



Substitute Senate Bill No. 231

Public Act No. 10-70

AN ACT CREATING AN AMNESTY PROGRAM FOR DELINQUENT LOTTERY SALES AGENTS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. Section 12-569 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2010*):

(a) If the president of the Connecticut Lottery Corporation determines that any lottery sales agent has breached [his] such agent's fiduciary responsibility to the corporation in that the account of such lottery sales agent with respect to moneys received from the sale of lottery tickets has become delinquent in accordance with regulations adopted as provided in section 12-568a, the president shall notify the executive director of the breach of fiduciary duty and the executive director shall impose a delinquency assessment upon such account equal to ten per cent of the amount due or ten dollars, whichever amount is greater, plus interest at the rate of one and one-half per cent of such amount for each month or fraction of a month from the date such amount is due to the date of payment. [Subject] Except as provided in section 2 of this act, and subject to the provisions of section 12-3a, the executive director may waive all or part of the penalties provided under this subsection when it is proven to [his] the executive director's satisfaction that the failure to pay such moneys to the state

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within the time allowed was due to reasonable cause and was not intentional or due to neglect. Any such delinquent lottery sales agent shall be notified of such delinquency assessment and shall be afforded an opportunity to contest the validity and amount of such assessment before the executive director who [is hereby authorized to] may conduct such hearing. Upon request of the president of the Connecticut Lottery Corporation, the executive director may prepare and sign a warrant directed to any state marshal, constable or any collection agent employed by the Connecticut Lottery Corporation for distraint upon any property of such delinquent lottery sales agent within the state, whether personal or real property. An itemized bill shall be attached [thereto] to the warrant certified by the executive director as a true statement of the amount due from such lottery sales agent. Such warrant shall have the same force and effect as an execution issued in accordance with chapter 906. Such warrant shall be levied on any real, personal, tangible or intangible property of such agent and sale made pursuant to such warrant in the same manner and with the same force and effect as a levy and sale pursuant to an execution.

(b) The executive director, with the advice and consent of the board, shall adopt regulations in accordance with chapter 54 to carry out the purposes of this section.

Sec. 2. (NEW) (*Effective October 1, 2010*) (a) Notwithstanding the provisions of section 12-3a of the general statutes, the executive director of the Division of Special Revenue shall establish a settlement initiative program for any lottery sales agent who owes moneys received from the sale of lottery tickets, provided a delinquency assessment has been imposed prior to October 1, 2010, against such agent by the executive director in accordance with section 12-569 of the general statutes. The executive director shall send written notification not later than November 1, 2010, to all eligible lottery sales agents of

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their eligibility to participate in the program. The settlement initiative program shall be conducted during the period of October 1, 2010, to December 31, 2010, inclusive.

(b) An eligible lottery sales agent shall have sixty days from the date of such agent's receipt of written notification in accordance with subsection (a) of this section to pay in full the amount owed, minus fifty per cent of the interest owed. In making such payment, the lottery sales agent shall waive all of such agent's administrative and judicial rights of appeal that have not run or otherwise expired as of the date payment is made. No payment made by an eligible lottery sales agent under the program shall be refunded or credited to such eligible lottery sales agent.

(c) If an eligible lottery sales agent, who has received written notification in accordance with subsection (a) of this section, fails to make a payment in accordance with subsection (b) of this section within sixty days, such eligible lottery sales agent shall no longer be eligible to participate in the settlement initiative program. The executive director shall retain any payments made and apply such payments against any moneys owed by such eligible lottery sales agent.

(d) The executive director shall deposit all moneys collected from the settlement initiative program into the General Fund.

(e) Nothing in this section shall entitle any eligible lottery sales agent to a refund or credit of any amount paid to the Division of Special Revenue prior to the executive director's written notification in accordance with subsection (a) of this section.

(f) Notwithstanding any provision of the general statutes, the executive director may do all things necessary in order to provide for the timely implementation of this section.

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Approved May 19, 2010