



State of Wisconsin
2013 - 2014 LEGISLATURE



LRB-0229/5
MGG:kjf:jm

DOA:.....Ley, BB0105 – Lottery annuity payments as lump sums

FOR 2013-2015 BUDGET -- NOT READY FOR INTRODUCTION

AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau

GAMBLING

Under current law, a lottery prize winner may receive payment of the prize either in the form of a lump sum or in installments as an annuity. If a prize winner dies before all of the annuity payments are made, the prize may be paid to the person's estate.

This bill specifically provides that in the case of the death of a prize winner, any installments that have not been paid shall be paid to the winner's estate. The bill also authorizes the personal representative of an estate to choose for the estate to receive the remaining installments as a lump sum. It also allows persons, other than prize winners, who are receiving annuity payments of unpaid prize money to also choose a lump sum payment. The ability to choose a lump sum payment is not available when the prize money is from a multistate lottery.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 565.01 (4n) of the statutes is created to read:

565.01 (4n) "Personal representative" has the meaning given in s. 851.23.

SECTION 2. 565.30 (1) of the statutes is renumbered 565.30 (1) (a) and amended to read:

565.30 (1) (a) The administrator shall direct the payment of a prize, in the form elected under s. 565.28, if applicable, to the holder of the winning lottery ticket or lottery share or to a person designated under sub. (2), except that a prize may be paid to another person under a court order or, upon the death of a prize winner, any prize money that has not been paid shall be paid to the prize winner's estate of a deceased prize winner.

(e) The department, administrator, state and any contractor for materials, equipment or services of the game in which the prize is won are discharged of all liability upon payment of the prize to the holder of a winning lottery ticket or lottery share.

SECTION 3. 565.30 (1) (b) of the statutes is created to read:

565.30 (1) (b) If prize money, other than prize money from a multijurisdictional lottery, is being paid in the form of an annuity to a person at the time of his or her death, and if the personal representative of the deceased person's estate petitions the administrator within 18 months after the effective date of this paragraph [LRB inserts date], or within 18 months after the date of death of the person, whichever is later, to have the remaining prize money paid in the form of a lump sum, the administrator shall direct that the payment be made as a lump sum.

SECTION 4. 565.30 (1) (c) of the statutes is created to read:

565.30 (1) (c) If prize money, other than prize money from a multijurisdictional lottery, is being paid in the form of an annuity to a person, other than a prize winner, and if the person petitions the administrator within 18 months after the effective

date of this paragraph [LRB inserts date], or within 18 months after the date of the receipt of the first annuity payment by the person, whichever is later, to have the remaining prize money paid in the form of a lump sum, the administrator shall direct that the payment be made in a lump sum.

SECTION 5. 565.30 (1) (d) of the statutes is created to read:

565.30 (1) (d) The administrator shall establish a procedure for submitting petitions under pars. (b) and (c).

SECTION 9437. Effective dates; Revenue.

(1) LOTTERY PAYMENTS. The renumbering and amendment of section 565.30 (1) of the statutes and the creation of section 565.30 (1) (b), (c), and (d) of the statutes take effect on the first day of the 4th month beginning after publication.

(END)