



General Assembly

January Session, 2001

**Bill No. 6701**

LCO No. 3643

Referred to Committee on Human Services

Introduced by:

REP. WARD, 86<sup>th</sup> Dist.

SEN. DELUCA, 32<sup>nd</sup> Dist.

***AN ACT CONCERNING ENHANCEMENTS TO THE CHILD SUPPORT ENFORCEMENT SYSTEM.***

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

1 Section 1. Section 4a-18 of the general statutes is repealed and the  
2 following is substituted in lieu thereof:

3 To assist in locating parents who have deserted their children and  
4 other persons liable for support of dependents, the Commissioner of  
5 Administrative Services, the Commissioner of Public Safety, [or] the  
6 Commissioner of Social Services or a support enforcement officer of  
7 the Superior Court may request and shall receive information from the  
8 records of all departments, boards, bureaus or other agencies,  
9 including law enforcement agencies of this state and the same are  
10 authorized and required to provide such information promptly as is  
11 necessary for this purpose, provided, only information directly bearing  
12 on the identity and whereabouts of a person owing or asserted to be  
13 owing an obligation of support shall be furnished by such  
14 departments, boards, bureaus or other agencies as requested and used

15 or transmitted by the Commissioner of Administrative Services, the  
16 Commissioner of Public Safety, [or] the Commissioner of Social  
17 Services or a support enforcement officer of the Superior Court  
18 pursuant to the authority conferred by this section. The Commissioner  
19 of Social Services, acting by and through the IV-D agency, or a support  
20 enforcement officer of the Superior Court may make such information  
21 available only to federal agencies and public officials and agencies of  
22 this state, other states and the political subdivisions of this state and  
23 other states seeking to locate parents who have deserted their children  
24 and other persons liable for support of dependents for the purpose of  
25 enforcing their liability for support.

26 Sec. 2. Section 17b-93 of the general statutes is amended by adding  
27 subsection (e) as follows:

28 (NEW) (e) The Commissioner of Social Services shall adopt  
29 regulations, in accordance with chapter 54, establishing criteria and  
30 procedures for adjustment of the claim of the state of Connecticut  
31 under subsection (a) of this section. The purpose of any such  
32 adjustment shall be to encourage family unification or reunification, or  
33 to encourage noncustodial parents to begin making regular support  
34 payments.

35 Sec. 3. Subsection (d) of section 17b-137 of the general statutes is  
36 repealed and the following is substituted in lieu thereof:

37 (d) (1) For the purposes of this subsection, "high-volume automated  
38 administrative enforcement" means the identification of assets,  
39 through automated data matches with financial institutions and other  
40 entities, as provided in this section and required by federal law, and  
41 the seizure of such assets in accordance with subsections (d) and (e) of  
42 section 52-362d, as amended by this act.

43 (2) The IV-D agency shall: (A) Use high-volume automated  
44 administrative enforcement, as defined in subdivision (1) of this  
45 subsection, to the same extent as in intrastate cases; and (B) promptly

46 report the results of such enforcement procedure to the requesting  
47 state.

48 (3) [The] Support Enforcement [Division] Services or the IV-D  
49 agency may, by electronic or other means, transmit to another state a  
50 request for assistance in enforcing support orders administratively, in  
51 a manner similar to this subsection, which request shall: (A) Include  
52 information that shall enable the state to which the request is  
53 transmitted to compare the information about the cases to the  
54 information data bases of such state; and (B) constitute a certification  
55 by this state (i) of the amount of support under an order the payment  
56 of which is in arrears, and (ii) that this state has complied with all  
57 procedural due process requirements applicable to each case.

58 (4) If the IV-D agency provides assistance under this subsection to  
59 another state concerning a case, such case shall not be considered  
60 transferred to the caseload of the IV-D agency.

61 (5) The IV-D agency shall maintain records of: (A) The number of  
62 requests for assistance received under this subsection; (B) the number  
63 of cases for which such agency collected support in response to such  
64 requests; and (C) the amount of such collected support.

65 Sec. 4. Subsection (b) of section 17b-745 of the general statutes is  
66 repealed and the following is substituted in lieu thereof:

67 (b) Except as provided in sections 46b-212 to 46b-213v, inclusive, as  
68 amended by this act, any court or family support magistrate, called  
69 upon to enforce a support order, shall insure that such order is  
70 reasonable in light of the obligor's ability to pay. Except as provided in  
71 sections 46b-212 to 46b-213v, inclusive, as amended by this act, any  
72 support order entered pursuant to this section, or any support order  
73 from another jurisdiction subject to enforcement by the state of  
74 Connecticut, may be modified by motion of the party seeking such  
75 modification, including [the] Support Enforcement [Division] Services  
76 in TANF support cases as defined in subdivision (14) of subsection (b)

77 of section 46b-231, as amended by this act, upon a showing of a  
78 substantial change in the circumstances of either party or upon a  
79 showing that the final order for child support substantially deviates  
80 from the child support guidelines established pursuant to section 46b-  
81 215a, unless there was a specific finding on the record that the  
82 application of the guidelines would be inequitable or inappropriate,  
83 provided the court or family support magistrate finds that the obligor  
84 or the obligee and any other interested party have received actual  
85 notice of the pendency of such motion and of the time and place of the  
86 hearing on such motion. There shall be a rebuttable presumption that  
87 any deviation of less than fifteen per cent from the child support  
88 guidelines is not substantial and any deviation of fifteen per cent or  
89 more from the guidelines is substantial. Modification may be made of  
90 such support order without regard to whether the order was issued  
91 before, on or after May 9, 1991. In any hearing to modify any support  
92 order from another jurisdiction the court or the family support  
93 magistrate shall conduct the proceedings in accordance with the  
94 procedure set forth in sections 46b-213o to 46b-213q, inclusive. No  
95 such support orders may be subject to retroactive modification except  
96 that the court or family support magistrate may order modification  
97 with respect to any period during which there is a pending motion for  
98 a modification of an existing support order from the date of service of  
99 notice of such pending motion upon the opposing party pursuant to  
100 section 52-50.

101 Sec. 5. Subsection (c) of section 31-254 of the general statutes is  
102 repealed and the following is substituted in lieu thereof:

103 (c) (1) For the purposes of this section, "employer" does not include  
104 any department, agency or instrumentality of the United States; or any  
105 state agency performing intelligence or counterintelligence functions, if  
106 the head of such agency has determined that reporting pursuant to this  
107 section with respect to the employee could endanger the safety of the  
108 employee or compromise an ongoing investigation or intelligence  
109 mission.

