



LEGISLATIVE HISTORY CHECKLIST

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LAWS OF: 1998

CHAPTER:103

NJSA: 5:9-13

"State Lottery -- assignment of prizes"

BILL NO: A261 (Substituted for S721)

SPONSOR(S): Talarico

DATE INTRODUCED: Pre-filed

COMMITTEE:

ASSEMBLY: Commerce

SENATE: State Government

AMENDED DURING PASSAGE:Yes

DATE OF PASSAGE:

ASSEMBLY: July 30, 1998

SENATE: June 29, 1998

DATE OF APPROVAL: September 14, 1998

THE FOLLOWING ARE ATTACHED IF AVAILABLE:

FINAL TEXT OF BILL: Assembly Committee Substitute A261/A988 (2R) enacted
(Amendments during passage denoted by superscript numbers)

A261/A988 Assembly Committee Substitute

SPONSORS STATEMENT: *No*

COMMITTEE STATEMENT:

ASSEMBLY: *Yes*

SENATE: *Yes*

FLOOR AMENDMENT STATEMENTS: *Yes*

LEGISLATIVE FISCAL ESTIMATE: *No*

A261

SPONSORS STATEMENT: *Yes* (Begins on page 5 of original bill)

COMMITTEE STATEMENT:

ASSEMBLY: *No*

SENATE: *No*

FLOOR AMENDMENT STATEMENTS: *No*

LEGISLATIVE FISCAL ESTIMATE: *No*

A988

SPONSORS STATEMENT: *Yes* (Begins on page 4 of original bill)

COMMITTEE STATEMENT:

ASSEMBLY: *No*

SENATE: *No*

FLOOR AMENDMENT STATEMENTS: *No*

LEGISLATIVE FISCAL ESTIMATE: *No*

S721

SPONSORS STATEMENT: *Yes* (Begins on page 5 of original bill)
(Bill and Sponsor's Statement Identical to A261)

COMMITTEE STATEMENT:

ASSEMBLY: *No*

SENATE: *Yes*

(Identical to Senate Statement for ACS A261/988)

FLOOR AMENDMENT STATEMENTS: *Yes*
(Identical to Senate Statement for ACS A261/988)

LEGISLATIVE FISCAL ESTIMATE: *No*

VETO MESSAGE: *No*

GOVERNOR'S PRESS RELEASE ON SIGNING: *Yes*

THE FOLLOWING WERE PRINTED:

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HEARINGS: *No*

NEWSPAPER ARTICLES: *No*

[Second Reprint]

ASSEMBLY COMMITTEE SUBSTITUTE FOR
ASSEMBLY, Nos. 261 and 988

STATE OF NEW JERSEY
208th LEGISLATURE

ADOPTED FEBRUARY 23, 1998

Sponsored by:

Assemblyman GUY F. TALARICO

District 38 (Bergen)

Assemblyman KENNETH C. LEFEVRE

District 2 (Atlantic)

Assemblyman JOHN V. KELLY

District 36 (Bergen, Essex and Passaic)

Co-Sponsored by:

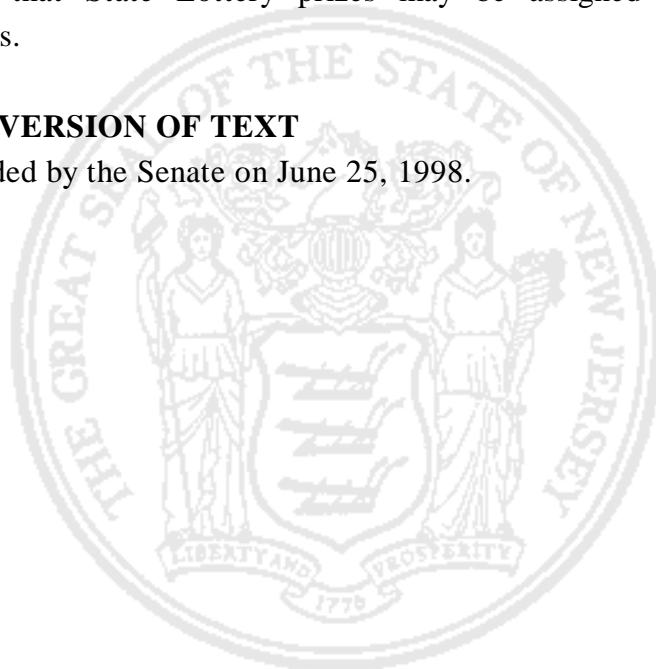
Senators Ciesla and Kosco

SYNOPSIS

Clarifies that State Lottery prizes may be assigned under certain circumstances.

CURRENT VERSION OF TEXT

As amended by the Senate on June 25, 1998.



(Sponsorship Updated As Of: 6/30/1998)

1 AN ACT clarifying that State Lottery prizes may be assigned under
2 certain circumstances and amending P.L.1970, c.13.

3
4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6
7 1. Section 13 of P.L.1970, c.13 (C.5:9-13) is amended to read as
8 follows:

9 13. **[No]** a. The right of any person to a prize drawn shall not be
10 assignable, except [that] as permitted by this section.

11 b. The payment of any prize drawn may be paid to the estate of a
12 deceased prize winner [, and except that any] upon receipt by the
13 State Lottery of a certified copy of a order appointing an executor or
14 an administrator.

15 c. Any person [pursuant to an appropriate judicial order] may be
16 assigned and paid the prize to which the winner is entitled pursuant to
17 a judicial order of the New Jersey Superior Court or a federal court
18 having jurisdiction over property located in this State provided that the
19 order pertains to claims of ownership in the prize drawn, division of
20 marital property in divorce actions, bankruptcy, child support,
21 appointment of a guardian or conservator, or distribution of an estate.

22 d. Any person may be assigned and paid a prize to which the
23 winner is entitled pursuant to a judicial order of the New Jersey
24 Superior Court or a federal court having jurisdiction over property
25 located in this State provided that the order contains at least the
26 following findings:

27 (1) the full legal name, address, social security number or taxpayer
28 identification number and, if applicable, resident alien number of the
29 winner;

30 (2) the full legal name, address, social security number or taxpayer
31 identification number and, if applicable, resident alien number of the
32 assignee;

33 (3) the date on which the winner won the prize;

34 (4) the date on which the winner claimed the prize;

35 (5) the gross amount of the prize drawn before application of
36 withholding taxes;

37 (6) the gross amount of payments to be made to the winner by the
38 State Lottery before application of withholding taxes;

39 (7) the dates of the payments to be assigned and the amount of the
40 specific payments to be assigned on each date;

41 (8) the identity of the winner's spouse, if any, and the interest of

EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹ Senate SGB committee amendments adopted June 11, 1998.

