

## **BILL ANALYSIS**

Senate Research Center

H.B. 159  
By: Driver (Patterson)  
State Affairs  
5-16-97  
Engrossed

### **DIGEST**

Currently, the director of the state lottery is required to deduct funds from lottery prize winnings to pay certain delinquent debts. People who receive state financial assistance or nutritional assistance under Chapters 31 and 33, Human Resources Code, are not required to pay back to the state assistance received. This bill requires a recipient of state financial or nutritional assistance under Chapters 31 or 33, Human Resources Code, to pay the money back to the state, if the person wins a large lottery prize.

### **PURPOSE**

As proposed, H.B. 159 requires a recipient of state financial or nutritional assistance under Chapters 31 or 33, Human Resources Code, to pay the money back to the state, if the person wins a large lottery prize.

### **RULEMAKING AUTHORITY**

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 466.406(a), Government Code, to provide that the right of any person to a prize is not assignable, except as otherwise provided by this chapter, rather than section.

SECTION 2. Amends Chapter 466I, Government Code, by adding Section 466.4077, as follows:

Sec. 466.4077. ASSIGNMENT OF RIGHT TO LOTTERY PRIZE. Provides that the receipt of benefits under Chapter 31 or 33, Human Resources Code, constitutes an assignment to the general revenue fund of any rights to a lottery prize in the amount of \$600 or more that the recipient may have in the recipient's behalf or for a child for whom the recipient is claiming assistance in the aggregated amount of the assistance provided to the recipient or to a child of the recipient. Provides that the assignment under this section is valid only for the award of a lottery prize that is won not more than 60 days after the date the recipient or a child of the recipient receives any benefits under Chapter 31 or 33, Human Resources Code. Requires the director of the state lottery (director) to deduct the amount of the assignment under this section from the winnings of a person, after deducting an amount payable under Section 466.407. Requires the director to pay the balance of a person's winnings to the person, if the winnings exceed a deduction under Subsection (c). Requires the Texas Department of Human Services to provide the director with information necessary for the deduction of the amount of an assignment made under this section.

SECTION 3. Effective date: September 1, 1997.  
Makes application of this Act prospective.

SECTION 4. Emergency clause.