
HOUSE BILL 1840

State of Washington

54th Legislature

1995 Regular Session

By Representatives Lisk and Romero

Read first time 02/10/95. Referred to Committee on Commerce & Labor.

1 AN ACT Relating to the assignment of rights of lottery prize
2 winners; amending RCW 67.70.100; and creating a new section.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 NEW SECTION. **Sec. 1.** The Washington state lottery act under
5 chapter 7, Laws of 1972 2nd ex. sess., provides, among other things,
6 that the right of any person to a prize shall not be assignable, except
7 to the estate of a deceased prize winner, or to a person designated
8 pursuant to an appropriate judicial order. Current law and practices
9 provide that those who win lottery prizes are paid in annual
10 installments over a period of twenty years. The legislature recognizes
11 that some prize winners, particularly elderly persons, those seeking to
12 acquire a small business, and others with unique needs, may not want to
13 wait to be paid over the course of up to twenty years. It is the
14 intent of the legislature to provide a restrictive means to accommodate
15 those prize winners who wish to enjoy more of their winnings currently,
16 without impacting the current fiscal structure of the Washington state
17 lottery commission.

1 **Sec. 2.** RCW 67.70.100 and 1982 2nd ex.s. c 7 s 10 are each amended
2 to read as follows:

3 (1) Except under subsection (2) of this section, no right of any
4 person to a prize drawn is assignable, except that payment of any prize
5 drawn may be paid to the estate of a deceased prize winner, and except
6 that any person pursuant to an appropriate judicial order may be paid
7 the prize to which the winner is entitled.

8 (2) The payment of any prize or portion of the remainder of an
9 annuity may be assigned to another person, subject to the following
10 conditions:

11 (a) The prize winner provides the commission with an affidavit to
12 the effect that the:

13 (i) Prize winner is not acting under duress;

14 (ii) Prize winner is represented by independent legal counsel; and

15 (iii) Prize winner has received independent financial and tax
16 advice concerning the effect of the assignment.

17 (b) The commission and the director will not pay the assignee an
18 amount in excess of the annual payment entitled to the assignor.

19 (c) The commission and the director may develop rules to establish
20 a system of verifying the validity of a third party assignment claim,
21 to effect the payment of the annuity to the assignee, and to establish
22 a reasonable fee for any expenses incurred in order to comply with this
23 section. The fee shall be deducted from the initial annuity payment
24 made to the assignee.

25 (3) The commission and the director shall be discharged of all
26 further liability upon payment of a prize pursuant to this section.

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