

**HB 3389 A STAFF MEASURE SUMMARY**

Carrier: Rep. Barker

**House Committee On Business and Labor****Action Date:** 04/08/19**Action:** Do pass with amendments. (Printed A-Eng.)**Vote:** 11-0-0-0**Yeas:** 11 - Barker, Barreto, Boles, Bonham, Boshart Davis, Bynum, Clem, Doherty, Evans, Fahey, Holvey**Fiscal:** Has minimal fiscal impact**Revenue:** No revenue impact**Prepared By:** Jan Nordlund, LPRO Analyst**Meeting Dates:** 4/1, 4/8**WHAT THE MEASURE DOES:**

Requires name and address of winners of certain multistate lottery games to not be publicly disclosed unless the winner provides written authorization for such disclosure. Allows Oregon Lottery to pay prize to trustee of a trust at written request of prize winner. Allows Oregon Lottery Commission to specify, by rule, any service fee that may be charged in addition to retail sales price and any other fees required by law. Caps such service fee at 30 percent of retail sales price of ticket or share.

**ISSUES DISCUSSED:**

- People outside of United States who play multi-state lottery games such as Mega Millions and Powerball through third-party who locally purchases tickets on their behalf
- Whether games will be played on personal electronic devices in the future
- Expense to geolocate player and verify player's age if game is played using personal electronic device

**EFFECT OF AMENDMENT:**

Allows Oregon Lottery Commission to specify, by rule, that service fee may be charged in addition to retail sales price and any other fees required by law for tickets or shares. Caps service fee at no more than 30 percent of retail sales price of ticket or share. Limits anonymity to winners of multistate games offered in at least 30 states.

**BACKGROUND:**

The Oregon State Lottery Commission has adopted an administrative rule that allows the Lottery to use the name, address, and likeness of a winner in any Lottery promotional campaign, advertisement, or press release. By claiming a prize, the winner grants the Lottery this right. However, the street or house number of the winner's address cannot be released. House Bill 3389-A prohibits the Lottery from publicly disclosing a winner's name and address unless the winner provides written authorization for such disclosure; this applies only to multistate games offered in at least 30 states. The measure also allows the trustee of a trust to collect the prize at the written request of the prize winner.

Current law prohibits the sale of a lottery ticket or share to be sold for more than the retail sales price on the ticket or share. House Bill 3389-A allows the Commission to establish a service fee that may be charged in addition to the retail sales price and any other fees required by law. The Commission may not set the service fee at more than 30 percent of the retail sales price.