By: Canales

H.B. No. 1504

A BILL TO BE ENTITLED

1   AN ACT

2 relating to a lottery prize winner's choice to remain anonymous on

3 authorization to withhold five percent of winnings.

4   BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5   SECTION 1. Section 466.015, Government Code, is amended by

6 adding Subsection (b-1) to read as follows:

7   (b-1) The   commission   shall   adopt   rules   governing

8 nondisclosure of the identity of certain lottery prize winners

9 under Section 466.029.

10   SECTION 2. Section 466.022(b), Government Code, is amended

11 to read as follows:

12   (b) In addition to commission records excepted from

13 disclosure under Chapter 552, the following information is

14 confidential and is exempt from disclosure:

15   (1) security plans and procedures of the commission

16 designed to ensure the integrity and security of the operation of

17 the lottery;

18   (2) information of a nature that is designed to ensure

19 the integrity and security of the selection of winning tickets or

20 numbers in the lottery, other than information describing the

21 general procedures for selecting winning tickets or numbers; [and]

22   (3) the street address and telephone number of a prize

23 winner, if the prize winner has not consented to the release of the

24 information; and

1   (4) all identifying information, other than the
2 municipality and county in which the prize winner resides, of a
3 lottery prize winner who has chosen to remain anonymous under
4 Section 466.029.

5   SECTION 3.   Subchapter B, Chapter 466, Government Code, is
6 amended by adding Section 466.029 to read as follows:

7   Sec. 466.029.   CHOICE BY CERTAIN LOTTERY PRIZE WINNERS TO
8 REMAIN ANONYMOUS.   (a) A lottery prize winner may choose to remain
9 anonymous and prohibit the prize winner's identifying information,
10 other than the municipality and county in which the prize winner
11 resides, from being released to the public if the prize winner:

12   (1) wins a prize in an amount greater than $1 million;
13 and

14   (2) submits to the commission on the form prescribed
15 by the commission a written authorization to withhold an amount
16 equal to five percent of the total lottery prize amount.

17   (b) The amount withheld as authorized under Subsection
18 (a)(2) is calculated based on the amount of prize money paid for a
19 single lottery prize claim, whether paid in one payment or
20 installment payments, and before federal tax is withheld and other
21 mandatory amounts are deducted as required by law.

22   (c) The commission shall deposit the amount withheld under
23 this section into the state lottery account established under
24 Section 466.355.

25   (d) The commission may not require a lottery prize winner
26 who chooses to remain anonymous under this section to participate
27 in a news conference or other public forum.

1   (e) This section does not prohibit the commission from

2 releasing identifying information of a natural person who is a

3 prize winner or who is a beneficial interest owner of a legal entity

4 that is a prize winner to a state agency under Section 466.407 or

5 466.4075, or to the Health and Human Services Commission.

6   SECTION 4. (a) Not later than December 1, 2015, the Texas

7 Lottery Commission shall adopt the rules, procedures, and forms

8 necessary to implement the changes in law made by this Act to

9 Chapter 466, Government Code.

10   (b) Notwithstanding Section 466.029, Government Code, as

11 added by this Act, a lottery prize winner may not choose to remain

12 anonymous unless the winner makes the choice on submission of a

13 claim for a lottery prize on or after January 1, 2016.

14   SECTION 5. This Act takes effect September 1, 2015.