110 (2) For the purposes of subsections (b) to (e), inclusive, of this  
111 section, "employee" shall include individuals under contract with an  
112 employer to deliver personal services valued not less than five  
113 thousand dollars.

114 [(2)] (3) An employer that has employees who are employed in this  
115 state and one or more other states and that transmits reports  
116 magnetically or electronically shall not be required to report to this  
117 state if such employer has designated another state in which it has  
118 employees to which it will transmit reports, provided such employer  
119 has notified the Labor Commissioner, in writing, as to which other  
120 state it has designated for the purpose of sending such reports.

121 Sec. 6. Section 36a-800 of the general statutes is repealed and the  
122 following is substituted in lieu thereof:

123 As used in sections 36a-800 to 36a-810, inclusive, as amended by this  
124 act, unless the context otherwise requires:

125 (1) "Consumer collection agency" means any person engaged in the  
126 business of collecting or receiving for payment for others of any  
127 account, bill or other indebtedness from a consumer debtor, including  
128 any person who, by any device, subterfuge or pretense, makes a  
129 pretended purchase or takes a pretended assignment of accounts from  
130 any other person or municipality of such indebtedness for the purpose  
131 of evading the provisions of sections 36a-800 to 36a-810, inclusive, as  
132 amended by this act. It includes persons who furnish collection  
133 systems carrying a name which simulates the name of a consumer  
134 collection agency and who supply forms or form letters to be used by  
135 the creditor, even though such forms direct the consumer debtor to  
136 make payments directly to the creditor rather than to such fictitious  
137 agency. "Consumer collection agency" further includes any person  
138 who, in attempting to collect or in collecting such person's own  
139 accounts or claims from a consumer debtor, uses a fictitious name or  
140 any name other than such person's own name which would indicate to  
141 the consumer debtor that a third person is collecting or attempting to

142 collect such account or claim. "Consumer collection agency" does not  
143 include (A) an individual employed on the staff of a licensed consumer  
144 collection agency, or by a creditor who is exempt from licensing, when  
145 attempting to collect on behalf of such consumer collection agency, (B)  
146 persons not primarily engaged in the collection of debts from  
147 consumer debtors who receive funds in escrow for subsequent  
148 distribution to others, including, but not limited to, real estate brokers  
149 and lenders holding funds of borrowers for payment of taxes or  
150 insurance, (C) any public officer or a person acting under the order of  
151 any court, (D) any member of the bar of this state, and (E) a person  
152 who services loans or accounts for the owners thereof when the  
153 arrangement includes, in addition to requesting payment from  
154 delinquent consumer debtors, the providing of other services such as  
155 receipt of payment, accounting, record-keeping, data processing  
156 services and remitting, for loans or accounts which are current as well  
157 as those which are delinquent. Any person not included in the  
158 definition contained in this subsection is, for purposes of sections 36a-  
159 645 to 36a-647, inclusive, a "creditor", as defined in subdivision (3) of  
160 section 36a-645;

161 (2) "Consumer debtor" means any natural person, not an  
162 organization, who has incurred indebtedness or owes a debt for  
163 personal, family or household purposes, including current or past due  
164 child support, or who has incurred indebtedness or owes a debt to a  
165 municipality due to a levy by such municipality of a personal property  
166 tax;

167 (3) "Creditor" means a person, including a municipality, who  
168 retains, hires, or engages the services of a consumer collection agency;

169 (4) "Municipality" means any town, city or borough, consolidated  
170 town and city, consolidated town and borough, district as defined in  
171 section 7-324 or municipal special services district established under  
172 chapter 105a;

173 (5) "Organization" means a corporation, partnership, association,

174 trust or any other legal entity or an individual operating under a trade  
175 name or a name having appended to it a commercial, occupational or  
176 professional designation.

177 Sec. 7. Subsection (a) of section 36a-801 of the general statutes is  
178 repealed and the following is substituted in lieu thereof:

179 (a) No person shall act within this state as a consumer collection  
180 agency, unless such person holds a license then in force from the  
181 commissioner authorizing such person so to act. A consumer collection  
182 agency is acting within this state if it (1) has its place of business  
183 located within this state; (2) has its place of business located outside  
184 this state and collects from consumer debtors who reside within this  
185 state for creditors who are located within this state; [or] (3) has its place  
186 of business located outside this state and regularly collects from  
187 consumer debtors who reside within this state for creditors who are  
188 located outside this state; or (4) has its place of business located within  
189 or outside this state and is engaged in the business of collecting child  
190 support either for creditors or from consumer debtors who are located  
191 within this state.

192 Sec. 8. Section 36a-804 of the general statutes is repealed and the  
193 following is substituted in lieu thereof:

194 [The commissioner may suspend or revoke such license for cause  
195 shown, in accordance with section 36a-51.]

196 (a) The commissioner may suspend, revoke or refuse to renew any  
197 license, in accordance with the provisions of section 36a-51, for any  
198 reason which would be sufficient grounds for the commissioner to  
199 deny an application for a license under sections 36a-800 to 36a-810,  
200 inclusive, as amended by this act, or if the commissioner finds that the  
201 licensee or any owner, director, officer, member, partner, shareholder,  
202 trustee, employee or agent of such licensee has done any of the  
203 following: (1) Made any material misstatement in the application; (2)  
204 committed any fraud or misrepresentation; (3) violated any of the

205 provisions of sections 36a-800 to 36a-810, inclusive, as amended by this  
206 act, or of any regulations adopted pursuant thereto, or any other law  
207 or regulation applicable to the conduct of its business; or (4) failed to  
208 perform any agreement with a creditor.

209       Sec. 9. Section 36a-805 of the general statutes is repealed and the  
210 following is substituted in lieu thereof:

211       No consumer collection agency shall: (1) Furnish legal advice or  
212 perform legal services or represent that it is competent to do so, or  
213 institute judicial proceedings on behalf of others; (2) communicate with  
214 debtors in the name of an attorney or upon the stationery of an  
215 attorney, or prepare any forms or instruments which only attorneys  
216 are authorized to prepare; (3) purchase or receive assignments of  
217 claims for the purpose of collection or institute suit thereon in any  
218 court; (4) assume authority on behalf of a creditor to employ or  
219 terminate the services of an attorney unless such creditor has  
220 authorized such agency in writing to act as [his] such creditor's agent  
221 in the selection of an attorney to collect the creditor's accounts; (5)  
222 demand or obtain in any manner a share of the proper compensation  
223 for services performed by an attorney in collecting a claim, whether or  
224 not such agency has previously attempted collection thereof; (6) solicit  
225 claims for collection under an ambiguous or deceptive contract; (7)  
226 refuse to return any claim or claims upon written request of the  
227 creditor, claimant or forwarder, which claims are not in the process of  
228 collection after the tender of such amounts, if any, as may be due and  
229 owing to the agency; (8) advertise or threaten to advertise for sale any  
230 claim as a means of forcing payment thereof, unless such agency is  
231 acting as the assignee for the benefit of creditors; (9) refuse or fail to  
232 account for and remit to its clients all money collected which is not in  
233 dispute within sixty days from the last day of the month in which said  
234 money is collected; (10) refuse or intentionally fail to return to the  
235 creditor all valuable papers deposited with a claim when such claim is  
236 returned; (11) refuse or fail to furnish at intervals of not less than  
237 ninety days, upon the written request of the creditor, claimant or

