

Existing law charges the office of debt recovery and the attorney general's office with collecting delinquent debts of state agencies which refer delinquent debts to them for collection. Further provides for the general powers and authority of the office of debt recovery in collecting delinquent debt that has become final and is 60 or more days past due.

Prior law included references to delinquent debts referred by participating political subdivisions.

New law deletes references to "participating political subdivisions" from prior law since the collection authority of the office of debt recovery does not extend to the collection of delinquent debts owed to political subdivisions.

Existing law authorizes the office of debt recovery to use any collection remedy authorized by law to collect delinquent taxes or any state agency's statutory collection authority to collect the referring agency's delinquent debt, including the offset of tax refunds or other accounts payable, suspension or denial of renewal of driver's licenses, and the suspension, revocation, or denial of hunting and fishing licenses, or any type of professional license, permit, or certification.

New law adds to the collection remedies of the office of debt recovery, the authority to withhold, offset, levy, garnish, or seize payments of progressive slot machine annuities and cash gaming winnings and to assume the obligation of payment of certain services in order to collect delinquent debt. Further provides that the withholding, offset, levy, garnishment, or seizure of these annuities, cash winnings, lottery payments shall not be conducted until a single-point inquiry system which allows for searches of one or more real-time databases containing debt information pursuant to new law and existing law is available to gaming entities licensed or permitted under existing law.

New law authorizes the office to enter into a memorandum of understanding with the La. Casino Association on behalf of its member casinos to facilitate the development and implementation of a single-point inquiry system. Clarifies that the provisions of new law shall not be construed to prohibit the withholding, offset, levy, garnishment, or seizure of progressive slot machine annuities, cash gaming winnings, and payments of lottery prizes currently conducted from continuing until the single-point inquiry system is created.

Existing law authorizes the La. Gaming Control Board (the board) or any licensed or permitted gaming entity to deduct an administrative fee from each payment of progressive slot machine annuities or cash gaming winnings of persons who have outstanding child support arrearages or owe child support overpayments.

New law additionally authorizes the board or gaming entity to deduct an administrative fee from each payment of progressive slot machine annuities or cash gaming winnings pursuant to a request by the office of debt recovery. However, the board or gaming entity shall not withhold more than one administrative fee on such annuities or cash winnings.

Existing law provides for immunity from civil or criminal liability for the board or any licensed or permitted gaming entity for the disclosure of certain information or from any claims for damages arising from withholding or failing to withhold any progressive slot machine annuities or cash gaming winnings.

New law extends the civil or criminal immunity of the board or any licensed or permitted gaming entity or from claims for damages when the disclosure of information or withholding of such annuities or winnings is done pursuant to a request by the office of debt recovery.

New law prohibits the office of debt recovery's claim relative to the offset or withholding of payments from progressive slot machine annuities, cash gaming winnings, and lottery prizes from priming the Dept. of Children and Family Services' claim to any payments of progressive slot machine annuities, cash gaming winnings, or lottery prizes.

New law requires the La. Lottery Corp. to employ the same methods, procedures, and parameters to withhold lottery prizes for persons who have delinquent debt which has been assigned to the office of debt recovery for collection.

Effective Aug. 1, 2014.

(Amends R.S. 47:1676(C)(2)(a) and (D)(1) and 9026; Adds R.S. 47:1676(D)(4))