² Senate floor amendments adopted June 25, 1998.

1 the spouse in the prize;

2 (9) the identity of any other co-owner, claimant or lienholder and
3 the amount of the interests, liens, security interests, prior assignments
4 or offsets asserted by such party;

5 (10) that the interest rate or discount rate, as applicable, and all
6 fees and costs and other material terms relating to the assignment are
7 expressly and clearly included in all material documents and in all
8 documents that include any obligations of the prize winner;

9 (11) that the interest rate or discount rate, as applicable, associated
10 with the assignment does not indicate overreaching or exploitation ¹.
11 does not exceed current usury rates,¹ and does not violate any laws of
12 usury of this State;

13 (12) that the winner has reviewed and understands the terms of the
14 assignment;

15 (13) that the winner understands that the winner will not receive
16 the prize payments, or portions thereof, for the years assigned;

17 (14) that the winner has agreed to the assignment of the winner's
18 own free will without undue influence or duress;

19 (15) that the winner has retained, and consulted with, independent
20 legal counsel who has advised the winner of the winner's legal rights
21 and obligations;

22 (16) that the winner has retained, and consulted with, an
23 independent tax advisor concerning the tax consequences of the
24 assignment; ²[and]²

25 (17) that the winner does not seek assignment for purposes of
26 evading creditors, judgments or obligations for child support ²;and

27 (18) that the winner has certified that the winner does not have a
28 child support obligation, or if the winner has a child support
29 obligation, that no arrearage is due and that the winner is not obligated
30 to repay any public assistance benefits ².

31 e. Before a winner is legally bound, by agreement, contract or
32 otherwise, and prior to the issuance of an order pursuant to subsection
33 d. of this section, the assignee shall provide the winner with all
34 material documents which shall be binding on the assignor, including
35 documents evidencing obligations of the winner ¹, and a written notice
36 recommending that the winner obtain independent counsel before
37 signing any document which shall be binding on the assignor¹. All
38 documents shall include a notice of the assignor's right to cancel the
39 agreement which shall be located in immediate proximity to all spaces
40 reserved for the signature of the winner in bold-faced type of at least
41 10 points and which shall provide as follows:

42 "You have the right to cancel this assignment without any cost to
43 you until midnight three business days after the day on which you have
44 signed an agreement to assign all or a portion of your prize.

45 Cancellation occurs when you give notice by regular first class
46 mail, postage prepaid, to the assignee at the address listed at the top

1 of the first page of this document that you wish to cancel the
2 assignment. Notice is deemed given when deposited in a mailbox."

3 f. If the State Lottery determines that a judicial order granting an
4 assignment, issued pursuant to subsection d. of this section, is
5 complete and correct in all respects, the State Lottery shall, not later
6 than 10 days after receiving a true and correct copy of the filed judicial
7 order, send the winner and the assignee written confirmation of receipt
8 of the court-ordered assignment and of the State Lottery's intent to
9 rely thereon in making future payments to the assignee named in the
10 order. The State Lottery shall, thereafter, make all payments in
11 accordance with the judicial order. No change in the terms of any
12 assignment shall be effective unless made pursuant to a subsequent
13 judicial order.

14 g. The State Lottery may impose a reasonable fee on an assignor
15 to defray any direct or indirect administrative expenses associated with
16 an assignment.

17 h. A winner shall not be permitted to assign the ²[final] last two²
18 annual prize ²[payment] payments² .

19 i. The State Lottery and the State are not parties to assignment
20 proceedings ², except that, the State may intervene as necessary to
21 protect the State's interest in monies owed to the State² .

22 j. The State Lottery and the State shall comply with, and rely
23 upon, a judicial order in distributing payments subject to that order.

24 k. A winner may pledge or grant a security interest in all or part
25 of a prize as collateral for repayment of a loan pursuant to a judicial
26 order containing the findings required by subsection d. of this section
27 which the court deems relevant to the pledge or grant.

28 l. Except where inconsistent with the provisions of this section,
29 the New Jersey consumer fraud act, P.L.1960, c.39 (C.56:8-1 et seq.),
30 shall apply to all transactions under this section.

31 m. The court shall cease to approve assignments pursuant to
32 subsection d. of this section if:

33 (1) the United States Internal Revenue Service issues a technical
34 rule letter, revenue ruling, or other public ruling in which it is
35 determined that because of the right of assignment provided by
36 subsection d. of this section, prizewinners who do not exercise the
37 right to assign prize payments would be subject to an immediate
38 income tax liability for the value of the entire prize rather than annual
39 income tax liability for each installment when received; or

40 (2) a court of competent jurisdiction issues a published decision
41 holding that because of the right of assignment provided by subsection
42 d. of this section, prizewinners who do not exercise the right to assign
43 prize payments would be subject to an immediate income tax liability
44 for the value of the entire prize rather than annual income tax liability
45 for each installment when received.

46 n. Upon receipt, the director shall immediately file a copy of a

1 letter or ruling of the United States Internal Revenue Service or a
2 published decision of a court of competent jurisdiction, described in
3 subsection m. of this section, with the Secretary of State. No
4 assignment shall be approved pursuant to subsection d. of this section
5 after the date of such filing.

6 o. ¹Notwithstanding the provisions of this section, any lottery
7 prize assignment or loan transaction which has been approved by a
8 New Jersey Superior Court pursuant to section 13 of P.L.1970, c.13
9 (C.5:9-13) on or before May 15, 1998, regardless of whether such an
10 order has been or is the subject of an appeal, shall ², upon joint written
11 agreement of the parties,² be deemed a binding assignment or
12 transaction and shall be honored by the Division of the State Lottery.

13 p. No change in the terms of any assignment shall be effective
14 unless made pursuant to a subsequent court order under this section.

15 q. A voluntary assignment shall not include or cover payments, or
16 portions of payments, that are subject to the offset pursuant to
17 P.L.1991, c.384 (C.5:9-13.1 et seq.), P.L.1997, c. 306 (C.5:9-13.10
18 et seq.), or any other law unless appropriate provisions are made to
19 satisfy the obligations giving rise to the offset.

