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AN ACT

RELATING TO GAMING; EXPANDING THE USE OF LIENS ON LOTTERY  
WINNINGS BY THE HUMAN SERVICES DEPARTMENT.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 6-24-22 NMSA 1978 (being Laws 1995, Chapter 155,  
Section 22) is amended to read:

"6-24-22. LIEN ON LOTTERY WINNINGS FOR DEBT COLLECTED BY  
HUMAN SERVICES DEPARTMENT--PAYMENT TO DEPARTMENT--  
PROCEDURE.--

A. The human services department shall periodically certify to the  
authority the names and social security numbers of persons owing a debt to or  
collected by the human services department. This list shall include individuals that  
owe child support being collected by the state's child support enforcement agency  
pursuant to Title IV-D of the Social Security Act.

B. Prior to the payment of a lottery prize in excess of six hundred  
dollars (\$600), the lottery shall check the name of the winner against the list of  
names and social security numbers of persons owing a debt to or collected by the  
human services department.

C. If the prize winner is on the list of persons owing a debt to or  
collected by the agency, the lottery shall make a good-faith attempt to notify the  
human services department, and the department then has a lien against the lottery  
prize in the amount of the debt owed to or collected by the agency. The lottery has  
no liability to the human services department or the person on whose behalf the  
department is collecting the debt if the lottery fails to match a winner's name to a  
name on the list or is unable to notify the department of a match. The department  
shall provide the lottery with written notice of a lien promptly within five working

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1 days after the lottery notifies the department of a match.

2 D. If the lottery prize is to be paid directly by the authority, the  
3 amount of the debt owed to or collected by the human services department shall be  
4 held by the lottery for a period of ninety days from the lottery's confirmation of the  
5 amount of the debt to allow the department to institute any necessary administrative  
6 seizure proceedings in accordance with Section 27-1-11 NMSA 1978. If an  
7 administrative seizure a proceeding is not initiated within the ninety-day period, the  
8 authority shall release the lottery prize payment to the winner.

9 E. The human services department, in its discretion, may release or  
10 partially release the lien upon written notice to the authority.

11 F. A lien or administrative seizure established against a lottery prize  
12 on behalf of a child support enforcement case shall take first priority over all other  
13 liens established by the department.

14 G. A lien under this section is in addition to any other lien created by  
15 law."

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