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Sens. Huxtable, Lawson, Poore, Wilson

HOUSE OF REPRESENTATIVES  
152nd GENERAL ASSEMBLY

HOUSE BILL NO. 187

AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO CHILD SUPPORT.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

1 Section 1. Amend § 4803, Title 29 of the Delaware Code by making deletions as shown by strike through and  
2 insertions as shown by underline as follows:

3 § 4803. Definitions.

4 (v) “Qualified ~~vide~~ lottery prize” shall mean any video ~~lottery~~ lottery, sports lottery, table game, or charitable  
5 gaming organization prize paid by cash or check for which a W-2G is issued ~~equal to or in excess of \$1,200~~ (but less any  
6 amounts withheld for income taxes).

7 Section 2. Amend § 4838, Title 29 of the Delaware Code by making deletions as shown by strike through and  
8 insertions as shown by underline as follows:

9 § 4838. Delinquent child support.

10 (a) The Director of the Division of Child Support Services, Department of Health and Social Services shall enter  
11 into a cooperative agreement with the Director and the operator of each video lottery or charitable gaming organization  
12 facility within this State whereby the Director of the Division of Child Support Services shall provide information  
13 regarding individuals with a qualified child support obligation for the purpose of satisfying such obligation in part or in  
14 whole with any qualified ~~vide~~ lottery prizes won by such individuals. Prior to awarding any qualified ~~vide~~ lottery prize,  
15 an operator of a video lottery facility shall determine if the winner of such prize owes a qualified child support obligation.  
16 In the event that a qualified child support obligation is owed, such prize shall be reduced by:

17 (1) One hundred percent in the event that the qualified ~~vide~~ lottery prize is less than or equal to the qualified  
18 child support obligation; or

19 (2) ~~By the~~ The amount of the qualified child support obligation in the event that the qualified ~~vide~~ lottery  
20 prize exceeds the qualified child support obligation.

21 Any remaining amounts shall be awarded to the qualified ~~vide~~ lottery prize winner.

22 (b) The specific information and the manner and frequency with which it is made available or otherwise  
23 exchanged between the Division of Child Support Services, the Director and each operator of a video lottery facility in this  
24 State shall be as determined by each cooperative agreement, but such cooperative agreement must specify:

25 (1) That the Division of Child Support Services shall make available or otherwise provide or update  
26 information at least once each calendar month;

27 (2) That the operator of a video lottery facility shall make use of automated data exchanges to the maximum  
28 extent feasible and will remit to the Division of Child Support Services those qualified ~~video~~ lottery prizes that offset  
29 qualified child support obligations as set forth in the written agreements;

30 (3) The procedure by which the operator of a video lottery facility will remit to the Division of Child Support  
31 Services those qualified ~~video~~ lottery prizes that offset qualified child support obligations;

32 (4) That the operator of the video lottery facility will provide the qualified prize winner written notice of the  
33 amount withheld from the qualified ~~video~~ lottery prize and instructions for contesting an intercept directly to the  
34 Division of Child Support Services; and

35 (5) Any such other matters as the parties to such an agreement shall deem necessary to carry out the  
36 provisions of this section.

37 (c) An operator of a video lottery facility shall not be liable under any state law to any person or government  
38 agency ~~for~~ for any of the following:

39 (1) Any disclosure of information to the Division of Child Support Services under this ~~section~~; or section.

40 (2) As provided in § 513(c)(4) of Title 13, with regard to any order of child support made payable to the  
41 Division, the Division's records shall be presumptive of the payment or nonpayment of each installment ~~payment~~; or  
42 payment.

43 (3) Any other action or omission taken in good faith to comply substantially with the requirements of this  
44 section.

45 (d) The Director shall promulgate such rules and regulations as is deemed necessary to carry out the provisions of  
46 this section.

#### SYNOPSIS

This Act expands the Video Lottery Intercept Program by requiring an operator of a video lottery facility to submit an individual's winnings from sports betting and table games to the Division of Child Support Services to satisfy delinquent child support obligations. The Video Lottery Intercept Program currently only collects video lottery winnings.