20 r. No lottery assignee shall directly or indirectly recommend or
21 facilitate the hiring of any lawyer or accountant to assist the assignor
22 in determining the appropriateness of the proposed assignment.
23 Further, the assignee shall not offer prior to the closing tax or
24 investment advice.

25 s. ¹The director ¹, commissioners and employees of the Division
26 of the State Lottery¹ shall be discharged of ¹any and¹ all ¹【further】¹
27 liability upon payment of a prize ¹drawn¹ pursuant to this section.
28 (cf: P.L.1970, c.13, s.13)

29

30 2. This act shall take effect immediately.

ASSEMBLY COMMERCE, TOURISM, GAMING AND
MILITARY AND VETERANS' AFFAIRS COMMITTEE

STATEMENT TO

ASSEMBLY COMMITTEE SUBSTITUTE FOR
ASSEMBLY, Nos. 261 and 988

STATE OF NEW JERSEY

DATED: FEBRUARY 23, 1998

The Assembly Commerce, Tourism, Gaming and Military and Veterans' Affairs Committee reports favorably the Assembly Committee Substitute for Assembly, Nos. 261 and 988.

This committee substitute clarifies existing law to permit any person who has the right to receive a State Lottery prize to voluntarily assign that right to another person. A person who wishes to make a voluntary assignment of periodic payments would apply to the Superior Court, or to a federal court having jurisdiction over property located in New Jersey, for an order approving the transaction. The substitute contains provisions intended to protect a winner's rights and ensure that a winner makes an informed decision when making an assignment. The substitute also allows a winner to pledge or grant a security interest in all or part of a prize as collateral for repayment of a loan.

The substitute enables a person who is receiving a lottery prize through annual installments over a period of years to instead gain access to a lump sum which may be needed for such purposes as extraordinary medical expenses, the purchase of a home, or investment in a business. According to the sponsor, senior citizens, in particular, may prefer to receive a lump sum payment instead of annual installments. In addition, depending upon an individual's other income, assets, investment plans, and obligations, it may be more advantageous from a financial planning perspective to exchange annual payments for a single large payment.

The substitute provides that voluntary assignments could no longer be approved if the Internal Revenue Service issues a ruling, or a court of competent jurisdiction issues a published decision, to the effect that because voluntary assignments are allowed, prize-winners who do not make an assignment would be subject to an immediate tax liability for the value of the entire prize rather than an annual tax liability for each installment when received.

Similar legislation has been enacted by 11 other states and the District of Columbia.

SENATE STATE GOVERNMENT, BANKING AND FINANCIAL
INSTITUTIONS COMMITTEE

STATEMENT TO

ASSEMBLY COMMITTEE SUBSTITUTE FOR
ASSEMBLY, Nos. 261 and 988

with committee amendments

STATE OF NEW JERSEY

DATED: JUNE 11, 1998

The Senate State Government, Banking and Financial Institutions Committee reports favorably and with committee amendments the Assembly Committee Substitute for Assembly, Nos. 261 and 988.

This bill amends existing law to allow State Lottery winners to voluntarily assign their future prize payments to another person or third party. A person who wants to assign future periodic payments would apply to the Superior Court, or to a federal court having jurisdiction over property located in New Jersey, for an order approving the transaction. The bill contains provisions intended to protect a winner's rights and ensure that a winner makes an informed decision when making an assignment. The bill also allows a winner to pledge or grant a security interest in all or part of a prize as collateral for repayment of a loan.

Voluntary assignments enable a person who is receiving a lottery prize through annual installments over a period of years to receive, instead, a lump sum (by assigning future payments in exchange for the lump sum). A lump sum may be needed for purposes such as the payment of medical expenses, the purchase of a home, or investing in a business. According to the sponsor, senior citizens, in particular, may prefer to receive a lump sum payment instead of annual installments. In addition, depending upon an individual's other income, assets, investment plans, and obligations, it may be more advantageous from a financial planning perspective to exchange annual payments for a single large payment.

The bill provides that voluntary assignments would no longer be approved if the federal Internal Revenue Service issues a ruling, or a court of competent jurisdiction issues a published decision, that prize-winners who do not make an assignment are subject to an immediate tax liability for the value of the entire prize, rather than an annual tax liability for each installment when received.

The committee amended the bill to provide that:

(1) Any lottery prize assignment or loan transaction which has been approved by a New Jersey Superior Court pursuant to section 13 of P.L.1970, c.13 (C.5:9-13) on or before May 15, 1998, regardless of whether such an order has been or is the subject of an appeal, shall be deemed a binding assignment or transaction and shall be honored by the Division of the State Lottery.

(2) No change in the terms of any assignment shall be effective unless made pursuant to a subsequent court order.

(3) A voluntary assignment shall not include or cover payments, or portions of payments, that are subject to the offset pursuant to P.L.1991, c.384 (C.5:9-13.1 et seq.) which deals with unpaid child support or public assistance overpayments, P.L.1997, c.306 (C.5:9-13.10 et seq.) which deals with unpaid student loans, or any other law unless appropriate provisions are made to satisfy the obligations giving rise to the offset.

(4) No lottery assignee shall directly or indirectly recommend or facilitate the hiring of any lawyer or accountant to assist the assignor in determining the appropriateness of the proposed assignment. Further, the assignees shall not offer prior to the closing tax or investment advice.

Additional amendments require the observance of usury rate limits, absolve the commissioners or employees of the Division of State Lottery from any and all liability upon payment of an assigned prize, and require written notice to the winner recommending independent counsel before signing a binding document.

The Assembly Committee Substitute for Assembly, Nos. 261/988 SCA is the same as Senate, No. 721 SCA.

STATEMENT TO

[First Reprint]

ASSEMBLY COMMITTEE SUBSTITUTE FOR **ASSEMBLY, Nos. 261 and 988**

with Senate Floor Amendments
(Proposed By Senator CIESLA)

ADOPTED: JUNE 25, 1998

These amendments require a lottery winner seeking to assign annual payments in return for a lump sum to certify that the winner does not have a child support obligation or, if the winner has a child support obligation, that no arrearage is due and that the winner is not obligated to repay any public assistance benefits.

The amendments also clarify that the State may intervene in an assignment proceeding to protect the State's interest in monies owed to the State.

In addition, the amendments provide that assignments approved by the courts prior to May 15, 1998 will be binding and honored by the Division of the State Lottery only upon joint written agreement of the parties. The latter provision is intended to give either party to an assignment which was approved prior to that date, but which could not be implemented because of litigation challenging the validity of assignments under N.J.S.A.5:9-13, the option of not proceeding with the assignment or of obtaining a new court order in the manner provided by the bill.

