

By: Guillen, Fallon, et al.

H.B. No. 59

A BILL TO BE ENTITLED

AN ACT

relating to certain lottery prize winners' choice to remain anonymous.

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

SECTION 1. Section 466.015, Government Code, is amended by adding Subsection (b-1) to read as follows:

(b-1) The commission shall adopt rules governing nondisclosure of the personally identifiable information of certain lottery prize winners under Section 466.411.

SECTION 2. Section 466.022(b), Government Code, is amended to read as follows:

(b) In addition to commission records excepted from disclosure under Chapter 552, the following information is confidential and is exempt from disclosure:

(1) security plans and procedures of the commission designed to ensure the integrity and security of the operation of the lottery;

(2) information of a nature that is designed to ensure the integrity and security of the selection of winning tickets or numbers in the lottery, other than information describing the general procedures for selecting winning tickets or numbers; ~~and~~

(3) the street address and telephone number of a prize winner, if the prize winner has not consented to the release of the 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 on the date the winner claims the prize choose
16 to remain anonymous and prohibit all personally identifiable
17 information from being released to the public.

18 (b) The commission may release or disclose the personally
19 identifiable information of a natural person who is a lottery prize
20 winner if the person chooses to have the prize paid in periodic
21 installments. The commission may only disclose the information on
22 or after the 30th day after the date the person claims the lottery
23 prize if the person chooses to remain anonymous under Subsection
24 (a).

25 (c) For purposes of this section, the amount of a lottery
26 prize is the total amount of prize money paid to a prize winner for a
27 single lottery prize claim, whether paid in one payment or in

1 periodic installments, before deducting any federal tax
2 withholdings or other deductions required by law.

3 (d) This section does not prohibit release of a natural
4 person prize winner's city or county of residence or prevent the
5 commission from releasing the person's personally identifiable
6 information to the Health and Human Services Commission or as
7 necessary to comply with Section [466.407](#) or [466.4075](#).

8 SECTION 4. (a) Not later than December 1, 2017, the Texas
9 Lottery Commission shall adopt the rules and procedures necessary
10 to implement the changes in law made by this Act to Chapter [466](#),
11 Government Code.

12 (b) Section [466.411](#), Government Code, as added by this Act,
13 applies only to an initial claim for a lottery prize in an amount
14 equal to \$1 million or more that is submitted to the Texas Lottery
15 Commission on or after January 1, 2018.

16 SECTION 5. This Act takes effect September 1, 2017.