

BILL ANALYSIS

H.B. 59
By: Guillen
Licensing & Administrative Procedures
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Concerned parties note that winners of large lottery prizes too often become targets for burglary, theft, and requests for monetary assistance from distant friends and family members due to the media attention given to such winners. H.B. 59 seeks to address this issue by giving certain lottery prize winners the ability to remain anonymous and prohibit personally identifiable information from being released to the public.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the Texas Lottery Commission in SECTION 1 of this bill.

ANALYSIS

H.B. 59 amends the Government Code to authorize a natural person who is a prize winner of a lottery prize in an amount equal to \$1 million or more or who is an owner of a beneficial interest in a legal entity that is a prize winner of a lottery prize in an amount equal to \$1 million or more, on the date the winner claims the prize, to choose to remain anonymous and prohibit all personally identifiable information from being released to the public. For purposes of determining the threshold to establish a prize winner's prerogative to choose to remain anonymous under the bill's provisions, the amount of a lottery prize is the total amount of prize money paid to a prize winner for a single lottery prize claim, whether paid in one payment or in periodic installments, before deducting any federal tax withholdings or other deductions required by law. The bill authorizes the Texas Lottery Commission to release or disclose the personally identifiable information of a natural person who is a lottery prize winner if the person chooses to have the prize paid in periodic installments. The commission may disclose the information only on or after the 30th day after the date the person claims the lottery prize if the person chooses to remain anonymous. A natural person prize winner's choice to remain anonymous does not prohibit the release of that person's city or county of residence or prevent the lottery commission from releasing the person's personally identifiable information to the Health and Human Services Commission or as necessary to comply with statutory provisions relating to deductions from lottery prizes for certain delinquencies and defaults and applies only to an initial claim for a lottery prize in an amount equal to \$1 million or more that is submitted to the lottery commission on or after January 1, 2018. The bill requires the lottery commission, not later than December 1, 2017, to adopt rules and procedures necessary to implement the bill's provisions, including rules governing nondisclosure of such lottery prize winners' personally identifiable information.

EFFECTIVE DATE

September 1, 2017.