Finally, the amendments provide that a winner may not assign the last two annual prize payments, rather than the final annual payment as currently provided by the bill.

ASSEMBLY, No. 261

STATE OF NEW JERSEY 208th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 1998 SESSION

Sponsored by:

Assemblyman GUY F. TALARICO

District 38 (Bergen)

SYNOPSIS

Clarifies that State Lottery prizes may be assigned under certain circumstances.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



A261 TALARICO

2

1 AN ACT clarifying that State Lottery prizes may be assigned under
2 certain circumstances and amending P.L.1970, c.13.

3
4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6
7 1. Section 13 of P.L.1970, c.13 (C.5:9-13) is amended to read as
8 follows:

9 13. **[No]** a. The right of any person to a prize drawn shall not be
10 assignable, except [that] as permitted by this section.

11 b. The payment of any prize drawn may be paid to the estate of a
12 deceased prize winner [, and except that any] upon receipt by the
13 State Lottery of a certified copy of a order appointing an executor or
14 an administrator.

15 c. Any person [pursuant to an appropriate judicial order] may be
16 assigned and paid the prize to which the winner is entitled pursuant to
17 a judicial order of the New Jersey Superior Court or a federal court
18 having jurisdiction over property located in this State provided that the
19 order pertains to claims of ownership in the prize drawn, division of
20 marital property in divorce actions, bankruptcy, child support,
21 appointment of a guardian or conservator, or distribution of an estate.

22 d. Any person may be assigned and paid a prize to which the
23 winner is entitled pursuant to a judicial order of the New Jersey
24 Superior Court or a federal court having jurisdiction over property
25 located in this State provided that the order contains at least the
26 following findings:

27 (1) the full legal name, address, social security number or taxpayer
28 identification number and, if applicable, resident alien number of the
29 winner;

30 (2) the full legal name, address, social security number or taxpayer
31 identification number and, if applicable, resident alien number of the
32 assignee;

33 (3) the date on which the winner won the prize;

34 (4) the date on which the winner claimed the prize;

35 (5) the gross amount of the prize drawn before application of
36 withholding taxes;

37 (6) the gross amount of payments to be made to the winner by the
38 State Lottery before application of withholding taxes;

39 (7) the dates of the payments to be assigned and the amount of the
40 specific payments to be assigned on each date;

41 (8) the identity of the winner's spouse, if any, and the interest of the
42 spouse in the prize;

43 (9) the identity of any other co-owner, claimant or lienholder and

EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

A261 TALARICO

1 the amount of the interests, liens, security interests, prior assignments
2 or offsets asserted by such party;

3 (10) that the interest rate or discount rate, as applicable, and all fees
4 and costs and other material terms relating to the assignment are
5 expressly and clearly included in all material documents and in all
6 documents that include any obligations of the prize winner;

7 (11) that the interest rate or discount rate, as applicable, associated
8 with the assignment does not indicate overreaching or exploitation and
9 does not violate any laws of usury of this State;

10 (12) that the winner has reviewed and understands the terms of the
11 assignment;

12 (13) that the winner understands that the winner will not receive the
13 prize payments, or portions thereof, for the years assigned;

14 (14) that the winner has agreed to the assignment of the winner's
15 own free will without undue influence or duress;

16 (15) that the winner has retained, and consulted with, independent
17 legal counsel who has advised the winner of the winner's legal rights
18 and obligations;

19 (16) that the winner has retained, and consulted with, an
20 independent tax advisor concerning the tax consequences of the
21 assignment; and

22 (17) that the winner does not seek assignment for purposes of
23 evading creditors, judgments or obligations for child support.

24 e. Before a winner is legally bound, by agreement, contract or
25 otherwise, and prior to the issuance of an order pursuant to subsection
26 d. of this section, the assignee shall provide the winner with all
27 material documents which shall be binding on the assignor, including
28 documents evidencing obligations of the winner. All documents shall
29 include a notice of the assignor's right to cancel the agreement which
30 shall be located in immediate proximity to all spaces reserved for the
31 signature of the winner in bold-faced type of at least 10 points and
32 which shall provide as follows:

33 "You have the right to cancel this assignment without any cost to
34 you until midnight three business days after the day on which you have
35 signed an agreement to assign all or a portion of your prize.

36 "Cancellation occurs when you give notice by regular first class
37 mail, postage prepaid, to the assignee at the address listed at the top
38 of the first page of this document that you wish to cancel the
39 assignment. Notice is deemed given when deposited in a mailbox."

40 f. If the State Lottery determines that a judicial order granting an
41 assignment, issued pursuant to subsection d. of this section, is
42 complete and correct in all respects, the State Lottery shall, not later
43 than 10 days after receiving a true and correct copy of the filed judicial
44 order, send the winner and the assignee written confirmation of receipt
45 of the court-ordered assignment and of the State Lottery's intent to
46 rely thereon in making future payments to the assignee named in the

A261 TALARICO

1 order. The State Lottery shall, thereafter, make all payments in
2 accordance with the judicial order. No change in the terms of any
3 assignment shall be effective unless made pursuant to a subsequent
4 judicial order.

5 g. The State Lottery may impose a reasonable fee on an assignor
6 to defray any direct or indirect administrative expenses associated with
7 an assignment.

8 h. A winner shall not be permitted to assign the final annual prize
9 payment.

10 i. The State Lottery and the State are not parties to assignment
11 proceedings.

12 j. The State Lottery and the State shall comply with, and rely upon,
13 a judicial order in distributing payments subject to that order.

14 k. A winner may pledge or grant a security interest in all or part of
15 a prize as collateral for repayment of a loan pursuant to a judicial
16 order containing the findings required by subsection d. of this section
17 which the court deems relevant the pledge or grant.

18 l. Except where inconsistent with the provisions of this section,
19 the New Jersey Consumer Fraud Act, P.L.1960, c.39 (C.56:8-1 et
20 seq.), shall apply to all transactions under this section.

