^(5r)
 23 of the statutes first applies to lottery prizes won on the effective day of this
 24 subsection.

(END)

Insert 2-20

lottery
(a),
(a)

2001-2002 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0610/3ins
ISR:.....

Insert A-1

Ⓝ Finally, the bill requires the administrator to report to DOR the name, address, and social security number or federal income tax number of any person who is paid a share of a lottery prize if the total amount of the lottery prize is equal to or greater than \$1000 and to report to DWD and each clerk of circuit court in ^{this} the state the name, address and social security number or federal income tax number of any person who receives a share of a lottery prize that is payable in installments.

Insert 2-20

(c) After a court order has been issued under this subsection, the administrator shall pay to each person whom the court has determined has an interest in the lottery prize, in the form elected under s. 565.28, if applicable, his or her share of the lottery prize as specified in the court order.

SECTION 1. 565.30 (5) of the statutes is renumbered 565.30 (5) (a) and amended to read:

565.30 (5) (a) ~~The Except as provided in par. (b), the administrator shall report the name, address and social security number or federal income tax number of each winner of person to whom a lottery prize equal to or greater than \$1,000 and the name, address and social security number or federal income tax number of each will be paid under sub. (1)~~, person to whom a lottery prize equal to or greater than \$1,000 has been assigned, and person to whom a share of a lottery prize will be paid under sub. (2g) to the department of revenue to determine whether the payee or assignee of the prize is delinquent in the payment of state taxes under ch. 71, 72, 76, 77, 78

or 139 or, if applicable, in the court-ordered payment of child support or has a debt owing to the state.

(b) Upon receipt of a report under ~~this subsection~~ par. (a), the department of revenue shall first ascertain based on certifications by the department of workforce development or its designee under s. 49.855 (1) whether any person named in the report is currently delinquent in court-ordered payment of child support and shall next certify to the administrator whether any person named in the report is delinquent in court-ordered payment of child support or payment of state taxes under ch. 71, 72, 76, 77, 78 or 139. Upon this certification by the department of revenue or upon court order the administrator shall withhold the certified amount and send it to the department of revenue for remittance to the appropriate agency or person. At the time of remittance, the department of revenue shall charge its administrative expenses to the state agency that has received the remittance. The administrative expenses received by the department of revenue shall be credited to the appropriation under s. 20.566 (1) (h). In instances in which the payee or assignee of the prize is delinquent both in payments for state taxes and in court-ordered payments of child support, or is delinquent in one or both of these payments and has a debt owing to the state, the amount remitted to the appropriate agency or person shall be in proportion to the prize amount as is the delinquency or debt owed by the payee or assignee.

History: 1987 a. 119, 399; 1989 a. 31; 1989 a. 56 s. 259; 1989 a. 359; 1991 a. 269; 1993 a. 16, 481; 1995 a. 27 ss. 6981j, 6981k, 9126 (19); 1995 a. 225, 404; 1997 a. 3, 27, 35; 1997 a. 148 ss. 3 to 5; 1997 a. 191; 1999 a. 9, 185, 194.

SECTION 2. 565.30 (5m) (a) of the statutes is amended to read:

565.30 (5m) (a) The administrator shall report to the department of workforce development the name, address and social security number of each ~~winner of person~~ to whom a lottery prize that is payable in instalments will be paid under sub. (1) or

~~(2g) and the name, address and social security number or federal income tax number~~
of the of each person who has been assigned a lottery prize that is payable in instalments. Upon receipt of the report, the department of workforce development shall certify to the administrator whether any payee or assignee named in the report is obligated to provide child support, spousal support, maintenance or family support under s. 767.02 (1) (f) or (g), 767.10, 767.23, 767.25, 767.26, 767.261, 767.458 (3), 767.465 (2m), 767.477, 767.51 (3), 767.62 (4) or 948.22 (7) or ch. 769 and the amount required to be withheld from the lottery prize under s. 767.265. Subject to par. (b), the administrator shall withhold the certified amount from each payment made to the winner or assignee and remit the certified amount to the department of workforce development.

History: 1987 a. 119, 399; 1989 a. 31; 1989 a. 56 s. 259; 1989 a. 359; 1991 a. 269; 1993 a. 16, 481; 1995 a. 27 ss. 6981j, 6981k, 9126 (19); 1995 a. 225, 404; 1997 a. 3, 27, 35; 1997 a. 148 ss. 3 to 5; 1997 a. 191; 1999 a. 9, 185, 194.