238 forwarder, a written report upon claims received from such creditor,  
239 claimant or forwarder; (12) commingle money collected for a creditor,  
240 claimant or forwarder with its own funds or use any part of a  
241 creditor's, claimant's or forwarder's money in the conduct of its  
242 business; (13) add any charge or fee to the amount of any claim which  
243 it receives for collection or knowingly accept for collection any claim to  
244 which any charge or fee has already been added to the amount of the  
245 claim unless the consumer debtor is legally liable therefor, in which  
246 case, the charge or collection fee may not be in excess of fifteen per cent  
247 of the amount actually collected on the debt; (14) use or attempt to use  
248 or make reference to the term "bonded by the state of Connecticut",  
249 "bonded" or "bonded collection agency" or any combination of such  
250 terms or words, except that the word "bonded" may be used on the  
251 stationery of any such agency in type not larger than twelve-point; [or]  
252 (15) impose a charge or fee in an amount in excess of twenty per cent  
253 of any child support payments actually collected on behalf of a creditor  
254 who is owed child support; (16) impose a charge or fee for any child  
255 support payments collected through the efforts of a governmental  
256 agency; or (17) engage in any activities prohibited by sections 36a-800  
257 to 36a-810, inclusive, as amended by this act.

258 Sec. 10. (NEW) No consumer collection agency may collect child  
259 support payments unless such consumer collection agency has entered  
260 into a written agreement with the person to whom the child support is  
261 owed. The agreement shall specify the charge or fee for collecting the  
262 child support and state, in bold type, that child support collection  
263 services are offered by the state of Connecticut or any other state for a  
264 nominal fee. The creditor may terminate the agreement at any time by  
265 sending the consumer collection agency a written notice of termination  
266 which shall include the address to which future payments should be  
267 sent. Within thirty days of receipt of the notice of termination the  
268 consumer collection agency shall notify the consumer debtor or any  
269 other person, including a governmental agency, that is forwarding the  
270 consumer debtor's payments to the consumer collection agency, that  
271 future payments should be sent to the creditor at the address provided

272 in the termination notice.

273 Sec. 11. Subsection (a) of section 46b-179a of the general statutes is  
274 repealed and the following is substituted in lieu thereof:

275 (a) [The] Support Enforcement [Division] Services of the Superior  
276 Court shall maintain a registry in the Family Support Magistrate  
277 Division of paternity judgments from other states. Any party to an  
278 action in which a paternity judgment from another state was rendered  
279 may register the foreign paternity judgment in the registry maintained  
280 by [the] Support Enforcement [Division] Services without payment of  
281 a filing fee or other cost to the party.

282 Sec. 12. Section 46b-179b of the general statutes is repealed and the  
283 following is substituted in lieu thereof:

284 Such foreign paternity judgment, on the filing with the registry  
285 maintained by [the] Support Enforcement [Division] Services, shall  
286 become a judgment of the Family Support Magistrate Division of the  
287 Superior Court and shall be enforced and otherwise treated in the  
288 same manner as a judgment of the Family Support Magistrate  
289 Division. A foreign paternity judgment so filed shall have the same  
290 effect and may be enforced in the same manner as any like judgment of  
291 a family support magistrate of this state, provided no such judgment  
292 shall be enforced for a period of twenty days after the filing thereof.

293 Sec. 13. Section 46b-207 of the general statutes is repealed and the  
294 following is substituted in lieu thereof:

295 The court is authorized to establish and maintain [a] Support  
296 Enforcement [Division] Services and such [division] offices as it  
297 determines are necessary for the proper handling of the administrative  
298 details incident to proceedings under sections 46b-212 to 46b-213v,  
299 inclusive, as amended by this act, and may appoint such personnel as  
300 necessary for the proper administration of the nonjudicial functions of  
301 proceedings under sections 46b-212 to 46b-213v, inclusive, as amended

302 by this act.

303 Sec. 14. Section 46b-208 of the general statutes is repealed and the  
304 following is substituted in lieu thereof:

305 The support service investigators of [the] Support Enforcement  
306 [Division] Services of the Superior Court shall, while acting within the  
307 scope of their duties as such, pursuant to matters under sections 46b-  
308 212 to 46b-213v, inclusive, as amended by this act, have the powers of  
309 service and of execution of summons and orders for withholding, and  
310 the conduct of investigations.

311 Sec. 15. Section 46b-212a of the general statutes is repealed and the  
312 following is substituted in lieu thereof:

313 As used in sections 46b-212 to 46b-213v, inclusive, as amended by  
314 this act:

315 (1) "Child" means an individual, whether over or under the age of  
316 majority, who is or is alleged to be owed a duty of support by the  
317 individual's parent or who is or is alleged to be the beneficiary of a  
318 support order directed to the parent.

319 (2) "Child support order" means a support order for a child,  
320 including a child who has attained the age of majority under the law of  
321 the issuing state.

322 (3) "Duty of support" means an obligation imposed or imposable by  
323 law to provide support for a child, spouse or former spouse, including  
324 an unsatisfied obligation to provide support.

325 (4) "Governor" means an individual performing the functions of  
326 Governor or the executive authority of a state covered by sections 46b-  
327 212 to 47b-213v, inclusive, as amended by this act.

328 (5) "Home state" means the state in which a child lived with a parent  
329 or a person acting as parent for at least six consecutive months

330 immediately preceding the time of filing of a petition or comparable  
331 pleading for support and, if such child is less than six months old, the  
332 state in which such child lived from birth with such parent or person  
333 acting as parent. A period of temporary absence of such parent or  
334 person acting as parent is counted as part of the six-month or other  
335 period.

336 (6) "Income" includes earnings or other periodic entitlements to  
337 money from any source and any other property subject to withholding  
338 for support under the laws of this state.

339 (7) "Income withholding order" means an order or other legal  
340 process directed to an obligor's employer, as defined in section 52-362,  
341 as amended by this act, to withhold support from the income of the  
342 obligor.