21 m. The court shall cease to approve assignments pursuant to
22 subsection d. of this section if:

23 (1) the United States Internal Revenue Service issues a technical
24 rule letter, revenue ruling, or other public ruling in which it is
25 determined that because of the right of assignment provided by
26 subsection d. of this section, prizewinners who do not exercise the
27 right to assign prize payments would be subject to an immediate
28 income tax liability for the value of the entire prize rather than annual
29 income tax liability for each installment when received; or

30 (2) a court of competent jurisdiction issues a published decision
31 holding that because of the right of assignment provided by subsection
32 d. of this section, prizewinners who do not exercise the right to assign
33 prize payments would be subject to an immediate income tax liability
34 for the value of the entire prize rather than annual income tax liability
35 for each installment when received.

36 n. Upon receipt, the director shall immediately file a copy of a
37 letter or ruling of the United States Internal Revenue Service or a
38 published decision of a court of competent jurisdiction, described in
39 subsection m. of this section, with the Secretary of State. No
40 assignment shall be approved pursuant to subsection d. of this section
41 after the date of such filing.

42 o. The director shall be discharged of all further liability upon
43 payment of a prize pursuant to this section.

44 (cf: P.L.1970, c.13, s.13)

45

46 2. This act shall take effect immediately.

1 STATEMENT

2

3 This bill would clarify existing law to permit any person who has
4 the right to receive a State Lottery prize to voluntarily assign that right
5 to another person. A person who wishes to make a voluntary
6 assignment of periodic payments would apply to the Superior Court,
7 or to a federal court having jurisdiction over property located in New
8 Jersey, for an order approving the transaction. The bill contains
9 provisions intended to protect a winner's rights and ensure that a
10 winner makes an informed decision when making an assignment. The
11 bill would also allow a winner to pledge or grant a security interest in
12 all or part of a prize as collateral for repayment of a loan.

13 The bill provides that voluntary assignments would cease to be
14 approved if the Internal Revenue Service issues a ruling, or a court of
15 competent jurisdiction issues a published decision, to the effect that
16 because voluntary assignments are allowed, prize-winners who do not
17 make an assignment would be subject to an immediate tax liability for
18 the value of the entire prize rather than an annual tax liability for each
19 installment when received.

20 The bill would enable a person who is receiving a lottery prize
21 through annual installments over a period of years to instead gain
22 access to a lump sum which may be needed for such purposes as
23 extraordinary medical expenses, the purchase of a home, or investment
24 in a business. Senior citizens, in particular, may prefer to receive a
25 lump sum payment instead of annual installments. In addition,
26 depending upon an individual's other income, assets, investment plans,
27 and obligations, it may be more advantageous from a financial planning
28 perspective to exchange annual payments for a single large payment.
29 Similar legislation has been enacted by 11 other states and the District
30 of Columbia.

ASSEMBLY, No. 988

STATE OF NEW JERSEY 208th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 1998 SESSION

Sponsored by:

Assemblyman KENNETH C. LEFEVRE

District 2 (Atlantic)

Assemblyman JOHN V. KELLY

District 36 (Bergen, Essex and Passaic)

SYNOPSIS

Permits assignment of State Lottery prizes under certain circumstances.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



1 AN ACT concerning the assignment of State Lottery prizes and
2 amending P.L.1970, c.13.

3
4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

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7 1. Section 13 of P.L.1970, c.13 (C.5:9-13) is amended to read as
8 follows:

9 13. **[No]** a. The right of any person to a prize drawn shall not be
10 assignable, except [that] as permitted by this section.

11 b. The payment of any prize drawn may be paid to the estate of a
12 deceased prize winner[, and except that any].

13 c. Any person pursuant to an appropriate judicial order may be
14 paid the prize to which the winner is entitled.

15 d. A person having the right to a prize paid through periodic
16 payments may, at any time, voluntarily assign the right to receive the
17 payments, in whole or in part, to a person or entity in the manner
18 provided by this subsection. A person wishing to make a voluntary
19 assignment of periodic payments shall apply to the Superior Court for
20 issuance of an order approving the assignment. The court shall issue
21 an order approving the voluntary assignment and directing that
22 payments be made to the assignee when the following conditions are
23 met:

24 (1) the assignor shall submit to the court a copy of the written
25 contract of assignment which shall expressly provide that it is subject
26 to the laws of this State and which shall be executed by the assignor;

27 (2) the assignor shall provide the court with a sworn affidavit,
28 along with copies of the supporting documents specified in
29 subparagraphs (e) and (f) of this paragraph, attesting that:

30 (a) the assignor is of sound mind, in full command of the assignor's
31 mental faculties, and not acting under duress;

32 (b) the assignor has been advised regarding the assignment by the
33 assignor's own attorney and has had the opportunity to receive
34 independent financial and tax advice concerning the effects of the
35 assignment;

36 (c) the assignor understands that the assignor will not receive the
37 prize payments, or portions thereof, for the years assigned;

38 (d) the assignor understands and agrees that neither the State nor
39 the State Lottery, nor any officer or employee thereof, shall have any
40 further liability or responsibility to make the assigned payments to the
41 assignor;

42 (e) the assignee has provided the assignor with a one-page written
43 disclosure statement which indicates, in bold type which is at least 14

EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and intended to be omitted in the law.

Matter underlined thus is new matter.

- 1 points in size, the following:
- 2 (i) the payments being assigned, including amounts and payment
3 dates;
- 4 (ii) the amount to be paid by the assignee to the assignor as
5 consideration for the assignment of the payments;
- 6 (iii) the rate of discount to present value, assuming daily
7 compounding and funding on the contract date; and
- 8 (iv) the amount of any origination or closing fees to be paid by the
9 assignor; and
- 10 (f) the assignor has been advised by the assignee in writing, at the
11 time the assignor signed the assignment contract, that the assignor has
12 the right to cancel the contract without any further obligation within
13 three business days following the date on which the contract was
14 signed.
- 15 e. A voluntary assignment pursuant to subsection d. of this section
16 shall not include or cover payments or portions of payments that are
17 subject to offset pursuant to P.L.1991, c.384 (C.5:9-13.1 et seq.), or
18 any other law, unless appropriate provision is made in the order to
19 satisfy the obligations giving rise to the offset.
- 20 f. The State Lottery may impose a reasonable fee to defray any
21 direct or indirect administrative expenses associated with assignments
22 made pursuant to subsection d. of this section, including the cost to
23 the State or the State Lottery of any processing fee that may be
24 imposed by a private annuity provider.
- 25 g. The court shall cease to approve assignments pursuant to
26 subsection d. of this section if:
- 27 (1) the United States Internal Revenue Service issues a technical
28 rule letter, revenue ruling, or other public ruling in which it is
29 determined that because of the right of assignment provided by
30 subsection d. of this section, prizewinners who do not exercise the
31 right to assign prize payments would be subject to an immediate
32 income tax liability for the value of the entire prize rather than annual
33 income tax liability for each installment when received; or
- 34 (2) a court of competent jurisdiction issues a published decision
35 holding that because of the right of assignment provided by subsection
36 d. of this section, prizewinners who do not exercise the right to assign
37 prize payments would be subject to an immediate income tax liability
38 for the value of the entire prize rather than annual income tax liability
39 for each installment when received.
- 40 h. Upon receipt, the director shall immediately file a copy of a
41 letter or ruling of the United States Internal Revenue Service or a
42 published decision of a court of competent jurisdiction, described in
43 subsection g. of this section, with the Secretary of State. No
44 assignment shall be approved pursuant to subsection d. of this section
45 after the date of such filing.
- 46 i. The director shall be discharged of all further liability upon