SECTION 3. 565.30 (5r) (a) of the statutes is amended to read:

565.30 (5r) (a) Annually, the administrator shall provide each clerk of circuit court in the state with a list of the ~~winners~~ persons to whom a lottery prize that is payable in installments [✓] will be paid under sub. (1) or (2g) [✓] or assignees of persons to whom a lottery prize that is payable in instalments has been assigned. The list shall include each winner person to whom a lottery prize that is payable in [✓] installments will be paid under sub. (1) or (2g) or assignee since the date of the previous list.

History: 1987 a. 119, 399; 1989 a. 31; 1989 a. 56 s. 259; 1989 a. 359; 1991 a. 269; 1993 a. 16, 481; 1995 a. 27 ss. 6981j, 6981k, 9126 (19); 1995 a. 225, 404; 1997 a. 3, 27, 35; 1997 a. 148 ss. 3 to 5; 1997 a. 191; 1999 a. 9, 185, 194.



DOA:.....Geisler – Multiple payees of lottery prize

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

1 **AN ACT ...; relating to:** the budget.

Analysis by the Legislative Reference Bureau

GAMBLING

Currently, the administrator of the lottery (administrator) is required to pay a lottery prize to the holder of a winning lottery ticket or to a person who is designated to receive the prize on behalf of a minor. Current law permits the administrator to pay a lottery prize to another person under a court order or to the estate of a deceased prize winner.

Also under current law, if the value of a lottery prize is equal to or greater than \$1,000, the administrator is required to report the name, address, and social security number or federal income tax number of the winner or the person to whom the prize has been assigned (assignee), to DOR to determine whether the winner or assignee is delinquent in the payment of state taxes or court-ordered child support. If a lottery prize is payable in installments, the administrator must also report the name, address, and social security number or federal income tax number of the winner or assignee to DWD to determine whether the winner or assignee is obligated to pay court-ordered child, spousal, or family support and to each clerk of circuit court in this state to determine whether the winner or assignee owes any court-ordered fines, assessments, or restitution.

This bill requires that, if the holder of a single winning ticket is more than one person and the total amount of the prize is equal to or greater than \$1,000, those persons must petition a circuit court for an order declaring each person's interest in

the lottery prize. The court order must contain the name and social security number of each person whom the court determines has an interest in the prize and the amount of each person's share of the prize. The administrator is required to pay to a person whom a court has determined has an interest in the prize, his or her share of the prize as specified in the court order. Finally, the bill requires the administrator to report to DOR the name, address, and social security number or federal income tax number of any person who is paid a share of a lottery prize if the total amount of the lottery prize is equal to or greater than \$1,000 and to report to DWD and each clerk of circuit court in this state the name, address, and social security number or federal income tax number of any person who receives a share of a lottery prize that is payable in installments.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 SECTION 1. 565.30 (1) of the statutes is renumbered 565.30 (1) (a) and amended
2 to read:

3 565.30 (1) (a) The Except as provided in sub. (2g) (c), the administrator shall
4 direct the payment of a prize, in the form elected under s. 565.28, if applicable, to the
5 holder of the winning lottery ticket or lottery share or, to a person designated under
6 sub. (2), ~~except that a prize may be paid to another person under a court order or to~~
7 a person under the terms of a court order other than an order issued under sub. (2g).

8 (b) Notwithstanding par. (a), the administrator may direct the payment of a
9 prize, in the form elected under s. 565.28, if applicable, to the estate of a deceased
10 prize winner.

11 (c) The department, administrator, state and any contractor for materials,
12 equipment or services of the game in which the prize is won are discharged of all
13 liability upon payment of the prize to the holder of a winning lottery ticket or lottery
14 share a person under par. (a) or (b) or sub. (2g).

15 SECTION 2. 565.30 (2g) of the statutes is created to read:

1 565.30 (2g) MULTIPLE PAYEES OF A PRIZE. (a) If the holder of a single winning
2 lottery ticket or lottery share is more than one person and the total amount of the
3 lottery prize is equal to or greater than \$1,000, those persons shall petition a circuit
4 court for an order declaring each person's interest in the lottery prize.

5 (b) An order issued under par. (a) shall include all of the following:

6 1. The name and social security number of each person whom the court
7 determines has an interest in the lottery prize.