343 (8) "Initiating state" means a state from which a proceeding is  
344 forwarded under sections 46b-212 to 46b-213v, inclusive, as amended  
345 by this act, or a law or procedure substantially similar to said sections,  
346 the Uniform Reciprocal Enforcement of Support Act or the Revised  
347 Uniform Reciprocal Enforcement of Support Act.

348 (9) "Initiating tribunal" means the authorized tribunal in an  
349 initiating state.

350 (10) "Issuing state" means the state in which a tribunal issues a  
351 support order or renders a judgment determining paternity.

352 (11) "Issuing tribunal" means the tribunal which issues a support  
353 order or renders a judgment determining paternity.

354 (12) "Law" includes decisional and statutory law and rules and  
355 regulations having the force of law.

356 (13) "Obligee" means: (A) An individual to whom a duty of support  
357 is or is alleged to be owed or in whose favor a support order has been  
358 issued or a judgment determining paternity has been rendered; (B) a

359 state or political subdivision to which the rights under a duty of  
360 support or support order have been assigned or which has  
361 independent claims based on financial assistance provided to an  
362 individual obligee; or (C) an individual seeking a judgment  
363 determining paternity of the individual's child.

364 (14) "Obligor" means an individual, or the estate of a decedent: (A)  
365 Who owes or is alleged to owe a duty of support; (B) who is alleged  
366 but has not been adjudicated to be a parent of a child; or (C) who is  
367 liable under a support order.

368 (15) "Register" means to file a support order or judgment  
369 determining paternity in the registry of support orders of the Family  
370 Support Magistrate Division of the Superior Court. Such a support  
371 order or judgment shall be filed by delivery of the order or judgment  
372 for filing to [the] Support Enforcement [Division] Services of the  
373 Superior Court which shall maintain the registry on behalf of the  
374 Family Support Magistrate Division.

375 (16) "Registering tribunal" means a tribunal in which a support  
376 order is registered.

377 (17) "Responding state" means a state in which a proceeding is filed  
378 or to which a proceeding is forwarded for filing under sections 46b-212  
379 to 46b-213v, inclusive, as amended by this act, or a law or procedure  
380 substantially similar to said sections, the Uniform Reciprocal  
381 Enforcement of Support Act or the Revised Uniform Reciprocal  
382 Enforcement of Support Act.

383 (18) "Responding tribunal" means the authorized tribunal in a  
384 responding state.

385 (19) "Spousal-support order" means a support order for a spouse or  
386 former spouse of the obligor.

387 (20) "State" means a state of the United States, the District of  
388 Columbia, Puerto Rico, the U.S. Virgin Islands or any territory or

389 insular possession subject to the jurisdiction of the United States. The  
390 term "state" includes an Indian tribe and a foreign jurisdiction that has  
391 enacted a law or established procedures for issuance and enforcement  
392 of support orders which are substantially similar to the procedure  
393 under sections 46b-212 to 46b-213v, inclusive, as amended by this act,  
394 the Uniform Reciprocal Enforcement of Support Act or the Revised  
395 Uniform Enforcement of Support Act.

396 (21) "Support enforcement agency" means a public official or agency  
397 authorized to seek: (A) Enforcement of support orders or laws relating  
398 to the duty of support; (B) establishment or modification of child  
399 support; (C) determination of paternity; or (D) the location of obligors  
400 or their assets.

401 (22) "Support order" means a judgment, decree or order, whether  
402 temporary, final or subject to modification, for the benefit of a child, a  
403 spouse or a former spouse, which provides for monetary support,  
404 health care, arrearages or reimbursement, and may include related  
405 costs and fees, interest, income withholding, attorney's fees and other  
406 relief.

407 (23) "Tribunal" means a court, administrative agency or quasi-  
408 judicial entity authorized to establish, enforce or modify support  
409 orders or to determine paternity.

410 Sec. 16. Section 46b-212b of the general statutes is repealed and the  
411 following is substituted in lieu thereof:

412 The Superior Court and the Family Support Magistrate Division of  
413 the Superior Court are the tribunals of this state. The Family Support  
414 Magistrate Division is the tribunal for the filing of petitions under  
415 sections 46b-212 to 46b-213v, inclusive, as amended by this act,  
416 provided clerical, administrative and other nonjudicial functions in  
417 proceedings before the Family Support Magistrate Division may be  
418 performed by [the] Support Enforcement [Division] Services of the  
419 Superior Court.

420 Sec. 17. Section 46b-212q of the general statutes is repealed and the  
421 following is substituted in lieu thereof:

422 (a) When the Family Support Magistrate Division receives a petition  
423 or comparable pleading from an initiating tribunal or directly pursuant  
424 to subsection (c) of section 46b-212m, the Family Support Magistrate  
425 Division, or [the] Support Enforcement [Division] Services acting on its  
426 behalf shall promptly cause the petition or pleading to be filed and  
427 notify the petitioner by first class mail where and when it was filed.

428 (b) In matters arising under this section, family support magistrates  
429 shall have the same powers and authority as provided by law for IV-D  
430 support cases.

431 (c) The family support magistrate may not condition the payment of  
432 a support order issued under sections 46b-212 to 46b-213v, inclusive,  
433 as amended by this act, upon compliance by a party with provisions  
434 for visitation.

435 (d) If the Family Support Magistrate Division issues an order under  
436 sections 46b-212 to 46b-213v, inclusive, as amended by this act, the  
437 Family Support Magistrate Division, or [the] Support Enforcement  
438 [Division] Services acting on its behalf, shall send a copy of the order  
439 by first class mail to the petitioner and the respondent and to the  
440 initiating tribunal, if any.

441 Sec. 18. Section 46b-212v of the general statutes is repealed and the  
442 following is substituted in lieu thereof:

443 (a) [The] Support Enforcement [Division] Services of the Superior  
444 Court is the state information agency under sections 46b-212 to 46b-  
445 213v, inclusive, as amended by this act.

446 (b) The state information agency shall: (1) Compile and maintain a  
447 current list, including addresses, of the tribunals in this state which  
448 have jurisdiction under sections 46b-212 to 46b-213v, inclusive, as  
449 amended by this act, and any support enforcement agencies in this

450 state and transmit a copy to the state information agency of every  
451 other state; (2) maintain a registry of tribunals and support  
452 enforcement agencies received from other states; (3) forward to the  
453 appropriate tribunal in the place in this state in which the individual  
454 obligee or the obligor resides, or in which the obligor's property is  
455 believed to be located, all documents concerning a proceeding under  
456 sections 46b-212 to 46b-213v, inclusive, as amended by this act,  
457 received from an initiating tribunal or the state information agency of  
458 the initiating state; and (4) obtain information concerning the location  
459 of the obligor and the obligor's property within this state not exempt  
460 from execution.