1 payment of a prize pursuant to this section.
2 (cf: P.L.1970, c.13, s.13)

3
4 2. This act shall take effect immediately.

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STATEMENT

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9 This bill would amend existing law to permit any person who has
10 the right to receive a State Lottery prize through periodic payments to
11 voluntarily assign that right, at any time, to another person or entity.
12 A person who wishes to make a voluntary assignment of periodic
13 payments would apply to the Superior Court for an order approving
14 the assignment. The court would issue an order upon the assignor's
15 submission of a copy of the written contract of assignment and a
16 sworn affidavit, accompanied by supporting documents, attesting that
17 the assignor: is mentally competent and not acting under duress; has
18 consulted an attorney regarding the assignment and has had the
19 opportunity to receive independent financial and tax advice;
20 understands that the assignor will not receive the prize payments, or
21 portions thereof, for the years assigned; recognizes that neither the
22 State nor the State Lottery will have any further responsibility to make
23 assigned payments to the assignor; has received from the assignee a
24 one-page written disclosure statement setting forth the terms of the
25 assignment; and has been advised by the assignee, in writing at the
26 time the contract of assignment was signed, that the assignor has the
27 right to cancel the contract within three business days of the signing.

28 A voluntary assignment would not include payments, or portions
29 thereof, that are subject to offset for an arrearage in court-ordered
30 child support or overpayments for Aid to Families with Dependent
31 Children, food stamp benefits or low-income home energy assistance
32 benefits, or any other offset required by law, unless provision is made
33 in the court order to meet the obligation. The bill allows the State
34 Lottery to impose a reasonable fee to defray administrative costs
35 associated with the assignment, including the cost of any processing
36 fee imposed by a private annuity provider.

37 The bill provides that voluntary assignments would cease to be
38 approved if the Internal Revenue Service issues a ruling, or a court of
39 competent jurisdiction issues a published decision, to the effect that
40 because voluntary assignments are allowed, prize-winners who do not
41 make an assignment will, nevertheless, be deemed to have a tax
42 liability for the full value of the prize during one tax year rather than
43 an annual tax liability for each installment in the year in which it is
44 received.

45 The purpose of the bill is to enable a person who is receiving a
46 lottery prize through annual installments over a period of years to

1 instead gain access to a lump sum which may be needed for such
2 purposes as extraordinary medical expenses, the purchase of a home,
3 or investment in a business. Senior citizens, in particular, may prefer
4 to receive a lump sum payment instead of annual installments. In
5 addition, depending upon an individual's other income, assets,
6 investment plans, and obligations, it may be more advantageous from
7 a financial planning perspective to exchange annual payments for a
8 single large payment. Similar legislation has been enacted by eleven
9 other states and the District of Columbia.

SENATE, No. 721

STATE OF NEW JERSEY
208th LEGISLATURE

INTRODUCED FEBRUARY 26, 1998

Sponsored by:

Senator ANDREW R. CIESLA

District 10 (Monmouth and Ocean)

Senator LOUIS F. KOSCO

District 38 (Bergen)

SYNOPSIS

Clarifies that State Lottery prizes may be assigned under certain circumstances.

CURRENT VERSION OF TEXT

As introduced.



S721 CIESLA, KOSCO

2

1 AN ACT clarifying that State Lottery prizes may be assigned under
2 certain circumstances and amending P.L.1970, c.13.

3
4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6
7 1. Section 13 of P.L.1970, c.13 (C.5:9-13) is amended to read as
8 follows:

9 13. **[No]** a. The right of any person to a prize drawn shall not be
10 assignable, except [that] as permitted by this section.

11 b. The payment of any prize drawn may be paid to the estate of a
12 deceased prize winner [, and except that any] upon receipt by the
13 State Lottery of a certified copy of a order appointing an executor or
14 an administrator.

15 c. Any person [pursuant to an appropriate judicial order] may be
16 assigned and paid the prize to which the winner is entitled pursuant to
17 a judicial order of the New Jersey Superior Court or a federal court
18 having jurisdiction over property located in this State provided that the
19 order pertains to claims of ownership in the prize drawn, division of
20 marital property in divorce actions, bankruptcy, child support,
21 appointment of a guardian or conservator, or distribution of an estate.

22 d. Any person may be assigned and paid a prize to which the
23 winner is entitled pursuant to a judicial order of the New Jersey
24 Superior Court or a federal court having jurisdiction over property
25 located in this State provided that the order contains at least the
26 following findings:

27 (1) the full legal name, address, social security number or taxpayer
28 identification number and, if applicable, resident alien number of the
29 winner;

30 (2) the full legal name, address, social security number or taxpayer
31 identification number and, if applicable, resident alien number of the
32 assignee;

33 (3) the date on which the winner won the prize;

34 (4) the date on which the winner claimed the prize;

35 (5) the gross amount of the prize drawn before application of
36 withholding taxes;

37 (6) the gross amount of payments to be made to the winner by the
38 State Lottery before application of withholding taxes;

39 (7) the dates of the payments to be assigned and the amount of the
40 specific payments to be assigned on each date;

41 (8) the identity of the winner's spouse, if any, and the interest of the
42 spouse in the prize;

43 (9) the identity of any other co-owner, claimant or lienholder and

EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 the amount of the interests, liens, security interests, prior assignments
2 or offsets asserted by such party;

3 (10) that the interest rate or discount rate, as applicable, and all fees
4 and costs and other material terms relating to the assignment are
5 expressly and clearly included in all material documents and in all
6 documents that include any obligations of the prize winner;

7 (11) that the interest rate or discount rate, as applicable, associated
8 with the assignment does not indicate overreaching or exploitation and
9 does not violate any laws of usury of this State;

10 (12) that the winner has reviewed and understands the terms of the
11 assignment;

12 (13) that the winner understands that the winner will not receive the
13 prize payments, or portions thereof, for the years assigned;

14 (14) that the winner has agreed to the assignment of the winner's
15 own free will without undue influence or duress;

16 (15) that the winner has retained, and consulted with, independent
17 legal counsel who has advised the winner of the winner's legal rights
18 and obligations;

19 (16) that the winner has retained, and consulted with, an
20 independent tax advisor concerning the tax consequences of the
21 assignment; and

22 (17) that the winner does not seek assignment for purposes of
23 evading creditors, judgments or obligations for child support.

