

HOUSE \_\_\_\_\_ AMENDMENT NO. \_\_\_\_\_

Offered By

AMEND House Committee Substitute for House Bill No. 1210, Section A, Page 1, Line 2, by inserting the following after all of said Line:

“143.782. As used in sections 143.782 to [143.788] 143.790, unless the context clearly requires otherwise, the following terms shall mean and include:

(1) "Court", the supreme court, court of appeals, or any circuit court of the state;

(2) "Debt", any sum due and legally owed to any state agency which has accrued through contract, subrogation, tort, or operation of law regardless of whether there is an outstanding judgment for that sum, court costs as defined in section 488.010, fines and fees owed, or any support obligation which is being enforced by the division of family services on behalf of a person who is receiving support enforcement services pursuant to section 454.425, or any claim for unpaid health care services which is being enforced by the [department of health and senior services] claim clearinghouse on behalf of a [hospital or health care] provider of ambulance services under section 143.790;

(3) "Debtor", any individual, sole proprietorship, partnership, corporation or other legal entity owing a debt;

(4) "Department", the department of revenue of the state of Missouri;

(5) "Refund", the Missouri income tax refund which the department determines to be due any taxpayer pursuant to the provisions of this chapter. The amount of a refund shall not include any senior citizens property tax credit provided by sections 135.010 to 135.035 unless such refund is being offset for a delinquency or debt relating to individual income tax or a property tax credit; and

(6) "State agency", any department, division, board, commission, office, or other agency of the state of Missouri, including public community college districts and housing authorities as defined in section 99.020.”; and

FURTHER AMEND said bill, Section 143.790, Page 4, Line 84, by deleting the word “and” and inserting in lieu thereof the word “as”; and

1 FURTHER AMEND said bill and Section, Page 8, Line 238, by inserting after the word  
2 “assistance” the word “fee”; and

3  
4 FURTHER AMEND said Section and Page, Line 241, by deleting all of said Line and inserting in  
5 lieu thereof the following:

6  
7 “collection assistance fee shall have priority over the setoff of the eligible claim. If, in  
8 addition to the collection assistance fee, any portion of the eligible claim is setoff under this  
9 section, the provider shall be:

10 (1) Forever barred from resubmitting the remainder of the claim to the claim clearinghouse  
11 for setoff by the department under this section; and

12 (2) Forever barred from taking any other steps to collect the amount of the claim from the  
13 patient.

14  
15 If, after the”; and

16  
17 FURTHER AMEND said Section and Page, Line 248, by deleting “section.” and inserting in lieu  
18 thereof the following:

19  
20 “section, provided however, that a provider receiving a partial claim setoff against a lottery  
21 prize payout will not be subject to the prohibitions under subdivisions (1) and (2) of subsection  
22 12.”; and

23  
24 FURTHER AMEND said bill and Section, Page 9, Line 257, by inserting the following after all of  
25 said Line:

26  
27 “313.321. 1. The money received by the Missouri state lottery commission from the sale  
28 of Missouri lottery tickets and from all other sources shall be deposited in the "State Lottery  
29 Fund", which is hereby created in the state treasury. At least forty-five percent, in the aggregate,  
30 of the money received from the sale of Missouri lottery tickets shall be appropriated to the  
31 Missouri state lottery commission and shall be used to fund prizes to lottery players. Amounts in  
32 the state lottery fund may be appropriated to the Missouri state lottery commission for  
33 administration, advertising, promotion, and retailer compensation. The general assembly shall  
34 appropriate remaining moneys not previously allocated from the state lottery fund by transferring  
35 such moneys to the general revenue fund. The lottery commission shall make monthly transfers  
36 of moneys not previously allocated from the state lottery fund to the general revenue fund as

1 provided by appropriation.

2 2. The commission may also purchase and hold title to any securities issued by the United  
3 States government or its agencies and instrumentalities thereof that mature within the term of the  
4 prize for funding multi-year payout prizes.

5 3. The "Missouri State Lottery Imprest Prize Fund" is hereby created. This fund is to be  
6 established by the state treasurer and funded by warrants drawn by the office of administration  
7 from the state lottery fund in amounts specified by the commission. The commission may write  
8 checks and disburse moneys from this fund for the payment of lottery prizes only and for no other  
9 purpose. All expenditures shall be made in accordance with rules and regulations established by  
10 the office of administration. Prize payments may also be made from the state lottery fund. Prize  
11 payouts made pursuant to this section shall be subject to the provisions of section 143.781; and  
12 prize payouts made pursuant to this section shall be subject to set off for delinquent child support  
13 payments as assessed by a court of competent jurisdiction or pursuant to section 454.410. Prize  
14 payouts made under this section shall be subject to set off for unpaid health care services provided  
15 by [hospitals and health care] ambulance service providers under the procedure established in  
16 section 143.790.

17 4. Funds of the state lottery commission not currently needed for prize money,  
18 administration costs, commissions and promotion costs shall be invested by the state treasurer in  
19 interest-bearing investments in accordance with the investment powers of the state treasurer  
20 contained in chapter 30. All interest earned by funds in the state lottery fund shall accrue to the  
21 credit of that fund.

22 5. No state or local sales tax shall be imposed upon the sale of lottery tickets or shares of  
23 the state lottery or on any prize awarded by the state lottery. No state income tax or local earnings  
24 tax shall be imposed upon any lottery game prizes which accumulate to an amount of less than six  
25 hundred dollars during a prize winner's tax year. The state of Missouri shall withhold for state  
26 income tax purposes from a lottery game prize or periodic payment of six hundred dollars or more  
27 an amount equal to four percent of the prize.

28 6. The director of revenue is authorized to enter into agreements with the lottery  
29 commission, in conjunction with the various state agencies pursuant to sections 143.782 to  
30 143.788, in an effort to satisfy outstanding debts to the state from the lottery winning of any  
31 person entitled to receive lottery payments which are subject to federal withholding. The director  
32 of revenue is also authorized to enter into agreements with the lottery commission in conjunction  
33 with the department of health and senior services pursuant to section 143.790 in an effort to  
34 satisfy outstanding debts owed to [hospitals and health care] ambulance service providers for  
35 unpaid health care services of any person entitled to receive lottery payments which are subject to  
36 federal withholding.

1           7. In addition to the restrictions provided in section 313.260, no person, firm, or  
2 corporation whose primary source of income is derived from the sale or rental of sexually oriented  
3 publications or sexually oriented materials or property shall be licensed as a lottery game retailer  
4 and any lottery game retailer license held by any such person, firm, or corporation shall be  
5 revoked.”; and

6  
7 Further amend said bill by amending the title, enacting clause, and intersectional references  
8 accordingly.