8 2. The amount of each person's share of the lottery prize.

9 (c) After a court order has been issued under this subsection, the administrator
10 shall pay to each person whom the court has determined has an interest in the lottery
11 prize, in the form elected under s. 565.28, if applicable, his or her share of the lottery
12 prize as specified in the court order.

13 **SECTION 3.** 565.30 (5) of the statutes is renumbered 565.30 (5) (a) and amended
14 to read:

15 565.30 (5) (a) ~~The~~ Except as provided in par. (b), the administrator shall report
16 the name, address and social security number or federal income tax number of each
17 ~~winner of person to whom~~ a lottery prize equal to or greater than \$1,000 ~~and the~~
18 ~~name, address and social security number or federal income tax number of each~~ will
19 be paid under sub. (1), person to whom a lottery prize equal to or greater than \$1,000
20 has been assigned, and person to whom a share of a lottery prize will be paid under
21 sub. (2g) to the department of revenue to determine whether the payee or assignee
22 of the prize is delinquent in the payment of state taxes under ch. 71, 72, 76, 77, 78
23 or 139 or, if applicable, in the court-ordered payment of child support or has a debt
24 owing to the state.

1 (b) Upon receipt of a report under ~~this subsection~~ par. (a), the department of
2 revenue shall first ascertain based on certifications by the department of workforce
3 development or its designee under s. 49.855 (1) whether any person named in the
4 report is currently delinquent in court-ordered payment of child support and shall
5 next certify to the administrator whether any person named in the report is
6 delinquent in court-ordered payment of child support or payment of state taxes
7 under ch. 71, 72, 76, 77, 78 or 139. Upon this certification by the department of
8 revenue or upon court order the administrator shall withhold the certified amount
9 and send it to the department of revenue for remittance to the appropriate agency
10 or person. At the time of remittance, the department of revenue shall charge its
11 administrative expenses to the state agency that has received the remittance. The
12 administrative expenses received by the department of revenue shall be credited to
13 the appropriation under s. 20.566 (1) (h). In instances in which the payee or assignee
14 of the prize is delinquent both in payments for state taxes and in court-ordered
15 payments of child support, or is delinquent in one or both of these payments and has
16 a debt owing to the state, the amount remitted to the appropriate agency or person
17 shall be in proportion to the prize amount as is the delinquency or debt owed by the
18 payee or assignee.

19 **SECTION 4.** 565.30 (5m) (a) of the statutes is amended to read:

20 565.30 (5m) (a) The administrator shall report to the department of workforce
21 development the name, address and social security number of each ~~winner of person~~
22 to whom a lottery prize that is payable in instalments will be paid under sub. (1) or
23 (2g) and the name, address and social security number or federal income tax number
24 of the of each person who has been assigned a lottery prize that is payable in
25 instalments. Upon receipt of the report, the department of workforce development

1 shall certify to the administrator whether any payee or assignee named in the report
2 is obligated to provide child support, spousal support, maintenance or family support
3 under s. 767.02 (1) (f) or (g), 767.10, 767.23, 767.25, 767.26, 767.261, 767.458 (3),
4 767.465 (2m), 767.477, 767.51 (3), 767.62 (4) or 948.22 (7) or ch. 769 and the amount
5 required to be withheld from the lottery prize under s. 767.265. Subject to par. (b),
6 the administrator shall withhold the certified amount from each payment made to
7 the winner or assignee and remit the certified amount to the department of workforce
8 development.

9 **SECTION 5.** 565.30 (5r) (a) of the statutes is amended to read:

10 565.30 (5r) (a) Annually, the administrator shall provide each clerk of circuit
11 court in the state with a list of the ~~winner~~ persons to whom a lottery prize that is
12 payable in installments will be paid under sub. (1) or (2g) or assignees of persons to
13 whom a lottery prize that is payable in instalments has been assigned. The list shall
14 include each ~~winner~~ person to whom a lottery prize that is payable in installments
15 will be paid under sub. (1) or (2g) or assignee since the date of the previous list.

16 **SECTION 9344. Initial applicability; revenue.**

17 (1) MULTIPLE PAYEES OF A LOTTERY PRIZE. The treatment of section 565.30 (1),
18 (2g), (5), (5m) (a), and (5r) (a) of the statutes first applies to lottery prizes won on the
19 effective day of this subsection.

20

(END)