24 e. Before a winner is legally bound, by agreement, contract or
25 otherwise, and prior to the issuance of an order pursuant to subsection
26 d. of this section, the assignee shall provide the winner with all
27 material documents which shall be binding on the assignor, including
28 documents evidencing obligations of the winner. All documents shall
29 include a notice of the assignor's right to cancel the agreement which
30 shall be located in immediate proximity to all spaces reserved for the
31 signature of the winner in bold-faced type of at least 10 points and
32 which shall provide as follows:

33 "You have the right to cancel this assignment without any cost to
34 you until midnight three business days after the day on which you have
35 signed an agreement to assign all or a portion of your prize.

36 Cancellation occurs when you give notice by regular first class mail,
37 postage prepaid, to the assignee at the address listed at the top of the
38 first page of this document that you wish to cancel the assignment.
39 Notice is deemed given when deposited in a mailbox."

40 f. If the State Lottery determines that a judicial order granting an
41 assignment, issued pursuant to subsection d. of this section, is
42 complete and correct in all respects, the State Lottery shall, not later
43 than 10 days after receiving a true and correct copy of the filed judicial
44 order, send the winner and the assignee written confirmation of receipt
45 of the court-ordered assignment and of the State Lottery's intent to
46 rely thereon in making future payments to the assignee named in the

1 order. The State Lottery shall, thereafter, make all payments in
2 accordance with the judicial order. No change in the terms of any
3 assignment shall be effective unless made pursuant to a subsequent
4 judicial order.

5 g. The State Lottery may impose a reasonable fee on an assignor
6 to defray any direct or indirect administrative expenses associated with
7 an assignment.

8 h. A winner shall not be permitted to assign the final annual prize
9 payment.

10 i. The State Lottery and the State are not parties to assignment
11 proceedings.

12 j. The State Lottery and the State shall comply with, and rely upon,
13 a judicial order in distributing payments subject to that order.

14 k. A winner may pledge or grant a security interest in all or part of
15 a prize as collateral for repayment of a loan pursuant to a judicial
16 order containing the findings required by subsection d. of this section
17 which the court deems relevant to the pledge or grant.

18 l. Except where inconsistent with the provisions of this section,
19 the New Jersey consumer fraud act, P.L.1960, c.39 (C.56:8-1 et seq.),
20 shall apply to all transactions under this section.

21 m. The court shall cease to approve assignments pursuant to
22 subsection d. of this section if:

23 (1) the United States Internal Revenue Service issues a technical
24 rule letter, revenue ruling, or other public ruling in which it is
25 determined that because of the right of assignment provided by
26 subsection d. of this section, prizewinners who do not exercise the
27 right to assign prize payments would be subject to an immediate
28 income tax liability for the value of the entire prize rather than annual
29 income tax liability for each installment when received; or

30 (2) a court of competent jurisdiction issues a published decision
31 holding that because of the right of assignment provided by subsection
32 d. of this section, prizewinners who do not exercise the right to assign
33 prize payments would be subject to an immediate income tax liability
34 for the value of the entire prize rather than annual income tax liability
35 for each installment when received.

36 n. Upon receipt, the director shall immediately file a copy of a
37 letter or ruling of the United States Internal Revenue Service or a
38 published decision of a court of competent jurisdiction, described in
39 subsection m. of this section, with the Secretary of State. No
40 assignment shall be approved pursuant to subsection d. of this section
41 after the date of such filing.

42 o. The director shall be discharged of all further liability upon
43 payment of a prize pursuant to this section.

44 (cf: P.L.1970, c.13, s.13)

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46 2. This act shall take effect immediately.

STATEMENT

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This bill would clarify existing law to permit any person who has the right to receive a State Lottery prize to voluntarily assign that right to another person. A person who wishes to make a voluntary assignment of periodic payments would apply to the Superior Court, or to a federal court having jurisdiction over property located in New Jersey, for an order approving the transaction. The bill contains provisions intended to protect a winner's rights and ensure that a winner makes an informed decision when making an assignment. The bill would also allow a winner to pledge or grant a security interest in all or part of a prize as collateral for repayment of a loan.

The bill provides that voluntary assignments would cease to be approved if the Internal Revenue Service issues a ruling, or a court of competent jurisdiction issues a published decision, to the effect that because voluntary assignments are allowed, prize-winners who do not make an assignment would be subject to an immediate tax liability for the value of the entire prize rather than an annual tax liability for each installment when received.

The bill would enable a person who is receiving a lottery prize through annual installments over a period of years to instead gain access to a lump sum which may be needed for such purposes as extraordinary medical expenses, the purchase of a home, or investment in a business. Senior citizens, in particular, may prefer to receive a lump sum payment instead of annual installments. In addition, depending upon an individual's other income, assets, investment plans, and obligations, it may be more advantageous from a financial planning perspective to exchange annual payments for a single large payment. Similar legislation has been enacted by other states and the District of Columbia.

SENATE STATE GOVERNMENT, BANKING AND FINANCIAL
INSTITUTIONS COMMITTEE

STATEMENT TO

SENATE, No. 721

with committee amendments

STATE OF NEW JERSEY

DATED: JUNE 11, 1998

The Senate State Government, Banking and Financial Institutions Committee reports favorably and with committee amendments Senate, No. 721.

This bill amends existing law to allow State Lottery winners to voluntarily assign their future prize payments to another person or third party. A person who wants to assign future periodic payments would apply to the Superior Court, or to a federal court having jurisdiction over property located in New Jersey, for an order approving the transaction. The bill contains provisions intended to protect a winner's rights and ensure that a winner makes an informed decision when making an assignment. The bill also allows a winner to pledge or grant a security interest in all or part of a prize as collateral for repayment of a loan.

