
ATTORNEY GENERAL

Collecting debts from gambling winnings

- Reduces from \$5,000 to \$600 the threshold at which the State Lottery Commission must withhold from lottery winnings any amounts a lottery winner owes to the state or a political subdivision.
- Requires a casino operator to use a data match program created by the Attorney General to withhold any amounts a patron owes to the state or a political subdivision from the amount of any casino winnings that exceed \$600.
- Requires the casino operator to remit payment to the Department of Job and Family Services for any past due child or spousal support, as required under current law, before giving the remainder to the Attorney General to pay other government debts.

Ohio Peace Officer Training Commission

- Modifies law with respect to various funds associated with the Ohio Peace Officer Training Academy.

Collecting debts from gambling winnings

Lottery winnings

(R.C. 3770.073 and conforming change in R.C. 5701.11)

The bill lowers to \$600 the winnings threshold that triggers a requirement that the State Lottery Commission withhold the amount of any debt a lottery winner owes to the state or a political subdivision from the person's winnings. Currently, if a person wins \$5,000 or more in the lottery, the Commission must deduct the amount of those debts from the winnings and pay it to the Attorney General to satisfy the debts. The bill changes that threshold to match the federal threshold that determines whether the Commission must report the person's lottery winnings to the Internal Revenue Service (IRS) – currently, \$600.¹¹

Under continuing law, lottery winnings that exceed the IRS threshold also may be intercepted to satisfy any past due child or spousal support. If the amount of the winnings is not enough to cover both the past due support and any debts to the state or a political subdivision, the support debts are paid first.¹²

¹¹ 26 United States Code (U.S.C.) 6041.

¹² R.C. 3770.071, not in the bill.

Casino winnings

(R.C. 3772.37 and conforming change in R.C. 5701.11)

The bill requires a casino operator to withhold the amount of any debt a patron owes to the state or a political subdivision from the patron's casino winnings, if the winnings exceed the IRS reporting threshold (currently, \$600). Under continuing law, a casino operator also must withhold the amount of any past due child or spousal support the patron owes from any winnings that exceed that threshold.¹³

Under the bill, the Attorney General must develop and implement a real time data match program for casino operators to use to determine whether patrons owe any debts to the state or a political subdivision that have become final. If a patron wins \$600 or more and the program indicates that the patron owes any such amounts, the casino operator must withhold the amount of the debt from the winnings, up to the total amount of the winnings, and transmit it to the Attorney General within seven days.

If the casino operator learns through the data match program operated by the Department of Job and Family Services under continuing law that the patron also is in default under a child or spousal support order, the casino operator must withhold the past due amount and transmit it to the Department before transmitting any remaining amount to the Attorney General.

After receiving the money from the casino operator, the Attorney General must apply it toward the patron's debt to the state or a political subdivision. If the patron has multiple debts of that kind, the money must be applied against the debts in the following order of priority, which is the same order of priority that applies under continuing law concerning debts to be satisfied from lottery winnings:

- Personal liabilities for corporate tax debts;
- Amounts owed to the state;
- Amounts owed to political subdivisions.

The Attorney General may adopt rules under the Administrative Procedure Act to implement the bill's requirements.

Ohio Peace Officer Training Academy

(R.C. 109.79, 109.802, repealed; R.C. 2981.13, and 3772.01)

The bill makes the following changes to funds associated with the Ohio Peace Officer Training Academy:

1. Eliminates the Law Enforcement Assistance Fund;
2. Codifies the Peace Officer Training Academy Fee Fund into permanent law, and specifies all of the following:

¹³ R.C. 3123.90, not in the bill.

- a. The fund is in the state treasury;
- b. Tuition paid by a political subdivision or by the State Public Defenders Office must be deposited into the fund;
- c. The Attorney General must use money in the fund to pay costs associated with operation of the Academy.

3. Eliminates the Peace Officer Training Commission Fund and transfers its functions and purposes to the Ohio Law Enforcement Training Fund;

Under current law, if a court other than a juvenile court orders a forfeiture, a portion of the forfeiture must be distributed to various law enforcement related funds, including the Peace Officer Training Commission Fund. Under the bill, the forfeiture amount that would be deposited into the Peace Officer Training Commission Fund instead must be deposited into the Ohio Law Enforcement Training Fund. A provision of current law, retained by the bill, requires these funds to be used by the Ohio Peace Officer Commission only to pay the cost of peace officer training.

The Ohio Law Enforcement Training Fund is the fund described in the Ohio Constitution, which must receive 2% of the proceeds of the gross casino revenue tax collected by the state, to enhance public safety by providing additional training opportunities to the law enforcement community.¹⁴

4. Authorizes the use of money in the Ohio Law Enforcement Training Fund for all training opportunities for the law enforcement community rather than for additional training only.

¹⁴ Ohio Constitution, Article XV, Section 6(C)(3)(f).