HB1128_H_FIN.001

HOUSE COMMITTEE OF REFERENCE REPORT

_____   February 21, 2019
Chair of Committee   Date

Committee on <u>Finance</u>.

After consideration on the merits, the Committee recommends the following:

<u>HB19-1128</u> be amended as follows, and as so amended, be referred to the Committee on <u>Appropriations</u> with favorable recommendation:

1   Amend printed bill, page 2, line 7, strike "CRIMINAL".

2   Page 2, after line 22 insert:

3   "**SECTION 2.** In Colorado Revised Statutes, 16-18.5-106.5,
4   **amend** (5) as follows:
5   **16-18.5-106.5. Lottery winnings offset - restitution.** (5) If a
6   lottery winner owes restitution in a criminal or juvenile case and also
7   owes a child support debt or arrearages as described in section 26-13-118
8   (1), the lottery winnings offset described in sections 26-13-118 and
9   44-40-113 (6), shall take priority and be applied first. Any remaining
10   lottery winnings shall be disbursed and distributed in accordance with this
11   section, SECTION 44-40-113, AND SECTION 44-40-114.
12   **SECTION 3.** In Colorado Revised Statutes, 44-40-113, **amend**
13   (6)(e)(I) as follows:
14   **44-40-113. Prizes.** (6) (e) (I) Notwithstanding any provision of
15   this subsection (6) to the contrary, if, in addition to owing an outstanding
16   debt, a lottery winner owes ~~either~~ restitution, FINES, FEES, COSTS, OR
17   SURCHARGES, as described in section 44-40-114 or a child support debt
18   or arrearages or child support costs as described in this subsection (6), any
19   lottery winnings offset against the restitution, FINES, FEES, COSTS, OR
20   SURCHARGES, or child support debt or arrearages or child support costs
21   shall take priority and be applied first. If, in such instance, the lottery
22   winner owes ~~both~~ THESE types of debts, ~~both~~ THESE offsets shall take

1   priority and the provisions of section 44-40-114 (3) shall apply.".

2   Renumber succeeding sections accordingly.

3   Page 4, line 2, after "applied" insert "SECOND" and after "restitution,"
4   insert "AND THEN TOWARD".

5   Page 4, strike line 4 and substitute "section.".

6   Page 1, line 103, strike "CRIMINAL".

** *** ** *** **