Voluntary assignments enable a person who is receiving a lottery prize through annual installments over a period of years to receive, instead, a lump sum (by assigning future payments in exchange for the lump sum). A lump sum may be needed for purposes such as the payment of medical expenses, the purchase of a home, or investing in a business. According to the sponsor, senior citizens, in particular, may prefer to receive a lump sum payment instead of annual installments. In addition, depending upon an individual's other income, assets, investment plans, and obligations, it may be more advantageous from a financial planning perspective to exchange annual payments for a single large payment.

The bill provides that voluntary assignments would no longer be approved if the federal Internal Revenue Service issues a ruling, or a court of competent jurisdiction issues a published decision, that prize-winners who do not make an assignment are subject to an immediate tax liability for the value of the entire prize, rather than an annual tax liability for each installment when received.

The committee amended the bill to provide that:

(1) Any lottery prize assignment or loan transaction which has been approved by a New Jersey Superior Court pursuant to section 13

of P.L.1970, c.13 (C.5:9-13) on or before May 15, 1998, regardless of whether such an order has been or is the subject of an appeal, shall be deemed a binding assignment or transaction and shall be honored by the Division of the State Lottery.

(2) No change in the terms of any assignment shall be effective unless made pursuant to a subsequent court order.

(3) A voluntary assignment shall not include or cover payments, or portions of payments, that are subject to the offset pursuant to P.L.1991, c.384 (C.5:9-13.1 et seq.) which deals with unpaid child support or public assistance overpayments, P.L.1997, c.306 (C.5:9-13.10 et seq.) which deals with unpaid student loans, or any other law unless appropriate provisions are made to satisfy the obligations giving rise to the offset.

(4) No lottery assignee shall directly or indirectly recommend or facilitate the hiring of any lawyer or accountant to assist the assignor in determining the appropriateness of the proposed assignment. Further, the assignees shall not offer prior to the closing tax or investment advice.

Additional amendments require the observance of usury rate limits, absolve the commissioners or employees of the Division of State Lottery from any and all liability upon payment of an assigned prize, and require written notice to the winner recommending independent counsel before signing a binding document.

Senate, No. 721 SCA is the same as the Assembly Committee Substitute for Assembly, Nos. 261 and 988 SCA.

STATEMENT TO
[First Reprint]
SENATE, No. 721

with Senate Floor Amendments
(Proposed By Senator CIESLA)

ADOPTED: JUNE 25, 1998

These amendments require a lottery winner seeking to assign annual payments in return for a lump sum to certify that the winner does not have a child support obligation or, if the winner has a child support obligation, that no arrearage is due and that the winner is not obligated to repay any public assistance benefits.

The amendments also clarify that the State may intervene in an assignment proceeding to protect the State's interest in monies owed to the State.

In addition, the amendments provide that assignments approved by the courts prior to May 15, 1998 will be binding and honored by the Division of the State Lottery only upon joint written agreement of the parties. The latter provision is intended to give either party to an assignment which was approved prior to that date, but which could not be implemented because of litigation challenging the validity of assignments under N.J.S.A.5:9-13, the option of not proceeding with the assignment or of obtaining a new court order in the manner provided by the bill.

Finally, the amendments provide that a winner may not assign the last two annual prize payments, rather than the final annual payment as currently provided by the bill.

Office of the Governor
NEWS RELEASE

PO BOX 004
TRENTON, NJ 08625

CONTACT: Jayne O'Connor
Wendi Patella 609-777-2600

RELEASE: September 14, 1998

Governor Christie Whitman today signed the following:

Assembly Joint Resolution 48, sponsored by Assembly Members Clare Farragher (R-Monmouth) and Samuel Thompson (R- Middlesex/Monmouth) and Senators Joseph Kyrillos (R- Middlesex/Monmouth) and Donald DiFrancesco (R- Middlesex/Morris/ Somerset/Union), designates a portion of Route 9 in Old Bridge as the Joann H. Smith Memorial Highway. The highway is named to honor the late Assemblywoman for her valuable service as a legislator and local official.

A-1730, sponsored by Assemblyman Paul Kramer (R- Mercer/Middlesex) and Senators Peter Inverso (R- Mercer/Middlesex) and Raymond Lesniak (D-Union), clarifies exemption from gross income tax of nonresident earnings from hedge fund investments. The law also provides additional remedy for taxpayers assessed deficiencies, affects certain state tax penalty provisions, and changes the requirements for estimated quarterly payments.

A-261, sponsored by Assembly Members Guy Talarico (R- Bergen), Ken LeFevre (R-Atlantic) and John Kelly (R- Bergen/Essex/Passaic) and Senators Andrew Ciesla (R- Monmouth/Ocean) and Louis Kosco (R-Bergen), which clarifies that state Lottery prizes may be assigned to persons other than the winner in certain circumstances. Under the bill, a person wishing to assign a lottery prize to another individual would have to obtain permission from state or federal court.

A-754, sponsored by Assembly Members Nicholas Asselta (R- Cape May/Atlantic/ Cumberland) and Neil Cohen (D-Union), provides for the sale of check cashing businesses under certain circumstances. The bill clarifies that owners of check cashing businesses may sell their businesses even though the office is within 2,500 feet of another check cashing business or is engaging in a business other than primarily check cashing. The previous law was unclear on this issue.

A-848, sponsored by Assembly Members Clare Farragher (R- Monmouth) and Michael Arnone (R-Monmouth), which regulates sales of horses and prohibits mistreatment of horses. The bill is intended to address concerns raised by a horse owner regarding the maltreatment of horses at a local auction. The bill amends existing law to ensure that all types of horses are protected from abuse. Previous law protected only horses as work" animals, and failed to address horses used in recreation, shows and as pets. The bill provides for monetary penalties of between \$200 to \$500 for violations of its provisions.

A-1750, sponsored by Assembly Members Merkt (R-Morris) and Murphy (R- Essex/Morris/Passaic) and Senators Bucco (R-Morris) and Donald DiFrancesco (R-Middlesex/Morris/Somerset/Union), appropriates an additional \$2 million to the Department of Community Affairs for expansion and refurbishment of fire training facilities at the Morris County Fire and Police Academy Life Safety Complex. Volunteer firefighters in the 39 municipalities of Morris County will use the complex. The facility will also be available for use by police and fire organizations throughout the state.