461 (c) In addition to its duties as the state information agency [the]  
462 Support Enforcement [Division] Services of the Superior Court shall  
463 maintain a registry of support orders and judgments in the Family  
464 Support Magistrate Division of the Superior Court and shall perform  
465 such clerical, administrative and other nonjudicial functions on behalf  
466 of the Family Support Magistrate Division as may be required, or as  
467 are otherwise agreed upon, pursuant to sections 46b-62, 46b-69, 46b-  
468 179a, 46b-179b, as amended by this act, 46b-207, as amended by this  
469 act, 46b-208, 46b-212 to 46b-213v, inclusive, as amended by this act,  
470 46b-231, as amended by this act, 52-362, as amended by this act, and  
471 52-362f, as amended by this act.

472 Sec. 19. Section 46b-213f of the general statutes is repealed and the  
473 following is substituted in lieu thereof:

474 (a) A party seeking to enforce a support order or an income  
475 withholding order, or both, issued by a tribunal of another state may  
476 send the documents required for registering the order to [the] Support  
477 Enforcement [Division] Services.

478 (b) Upon receipt of the documents, [the] Support Enforcement  
479 [Division] Services, with the assistance of the Bureau of Child Support  
480 Enforcement within the Department of Social Services, as appropriate,  
481 without initially seeking to register the order, shall consider and, if

482 appropriate, use any administrative procedure authorized by the law  
483 of this state to enforce a support order or an income withholding  
484 order, or both. If the obligor does not contest administrative  
485 enforcement, the order need not be registered. If the obligor contests  
486 the validity or administrative enforcement of the order, the support  
487 enforcement agency shall file the order with [the] Support  
488 Enforcement [Division] Services of the Superior Court to be recorded  
489 in the registry of support orders of the Family Support Magistrate  
490 Division.

491 Sec. 20. Section 46b-213g of the general statutes is repealed and the  
492 following is substituted in lieu thereof:

493 A support order or an income withholding order issued by a  
494 tribunal of another state may be registered in this state for enforcement  
495 with the registry of support orders of the Family Support Magistrate  
496 Division maintained by [the] Support Enforcement [Division] Services  
497 of the Superior Court.

498 Sec. 21. Section 46b-213h of the general statutes is repealed and the  
499 following is substituted in lieu thereof:

500 (a) A support order or income withholding order of another state  
501 may be registered in this state by sending the following documents  
502 and information to [the] Support Enforcement [Division] Services for  
503 filing in the registry of support orders of the Family Support  
504 Magistrate Division: (1) A letter of transmittal to [the] Support  
505 Enforcement [Division] Services requesting registration and  
506 enforcement; (2) two copies, including one certified copy, of all orders  
507 to be registered, including any modification of an order; (3) a sworn  
508 statement by the party seeking registration or a certified statement by  
509 the custodian of the records showing the amount of any arrearage; (4)  
510 the name of the obligor and, if known: (A) The obligor's address and  
511 Social Security number; (B) the name and address of the obligor's  
512 employer and any other source of income of the obligor; and (C) a  
513 description and the location of property of the obligor in this state not

514 exempt from execution; (5) the name and address of the obligee and, if  
515 applicable, the agency or person to whom support payments are to be  
516 remitted; and (6) a statement disclosing whether or not any other  
517 action or proceeding is currently pending concerning the support of  
518 the child who is the subject of such support order.

519 (b) On receipt of a request for registration, [the] Support  
520 Enforcement [Division] Services shall cause the order to be filed as a  
521 foreign judgment in the registry of support orders of the Family  
522 Support Magistrate Division, together with one copy of the documents  
523 and information, regardless of their form.

524 (c) A petition or comparable pleading seeking a remedy that is  
525 required to be affirmatively sought under other law of this state may  
526 be filed at the same time as the request for registration or later. The  
527 pleading shall specify the grounds for the remedy sought.

528 Sec. 22. Subsection (a) of section 46b-213i of the general statutes is  
529 repealed and the following is substituted in lieu thereof:

530 (a) A support order or income withholding order issued in another  
531 state is registered when the order is filed with [the] Support  
532 Enforcement [Division] Services for registration in the registry of  
533 support orders.

534 Sec. 23. Section 46b-213k of the general statutes is repealed and the  
535 following is substituted in lieu thereof:

536 (a) When a support order or income withholding order issued in  
537 another state is registered, the Family Support Magistrate Division or  
538 [the] Support Enforcement [Division] Services acting on its behalf,  
539 shall notify the nonregistering party. Notice must be given by first  
540 class, certified or registered mail or by any means of personal service  
541 authorized by the law of this state. The notice must be accompanied by  
542 a copy of the registered order and the documents and relevant  
543 information accompanying the order.

544 (b) The notice must inform the nonregistering party: (1) That a  
545 registered order is enforceable as of the date of registration in the same  
546 manner as an order issued by a tribunal of this state; (2) that a hearing  
547 before the Family Support Magistrate Division to contest the validity  
548 or enforcement of the registered order must be requested within  
549 twenty days after the date of mailing or personal service of the notice;  
550 (3) that failure to contest the validity or enforcement of the registered  
551 order in a timely manner will result in confirmation of the order and  
552 enforcement of the order and the alleged arrearages and precludes  
553 further contest of that order with respect to any matter that could have  
554 been asserted; and (4) of the amount of any alleged arrearages.

555 (c) Upon registration of an income withholding order for  
556 enforcement, the Family Support Magistrate Division, or [the] Support  
557 Enforcement [Division] Services acting on its behalf, shall notify the  
558 obligor's employer pursuant to section 52-362, as amended by this act.

