



General Assembly

February Session, 2016

Raised Bill No. 360

LCO No. 2500



Referred to Committee on PUBLIC SAFETY AND SECURITY

Introduced by:
(PS)

AN ACT CONCERNING LOTTERY TICKETS.

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

1 Section 1. Section 12-813 of the general statutes is amended by
2 adding subsection (e) as follows (*Effective October 1, 2016*):

3 (NEW) (e) On and after October 1, 2016, the corporation shall not
4 sell a lottery ticket that is subject to an expiration date.

5 Sec. 2. (*Effective from passage*) (a) There shall be a Lottery Tribunal
6 consisting of three persons whom the Claims Commissioner shall
7 appoint. The purpose of the tribunal shall be to hear and determine
8 whether a person who presents an expired winning Lotto lottery ticket
9 issued prior to October 1, 2016, has a just claim, as defined in section 4-
10 141 of the general statutes, in an amount up to the amount of such
11 expired winning Lotto lottery ticket. A majority of the tribunal shall
12 constitute a quorum and all actions shall require the affirmative vote of
13 a majority. The tribunal shall be within the Department of
14 Administrative Services, provided the tribunal shall have independent
15 decision-making authority. The tribunal shall terminate on October 1,

16 2019.

17 (b) Notwithstanding a final decision by a court of competent
18 jurisdiction, any person wishing to present a claim against the state
19 shall file with the Lottery Tribunal a notice of claim, in duplicate,
20 containing the following information: (1) The name and address of the
21 claimant; the name and address of his or her principal, if the claimant
22 is acting in a representative capacity, and the name and address of his
23 or her attorney, if the claimant is so represented; (2) a concise
24 statement of the basis of the claim; and (3) a statement of the amount
25 requested. A notice of claim, if sent by mail, shall be deemed to have
26 been filed with the Lottery Tribunal on the date such notice of claim is
27 postmarked. The Lottery Tribunal shall promptly deliver a copy of the
28 notice of claim to the Connecticut Lottery Corporation. For purposes of
29 this section, "claim" means a petition for the payment of an expired
30 winning Lotto lottery ticket issued prior to October 1, 2016, by the
31 state.

32 (c) No claim once considered by the Lottery Tribunal shall be
33 presented against the state in any manner.

34 (d) Any subpoena or other paper required to be served upon or
35 delivered to the Lottery Tribunal or to any person or official may be
36 served or delivered in person or by certified mail. Service or delivery
37 by certified mail shall be deemed complete upon the certification and
38 deposit of such subpoena or paper at a United States post office. Proof
39 of deposit and the return receipt shall be sufficient proof of service or
40 delivery.

41 (e) Whenever the Connecticut Lottery Corporation desires to oppose
42 a claim, the corporation shall file with the Lottery Tribunal a notice of
43 opposition, in duplicate, containing a concise statement of such
44 objections. The Lottery Tribunal shall promptly deliver a copy thereof
45 to the claimant.

46 (f) (1) Claims shall be heard as soon as practicable after they are

47 filed. Hearings may be held at the Office of the Claims Commissioner,
48 at any hearing facility in the State Capitol or Legislative Office
49 Building or at such other suitable place as the Lottery Tribunal finds it
50 convenient and just to the claimant and the Connecticut Lottery
51 Corporation.

52 (2) The Lottery Tribunal may call witnesses, examine and cross-
53 examine any witness, require information not offered by the claimant
54 or the Connecticut Lottery Corporation and stipulate matters to be
55 argued. The Lottery Tribunal shall not be bound by any law or rule of
56 evidence.

57 (3) The Lottery Tribunal may administer oaths, cause depositions to
58 be taken, issue subpoenas and order inspection and disclosure of
59 books, papers, records and documents. Upon good cause shown any
60 such order or subpoena may be quashed by the Lottery Tribunal.

61 (4) If any person fails to respond to a subpoena, the Lottery Tribunal
62 may issue a *habeas corpus*, directed to a state marshal to arrest such person
63 and bring such person before the Lottery Tribunal to testify.

64 (g) On the motion of the Lottery Tribunal or at the request of the
65 claimant, or the Connecticut Lottery Corporation, the Lottery Tribunal
66 may waive the hearing of any claim for five thousand dollars or less
67 and proceed upon affidavits filed by the claimant and the corporation.

68 (h) The Lottery Tribunal shall cause a record to be made of each
69 claim. Such record shall be retained in the files of the Lottery Tribunal
70 until the sine die adjournment of the regular session of the General
71 Assembly next succeeding the disposition of such claim, at which time
72 it shall be disposed of as may be decided pursuant to section 11-8a of
73 the general statutes. Copies of such record and of the hearing
74 transcript, if any, shall be made available upon request to the claimant
75 and to the Connecticut Lottery Corporation and as the Lottery
76 Tribunal otherwise may direct.

77 (i) (1) Not later than sixty days after hearing a claim, the Lottery
78 Tribunal shall render a decision as provided in subsection (j) of this
79 section. The Lottery Tribunal shall make a finding of fact for each
80 claim and file such finding with the order, recommendation or
81 authorization disposing of the claim. The Lottery Tribunal shall deliver
82 a copy of such finding and order, recommendation or authorization to
83 the claimant and to the Connecticut Lottery Corporation.

