By: Guillen   H.B. No. 108

Substitute the following for H.B. No. 108:

By: Guillen   C.S.H.B. No. 108

A BILL TO BE ENTITLED

1   AN ACT

2 relating to certain lottery prize winners' choice to remain

3 anonymous.

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 personally identifiable information of

9 certain lottery prize winners under Section 466.411.

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) except as otherwise authorized by Section 466.411,

2 all personally identifiable information of a natural person who is:

3   (A) a lottery prize winner and who has chosen to

4 remain anonymous under Section 466.411; or

5   (B) an owner of a beneficial interest in a legal

6 entity that is a lottery prize winner and who has chosen to remain

7 anonymous under Section 466.411.

8   SECTION 3. Subchapter I, Chapter 466, Government Code, is

9 amended by adding Section 466.411 to read as follows:

10   Sec. 466.411. CHOICE BY CERTAIN PRIZE WINNERS TO REMAIN

11 ANONYMOUS. (a) Subject to Subsection (b), a natural person who is

12 a prize winner of a lottery prize in an amount equal to $1 million or

13 more or who is an owner of a beneficial interest in a legal entity

14 that is a prize winner of a lottery prize in an amount equal to $1

15 million or more may choose to remain anonymous and prohibit all

16 personally identifiable information from being released to the

17 public.

18   (b) On or after the 30th day after the date a prize winner

19 claims a lottery prize and chooses to remain anonymous under

20 Subsection (a), the commission may release or disclose the

21 personally identifiable information of the winner if the winner has

22 chosen to have the prize paid in periodic installments.

23   (c) For purposes of this section, the amount of a lottery

24 prize is the total amount of prize money paid to a prize winner for a

25 single lottery prize claim, whether paid in one payment or in

26 periodic installments, before deducting any federal tax

27 withholdings or other deductions required by law.

1 　(d)　This section does not prohibit release of a prize
2 winner's city or county of residence or prevent the commission from
3 releasing personally identifiable information as required under
4 Section 466.407 or 466.4075 or to the Health and Human Services
5 Commission.

6 　SECTION 4.　(a)　Not later than December 1, 2015, the Texas
7 Lottery Commission shall adopt the rules and procedures necessary
8 to implement the changes in law made by this Act to Chapter 466,
9 Government Code.

10 　(b)　Section 466.411, Government Code, as added by this Act,
11 applies only to an initial claim for a lottery prize in an amount
12 equal to $1 million or more that is submitted to the Texas Lottery
13 Commission on or after January 1, 2016.

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