559 Sec. 24. Subsection (c) of section 46b-213w of the general statutes is  
560 repealed and the following is substituted in lieu thereof:

561 (c) The Department of Social Services shall distribute to all  
562 employers in this state a standard notice and claim form, written in  
563 clear and simple language, which shall include:

564 (1) Notice that money will be withheld from the employee's wages  
565 for child support and health insurance;

566 (2) Notice that eighty-five per cent of the first one hundred forty-  
567 five dollars per week of disposable earnings are exempt from the  
568 income withholding order;

569 (3) Notice that the amount of the income withholding order may not  
570 exceed the maximum permitted by federal law under Section 1673 of  
571 Title 15 of the United States Code, together with a statement of the  
572 obligor's right to claim any other applicable state or federal  
573 exemptions;

574 (4) Notice of the right to object to the validity or enforcement of such  
575 income withholding order in a court in this state and of the right to  
576 seek modification of the underlying support order in the court of  
577 continuing exclusive jurisdiction;

578 (5) Notice of the right to seek the assistance of the Child Support  
579 Enforcement Bureau of the Department of Social Services and the toll-  
580 free telephone number at which the bureau can be contacted;

581 (6) A claim form which shall include (A) a list of the most common  
582 defenses and exemptions to such income withholding order in a  
583 manner which allows the obligor to check any of the defenses and  
584 exemptions which apply; (B) a space where the obligor may briefly  
585 explain [his] the obligor's claim or defense; (C) a space where the  
586 obligor may initiate a request for services to modify the support order;  
587 (D) a space for the obligor to provide [his] the obligor's address and  
588 the name of the town in which [he] the obligor principally conducts  
589 [his] the obligor's work for the employer; (E) a space for the obligor to  
590 sign [his] the obligor's name; (F) the address of the Bureau of Child  
591 Support Enforcement of the Department of Social Services to which the  
592 claim form is to be sent in order to contest the validity or enforcement  
593 of the income withholding order or to initiate a request for  
594 modification; and (G) space for the employer to state the date upon  
595 which the form was actually delivered to the obligor.

596 Sec. 25. Subsection (s) of section 46b-231 of the general statutes is  
597 repealed and the following is substituted in lieu thereof:

598 (s) Support enforcement officers of [the] Support Enforcement  
599 [Division] Services of the Superior Court shall:

600 (1) Supervise the payment of any child or spousal support order  
601 made by a family support magistrate. Supervision of such orders is  
602 defined as the utilization of all procedures available by law to collect  
603 child or spousal support, including issuance and implementation of  
604 income withholdings ordered by the Superior Court or a family

605 support magistrate pursuant to section 52-362, as amended by this act,  
606 and if necessary, bringing an application for contempt to a family  
607 support magistrate and, in connection with such application, issuing  
608 an order requiring the obligor to appear before a family support  
609 magistrate to show cause why such obligor should not be held in  
610 contempt for failure to pay an order for child or spousal support  
611 entered by the Superior Court or a family support magistrate;

612 (2) In non-TANF cases, have the authority to bring petitions for  
613 support orders pursuant to section 46b-215, file agreements for support  
614 with the assistant clerk of the Family Support Magistrate Division, and  
615 bring applications for show cause orders pursuant to section 46b-172,  
616 and in IV-D cases and cases under sections 46b-212 to 46b-213v,  
617 inclusive, as amended by this act, enforce foreign support orders  
618 registered with the Family Support Magistrate Division pursuant to  
619 sections 46b-213f to 46b-213i, inclusive, as amended by this act, and file  
620 agreements for support with the assistant clerk of the Family Support  
621 Magistrate Division;

622 (3) In connection with any order or agreement entered by, or filed  
623 with, the Family Support Magistrate Division, or any order entered by  
624 the Superior Court in a IV-D support case upon order, investigate the  
625 financial situation of the parties and report findings to the family  
626 support magistrate regarding: (A) Any pending motion to modify such  
627 order or agreement, or (B) any request or application for modification  
628 of such order or agreement made by an obligee;

629 (4) In non-TANF IV-D cases, review child support orders at the  
630 request of [either parent subject] any party to a support order or, in  
631 TANF cases, review child support orders at the request of the Bureau  
632 of Child Support Enforcement, and initiate an action before a family  
633 support magistrate to modify such support order if it is determined  
634 upon such review that the order substantially deviates from the child  
635 support guidelines established pursuant to section 46b-215a or 46b-  
636 215b. The authority to initiate such action includes issuance of the

637 summons and order necessary to commence the action. The requesting  
638 party shall have a right to such review every three years without  
639 proving a substantial change in circumstances; more frequent reviews  
640 shall be made only if the requesting party demonstrates a substantial  
641 change in circumstances. There shall be a rebuttable presumption that  
642 any deviation of less than fifteen per cent from the child support  
643 guidelines is not substantial and any deviation of fifteen per cent or  
644 more from the guidelines is substantial. Modification may be made of  
645 such support order without regard to whether the order was issued  
646 before, on or after May 9, 1991. In determining whether to modify a  
647 child support order based on a substantial deviation from such child  
648 support guidelines, consideration shall be given to the division of real  
649 and personal property between the parties set forth in any final decree  
650 entered pursuant to chapter 815j and the benefits accruing to the child  
651 as the result of such division. No order for periodic payment of  
652 support may be subject to retroactive modification, except that the  
653 family support magistrate may order modification with respect to any  
654 period during which there is a pending motion for modification of a  
655 support order from the date of service of notice of such pending  
656 motion to the opposing party pursuant to section 52-50.

657 Sec. 26. Subsection (a) of section 52-259a of the general statutes is  
658 repealed and the following is substituted in lieu thereof:

659 (a) Any member of the Division of Criminal Justice, the Division of  
660 Public Defender Services or the Family Division or Support  
661 Enforcement [~~Division~~] Services of the Superior Court, the Attorney  
662 General, an assistant attorney general, the Consumer Counsel, any  
663 attorney employed by the Office of Consumer Counsel within the  
664 Department of Public Utility Control, the Department of Revenue  
665 Services, the Commission on Human Rights and Opportunities, the  
666 Freedom of Information Commission, the Board of Labor Relations or  
667 the Office of Protection and Advocacy for Persons with Disabilities, or  
668 any attorney appointed by the court to assist any of them or to act for  
669 any of them in a special case or cases, while acting in [~~his~~] the

670 attorney's official capacity or in the capacity for which [he] the attorney  
671 was appointed, shall not be required to pay the fees specified in  
672 sections 52-258, 52-259 and 52-259c, subsection (a) of section 52-356a,  
673 subsection (a) of section 52-361a and subsection (n) of section 46b-231.

