
The original instrument was prepared by Jerry G. Jones. The following digest, which does not constitute a part of the legislative instrument, was prepared by Linda Nugent.

DIGEST

N. Gautreaux (SB 53)

Present law provides for the withholding of payments and annuities to persons who have outstanding child support arrearages or child support overpayments, but limits the administrative authority solely to progressive slot machines.

Proposed law authorizes DSS to intercept and seize certain gaming winnings for the payment of child support and overpayments owed to the department.

Proposed law authorizes Gaming Control Board to adopt rules establishing a procedure requiring the withholding by licensed entities of payments and progressive slot machine annuities and cash gaming winnings of persons who have outstanding child support arrearages or owing child support overpayments, on payments for which the entity is required to file form W2-G with the Internal Revenue Service. Further provides that the board may require the agency reporting current child support arrearages or overpayments to provide real-time or immediate electronic database access by the licensed entity to such information for the purposes of the proposed law and, if the agency does not, the entity shall not be responsible for withholding cash gaming winnings.

Proposed law provides immunity from liability for disclosure of information under the proposed law.

Proposed law provides for deduction of the child support arrearage or overpayment from the payment of the progressive slot machine annuity or cash gaming winnings, with the deducted amount being forwarded to DSS within seven days and payment of the remainder to the person who has outstanding child support arrearages or owes child support overpayments. If the remainder is equal to zero, no payment shall be made. Also provides for an administrative fee by the entity, not to exceed \$35.00.

Proposed law requires the board to institute rulemaking procedures as necessary to implement proposed law by January 1, 2011.

Proposed law authorizes DSS to intercept and seize casino winnings over \$1,200 from individuals in arrears in support or owing overpayments to the department.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Amends R.S. 46:236.15(D)(1)(a); adds R.S. 27:2(C) and (D) and 24(A)(5))

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Judiciary A to the original bill.

1. Clarifies that the board may require the agency reporting current child support arrearages or overpayments to provide real-time or immediate electronic database access.
2. Clarifies that immunity from liability for disclosure of information includes any claims for damages arising from withholding or failing to withhold any progressive slot machine annuities or cash gaming winnings.
3. Requires the deducted amount of the child support arrearage or overpayment from the payment of the progressive slot machine annuity or cash gaming winnings to be forwarded to DSS within seven days.

Senate Floor Amendments to engrossed bill.

1. Clarifies that the board shall institute rulemaking procedures as necessary to implement proposed law.