

House Bill 2393

Sponsored by Representatives OLSON, WHITSETT; Representatives BUCKLEY, ESQUIVEL, GOMBERG, KRIEGER, Senators DEMBROW, KRUSE, ROBLAN (Pre-session filed.)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Requires Oregon State Lottery to hold lottery prize in excess of \$600 that is owed to person that has not repaid overpayment of public assistance or medical assistance benefits.

A BILL FOR AN ACT

1
2 Relating to recovery from lottery prize of overpayment of public benefits.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1. Section 2 of this 2015 Act is added to and made a part of ORS chapter 461.**

5 **SECTION 2. (1) As used in this section:**

6 (a) **"Medical assistance" has the meaning given that term in ORS 414.025.**

7 (b) **"Public assistance" has the meaning given that term in ORS 411.010.**

8 (2) **The Oregon State Lottery Commission, by rule, shall develop procedures whereby:**

9 (a) **Before paying any portion of a lottery prize in excess of \$600, the Director of the**
10 **Oregon State Lottery must check the names of the persons entitled to payment against a**
11 **computer database containing the names and Social Security numbers of persons that have**
12 **received an overpayment of public assistance or medical assistance for which the Depart-**
13 **ment of Human Services or the Oregon Health Authority has a warrant under ORS 411.703.**

14 (b) **When the person is listed in the database, the commission shall:**

15 (A) **Place a 30-day hold on any payment to the person;**

16 (B) **Inform the person of the hold; and**

17 (C) **Notify the department or the authority that a recipient of an overpayment of public**
18 **assistance or medical assistance has won a lottery prize in excess of \$600 or is entitled to**
19 **payment in excess of \$600 on a lottery prize.**

20 (c) **If a garnishment proceeding is initiated under ORS 18.600 to 18.850 within the 30-day**
21 **hold period, the commission must continue to hold any payment to the person pending dis-**
22 **position of the proceeding.**

23 (d) **If a garnishment proceeding is not initiated under ORS 18.600 to 18.850 within the**
24 **30-day hold period or the department or authority notifies the commission that a**
25 **garnishment proceeding will not be initiated, whichever is sooner, the commission shall pay**
26 **the prize to the person at the end of the 30-day hold period.**

27 (3) **The commission shall establish and operate a data match system using automated**
28 **data exchanges with the department and the authority that identifies persons that have re-**
29 **ceived an overpayment of public assistance or medical assistance for which a warrant has**
30 **been issued under ORS 411.703. Any information necessary to identify the person and hold a**
31 **payment on a prize must be available to the commission through the data match system.**

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 **(4) The commission shall enter into an agreement regarding the procedures required by**
2 **subsections (1) and (2) of this section with the department and the authority.**

3 **SECTION 3. Section 2 of this 2015 Act applies to an overpayment of public assistance or**
4 **medical assistance for which a warrant is first issued under ORS 411.703 on or after the ef-**
5 **fective date of this 2015 Act.**

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