674 Sec. 27. Subsection (a) of section 52-362 of the general statutes is  
675 repealed and the following is substituted in lieu thereof:

676 (a) For purposes of this section:

677 (1) "Dependent" means a spouse, former spouse or child entitled to  
678 payments under a support order, provided [the] Support Enforcement  
679 [Division] Services of the Superior Court or the state acting under an  
680 assignment of a dependent's support rights or under an application for  
681 child support enforcement services shall, through an officer of [the]  
682 Support Enforcement [Division] Services or the Bureau of Child  
683 Support Enforcement within the Department of Social Services or an  
684 investigator of the Department of Administrative Services or the  
685 Attorney General, take any action which the dependent could take to  
686 enforce a support order;

687 (2) "Disposable earnings" means that part of the earnings of an  
688 individual remaining after deduction from those earnings of amounts  
689 required to be withheld for the payment of federal, state and local  
690 income taxes, employment taxes, normal retirement contributions,  
691 union dues and initiation fees, and group life and health insurance  
692 premiums;

693 (3) "Earnings" means any debt accruing to an obligor by reason of  
694 such obligor's personal services, including any compensation payable  
695 by an employer to an employee for such personal services whether  
696 denominated as wages, salary, commission, bonus or otherwise,  
697 including unemployment compensation if a purchase of service  
698 agreement between the Commissioner of Social Services and the Labor  
699 Commissioner is in effect pursuant to subsection (e) of section 17b-179;

700 (4) "Employer" means any person, including the Labor  
701 Commissioner, who owes earnings to an obligor;

702 (5) "Income" means any periodic form of payment due to an  
703 individual, regardless of source, including, but not limited to,  
704 disposable earnings, workers' compensation and disability benefits,  
705 payments pursuant to a pension or retirement program and interest;

706 (6) "Obligor" means a person required to make payments under a  
707 support order;

708 (7) "Support order" means a court order, or order of a family  
709 support magistrate including an agreement approved by a court or a  
710 family support magistrate, that requires the payment to a dependent of  
711 either current support payments, payments on an arrearage, or both;

712 (8) "Unemployment compensation" means any compensation  
713 payable under chapter 567, including amounts payable by the  
714 administrator of the unemployment compensation law pursuant to an  
715 agreement under any federal law providing for compensation,  
716 assistance or allowances with respect to unemployment.

717 Sec. 28. Subsections (e) and (f) of section 52-362 of the general  
718 statutes are repealed and the following is substituted in lieu thereof:

719 (e) A withholding order shall issue in the amount necessary to  
720 enforce a support order against only such nonexempt income of the  
721 obligor as exceeds the greater of (1) eighty-five per cent of the first one  
722 hundred forty-five dollars per week of disposable income, or (2) the  
723 amount exempt under Section 1673 of Title 15 of the United States  
724 Code, or against any lesser amount which the court or family support  
725 magistrate deems equitable. The withholding order shall secure  
726 payment of past and future amounts due under the support order and  
727 an additional amount computed in accordance with the child support  
728 guidelines established in accordance with section 46b-215a, to be  
729 applied toward liquidation of any arrearage accrued under such order,

730 unless contested by the obligor after a notice has been served pursuant  
731 to subsection (c) of this section, in which case the court or family  
732 support magistrate may determine the amount to be applied toward  
733 the liquidation of the arrearage found to have accrued under prior  
734 order of the court or family support magistrate. In no event shall such  
735 additional amount be applied if there is an existing arrearage order  
736 from the court or family support magistrate in a IV-D support case, as  
737 defined in subdivision (13) of subsection (b) of section 46b-231. Any  
738 investigator or other authorized employee of the Bureau of Child  
739 Support Enforcement within the Department of Social Services, or any  
740 officer of [the] Support Enforcement [Division] Services of the Superior  
741 Court, shall issue a withholding order pursuant to this subsection  
742 when the obligor becomes subject to withholding under subsection (c)  
743 of this section. On service of the order of withholding on an existing or  
744 any future employer or other payer of income, and until the support  
745 order is fully satisfied or modified, the order of withholding is a  
746 continuing lien and levy on the obligor's income as it becomes due.

747 (f) Commencing no later than the first pay period in the case of an  
748 employer, or the date of periodic payment in the case of a payer of  
749 income other than an employer, that occurs after fourteen days  
750 following the date of service of an order for withholding and within  
751 seven business days of the date the obligor is paid thereafter, an  
752 employer or other payer of income shall pay sums withheld pursuant  
753 to the withholding order to the state disbursement unit, as required by  
754 subsection (p) of this section. [When orders for withholding are  
755 payable on behalf of a dependent in a IV-D support case, as defined in  
756 subdivision (14) of subsection (b) of section 46b-231, the] The employer  
757 or other payer of income (1) shall specify the dates on which each  
758 withholding occurred and the amount withheld for each obligor on  
759 each such date, and (2) may combine all withheld amounts into a  
760 single payment to the state disbursement unit with the portion thereof  
761 which is attributable to each individual obligor being separately  
762 designated. If an employer or other payer of income fails to withhold  
763 from income due an obligor pursuant to an order for withholding or

764 fails to make those payments, such employer or other payer of income  
765 is liable to such person for the full amount of income not withheld  
766 since receipt of proper notice in an action therefor, and the amount  
767 secured in the action shall be applied by such person toward the  
768 arrearage owed by the obligor. Such employer or other payer of  
769 income shall be subject to a finding of contempt by the court or family  
770 support magistrate for failure to honor such order for withholding,  
771 provided service of the order is made in accordance with section 52-57  
772 or by certified mail, return receipt requested.

773 Sec. 29. Subsection (h) of section 52-362 of the general statutes is  
774 repealed and the following is substituted in lieu thereof:

775 (h) Service of any process under this section, including any notice,  
776 may be made in accordance with section 52-57, or by certified mail,  
777 return receipt requested. If service is made on behalf of the state, it  
778 may be made by first class mail by an authorized employee of [the]  
779 Support Enforcement [Division] Services of the court, or by an  
780 investigator or other officer of the Bureau of Child Support  
781 Enforcement within the Department of Social Services or by an  
782 investigator of the Department of Administrative Services or by the  
783 Attorney General.

784 Sec. 30. Subsection (k) of section 52-362 of the general statutes is  
785 repealed and the following is substituted in lieu thereof:

786 (k) The employer shall notify promptly the dependent or [the]  
787 Support Enforcement [Division] Services as directed when the obligor  
788 terminates employment, makes a claim for workers' compensation  
789 benefits or makes a claim for unemployment compensation benefits  
790 and shall provide the obligor's last-known address and the name and  
791 address of the obligor's new employer, if known.

792 Sec. 31. Subsection (a) of section 52-362d of the general statutes is  
793 repealed and the following is substituted in lieu thereof:

794 (a) Whenever an order of the Superior Court or a family support  
795 magistrate for support of a minor child or children is issued and such  
796 payments have been ordered to be made to the state acting by and  
797 through the IV-D agency and the person against whom such support  
798 order was issued owes past-due support in the amount of five  
799 hundred dollars or more, the state shall have a lien on any property,  
800 real or personal, in which such person has an interest to enforce  
801 payment of such past-due support after first providing such person  
802 with notice of intent to place such lien, and an opportunity for a  
803 hearing before a hearing officer to contest the amount of such past-due  
804 support. The lien for past-due child support shall be secured by the IV-  
805 D agency pursuant to procedures contained in the general statutes  
806 applicable to the type of property to be secured. Any such lien on real  
807 property may, at any time during which the obligor owes the amount  
808 of past-due child support secured by such lien, be foreclosed in an  
809 action brought in a court of competent jurisdiction by the  
810 Commissioner of Social Services in a title IV-D case or by the person to  
811 whom the child support is due. When past-due support is owing both  
812 to a family and to the state, the proceeds of the lien shall be applied to  
813 the family's current and past-due support first and, when [that] such  
814 support is satisfied, to the state's past-due support. A lien for past-due  
815 support arising in any other state shall be given full faith and credit by  
816 this state provided such other state has complied with its procedural  
817 rules relating to recording or serving of liens.

