



General Assembly

February Session, 2000

**Raised Bill No. 595**

LCO No. 2422

Referred to Committee on Judiciary

Introduced by:  
(JUD)

***An Act Concerning Collection Attorneys.***

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

1 Section 4a-12 of the general statutes, as amended by section 1 of  
2 public act 99-2 and section 2 of public act 99-193, is repealed and the  
3 following is substituted in lieu thereof:

4 (a) The Commissioner of Administrative Services shall be  
5 responsible for the following: (1) Investigation, determination, billing  
6 and collection of all charges for support of persons aided, cared for or  
7 treated in a state humane institution, as defined in section 17b-222, and  
8 enforcement of support obligations of the liable relatives of such  
9 persons; (2) billing and collection of any money due to the state in  
10 public assistance cases, and enforcement of support obligations of  
11 liable relatives in such cases; (3) collection of benefits and maintenance  
12 of trustee accounts therefor; and (4) such collection services for other  
13 state agencies and departments as shall be agreed to between said  
14 commissioner and the heads of such other agencies and departments.

15 (b) Any debt referred to the Department of Administrative Services  
16 by a state agency may be referred by the commissioner to a consumer

17 collection agency, licensed under section 36a-801, or to an attorney  
18 admitted under the provisions of section 51-80 who specializes in  
19 creditor's rights matters, for collection, provided the debtor has been  
20 given at least thirty days' notice that the debt will be so referred.

21 (c) For purposes of this section, "liable relative" means the husband  
22 or wife of any person receiving public assistance or aided, cared for or  
23 treated in a state humane institution, as defined in said section 17b-222,  
24 and the father and mother of any such person under the age of  
25 eighteen years, but shall not include the parent or parents whose  
26 financial liability for a child is determined by the Bureau of Child  
27 Support Enforcement under subsection (b) of section 17b-179. The  
28 Commissioner of Administrative Services, in consultation with the  
29 Secretary of the Office of Policy and Management, shall adopt  
30 regulations in accordance with the provisions of chapter 54  
31 establishing: (1) A uniform contribution scale for liable relatives based  
32 upon ability to pay and the administrative feasibility of collecting such  
33 contributions, provided no such liable relative shall contribute an  
34 amount in excess of twelve per cent of the remainder, if any, after the  
35 state median income, adjusted for family size, has been deducted from  
36 such liable relative's taxable income for federal income tax purposes, or  
37 if such federal income tax information is unavailable, from such  
38 relative's taxable income, as calculated from other sources, including,  
39 but not limited to, information pertaining to wages, salaries and  
40 commissions as provided by such relative's employer; (2) the manner  
41 in which the Department of Administrative Services shall determine  
42 and periodically reinvestigate the ability of such liable relatives to pay;  
43 and (3) the manner in which the department shall waive such  
44 contributions upon determination that such contribution would pose a  
45 significant financial hardship upon such liable relatives.

46 (d) Notwithstanding the provisions of subsection (c) of this section,  
47 no liability shall be imposed upon a liable relative upon determination  
48 by the Department of Mental Retardation, Social Services, Children  
49 and Families, Mental Health and Addiction Services or Public Health

50 that the benefit of the assistance or service provided would be  
51 significantly impaired by the imposition of such liability. Each such  
52 department may waive all or part of any liability resulting from its  
53 delay in establishing such liability if it determines that imposition of  
54 such liability would pose a significant financial hardship upon a liable  
55 relative.

***Statement of Purpose:***

To permit the Department of Administrative Services to refer debt collection to attorneys who specialize in creditor's rights in addition to consumer collection agencies.

*[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.]*