84 (2) If such claim will automatically be submitted to the General
85 Assembly by the Lottery Tribunal pursuant to the provisions of
86 subparagraph (A) of subdivision (1) of subsection (k) of this section,
87 the Lottery Tribunal shall give written notice to the claimant that such
88 claim will be so submitted and that the General Assembly may accept,
89 modify or reject the recommendation of the Lottery Tribunal or
90 remand the claim to the Lottery Tribunal.

91 (3) If the claimant has the right, pursuant to subdivision (2) of
92 subsection (j) of this section, to request the General Assembly to review
93 the decision of the Lottery Tribunal, the Lottery Tribunal shall give
94 written notice to the claimant that the claimant may request the
95 General Assembly to review the decision and that the General
96 Assembly may confirm, modify or vacate the decision or remand the
97 claim to the Lottery Tribunal. The notice shall indicate the date by
98 which such a request must be filed with the Lottery Tribunal.

99 (j) (1) The Lottery Tribunal may (A) order that a claim be denied or
100 dismissed, (B) order immediate payment of a just claim in an amount
101 not exceeding twenty thousand dollars, or (C) recommend to the
102 General Assembly payment of a just claim in an amount exceeding
103 twenty thousand dollars but no more than the amount of the
104 claimant's expired winning Lotto lottery ticket.

105 (2) Any person who has filed a claim for more than twenty
106 thousand dollars may request the General Assembly to review a
107 decision of the Lottery Tribunal (A) ordering the denial or dismissal of

108 the claim pursuant to subparagraph (A) of subdivision (1) of this
109 subsection, or (B) ordering immediate payment of a just claim in an
110 amount not exceeding twenty thousand dollars pursuant to
111 subparagraph (B) of subdivision (1) of this subsection. A request for
112 review shall be in writing and filed with the Lottery Tribunal not later
113 than twenty days after the date the person requesting such review
114 receives a copy of the decision. The filing of a request for review shall
115 automatically stay the decision of the Lottery Tribunal.

116 (3) The Lottery Tribunal shall submit each claim for which a request
117 for review is filed to the General Assembly pursuant to subsection (k)
118 of this section.

119 (4) If the Lottery Tribunal orders immediate payment of a just claim
120 in an amount not exceeding twenty thousand dollars pursuant to
121 subparagraph (B) of subdivision (1) of this subsection and a request for
122 review is not timely filed pursuant to subdivision (2) of this subsection,
123 the Lottery Tribunal shall deliver to the Comptroller a certified copy of
124 the Lottery Tribunal's order and the Comptroller shall make payment
125 from the appropriation of the Connecticut Lottery Corporation.

126 (5) Not later than five days after the convening of each regular
127 session, the Lottery Tribunal shall report to the General Assembly on
128 all claims decided pursuant to this subsection.

129 (k) (1) Not later than five days after the convening of each regular
130 session and at such other times as the speaker of the House of
131 Representatives and president pro tempore of the Senate may desire,
132 the Lottery Tribunal shall submit to the General Assembly (A) all
133 claims for which the Lottery Tribunal recommended payment of a just
134 claim in an amount exceeding twenty thousand dollars, and (B) all
135 claims for which a request for review has been filed, together with a
136 copy of the Lottery Tribunal's findings and the hearing record of each
137 claim so reported.

138 (2) The General Assembly shall:

139 (A) With respect to a decision of the Lottery Tribunal ordering the
140 denial or dismissal of a claim: (i) Confirm the decision; or (ii) vacate
141 the decision and, in lieu thereof, order the payment of the claim in a
142 specified amount;

143 (B) With respect to a decision of the Lottery Tribunal ordering the
144 immediate payment of a just claim in an amount not exceeding twenty
145 thousand dollars: (i) Confirm the decision; (ii) modify the decision by
146 ordering that a different amount be paid; or (iii) vacate the decision
147 and, in lieu thereof, order no payment be made;

148 (C) With respect to a decision of the Lottery Tribunal
149 recommending payment of a just claim in an amount exceeding twenty
150 thousand dollars: (i) Accept the recommendation and order payment
151 of the specified amount; (ii) modify the recommendation by ordering
152 that a different amount be paid; (iii) reject the recommendation and, in
153 lieu thereof, order no payment be made; or (iv) remand the claim to
154 the Lottery Tribunal for such further proceedings as the General
155 Assembly may direct.

156 (3) If the General Assembly orders the payment of a claim, the
157 Lottery Tribunal shall deliver to the Comptroller a notice of the order
158 and the Comptroller shall make payment from the appropriation of the
159 Connecticut Lottery Corporation.

160 (4) The review by the General Assembly of claims submitted to it by
161 the Lottery Tribunal under this subsection shall be conducted in
162 accordance with such procedures as the General Assembly may
163 prescribe.

164 (l) Before payment of an order, the Comptroller shall require the
165 claimant to certify on oath that no commission, discount, bonus,
166 reward or present of any kind was promised or was given to or was
167 received or is expected by any state officer or employee or any member
168 of the General Assembly in respect to his or her claim and that to the
169 best of his or her knowledge and belief no state officer or employee

170 and no member of the General Assembly used, offered to use or
171 attempted to use his or her office or position to influence the decision
172 on such claim.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2016</i>	12-813
Sec. 2	<i>from passage</i>	New section

Statement of Purpose:

To (1) require lottery tickets issued on and after October 1, 2016, not be subject to an expiration date, and (2) to establish a Lottery Tribunal to hear and determine whether a person who presents an expired winning Lotto lottery ticket issued prior to October 1, 2016, has a just claim.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]