818 Sec. 32. Subsections (c) to (e), inclusive, of section 52-362d of the  
819 general statutes are repealed and the following is substituted in lieu  
820 thereof:

821 (c) The [Comptroller] Connecticut Lottery Corporation, upon  
822 notification by the Commissioner of Social Services that money is due  
823 from any person as a result of a claim for support which has been  
824 assigned to the state pursuant to section 17b-77 or is to be paid to the  
825 state acting by and through the IV-D agency, shall withhold [any order  
826 upon the Treasurer for payment due] from any lottery winnings

827 [pursuant to chapter 226] payable to such person [unless the amount  
828 payable is first reduced by] under the provisions of chapter 226 or  
829 chapter 229a the amount of such claim for support owed to an  
830 individual for any portion of support which has not been assigned to  
831 the state and then [by] the amount of such claim for support owed to  
832 the state, provided the [Comptroller] Connecticut Lottery Corporation  
833 shall notify such person that (1) [an order upon the Treasurer for  
834 payment has] lottery winnings have been withheld as a result of the  
835 amount due for such support, and (2) [he] such person has the right to  
836 a hearing before a hearing officer designated by the Commissioner of  
837 Social Services if [he] such person contests the amount of the alleged  
838 claim for support. The [Comptroller] Connecticut Lottery Corporation  
839 shall [submit an order to the Treasurer for payment to] pay such  
840 persons in accordance with any decisions of the hearing officer or the  
841 court upon appeal of the hearing officer's decision.

842 (d) Whenever an order of the Superior Court or a family support  
843 magistrate for support of a minor child or children is issued and such  
844 payments have been ordered through the IV-D agency, and the obligor  
845 against whom such support order was issued owes overdue support  
846 under such order in the amount of five hundred dollars or more, the  
847 IV-D agency, as defined in subdivision (12) of subsection (b) of section  
848 46b-231, or [the] Support Enforcement [Division] Services of the  
849 Superior Court may notify (1) any state or local agency with authority  
850 to distribute benefits to such obligor including, but not limited to,  
851 unemployment compensation and workers' compensation, (2) any  
852 person having or expecting to have custody or control of or authority  
853 to distribute any amounts due such obligor under any judgment or  
854 settlement, (3) any financial institution holding assets of such obligor,  
855 and (4) any public or private entity administering a public or private  
856 retirement fund in which such obligor has an interest that such obligor  
857 owes overdue support in a IV-D support case. Upon receipt of such  
858 notice, such agency, person, institution or entity shall withhold  
859 delivery or distribution of any such benefits, amounts, assets or funds  
860 until receipt of further notice from the IV-D agency.

861 (e) In IV-D cases in which a notice is sent pursuant to subsection (d)  
862 of this section, the IV-D agency shall notify the obligor that such  
863 benefits, amounts, assets or funds have been withheld as a result of  
864 overdue support in a IV-D support case in accordance with an order of  
865 the Superior Court or family support magistrate. The IV-D agency  
866 shall further notify the agency, person, institution or entity to whom  
867 notice was sent pursuant to subsection (d) of this section as follows: (1)  
868 Upon expiration of the time for requesting a hearing specified in  
869 section 17b-60, to make payment to the state from any such benefits,  
870 amounts, assets or funds withheld in accordance with subsection (d) of  
871 this section to satisfy such overdue support and any current support  
872 obligation provided, in the case of retirement funds, such payment  
873 shall only be made in accordance with a withholding order issued  
874 under section 52-362, as amended by this act, when the obligor is  
875 entitled to receive retirement benefits from such fund; (2) upon  
876 payment of such overdue support by such obligor, to release or  
877 distribute, as appropriate, such benefits, amounts, assets or funds to  
878 such obligor; or (3) upon issuance of a decision by the hearing officer  
879 or the court upon appeal of such officer's decision, to take such other  
880 action as may be ordered by such officer or such court, and such  
881 agency, person, institution or entity shall forthwith comply with such  
882 notice received from the IV-D agency.

883 Sec. 33. Subsection (d) of section 52-362e of the general statutes is  
884 repealed and the following is substituted in lieu thereof:

885 (d) The Commissioner of Social Services shall adopt regulations, in  
886 accordance with chapter 54, setting forth procedures in compliance  
887 with federal law and regulations under Title IV-D of the Social Security  
888 Act providing for adequate notice of (1) the right to a review by [the]  
889 Support Enforcement [Division] Services of the Superior Court, (2) the  
890 right to a fair hearing before a hearing officer, (3) a list of available  
891 defenses including the defense described in section 52-362h, and (4)  
892 procedures for a fair hearing for any person who is alleged to owe  
893 past-due support and is subject to the provisions of this section.

894 Sec. 34. Subsections (c) and (d) of section 52-362f of the general  
895 statutes are repealed and the following is substituted in lieu thereof:

896 (c) When a support order has been issued in this state and the  
897 obligor has earnings subject to income withholding in another  
898 jurisdiction, (1) the agency shall on application of a resident of this  
899 state, (2) [the] Support Enforcement [Division] Services shall on behalf  
900 of any client for whom [the] Support Enforcement [Division] Services  
901 is providing services, (3) an obligee or obligor of a support order  
902 issued by this state may, or (4) an agency to whom the obligee has  
903 assigned support rights may, promptly request the agency of another  
904 jurisdiction in which the obligor of a support order derives income to  
905 enter the order for the purpose of obtaining income withholding  
906 against such income. The agency or [the] Support Enforcement  
907 [Division] Services, as the case may be, shall compile and transmit  
908 promptly to the agency of the other jurisdiction all documentation  
909 required to enter a support order for this purpose. The agency or  
910 Support Enforcement [Division] Services also shall transmit  
911 immediately to the agency of the other jurisdiction a certified copy of  
912 any subsequent modifications of the support order. If the agency or  
913 Support Enforcement [Division] Services receives notice that the  
914 obligor is contesting income withholding in another jurisdiction, it  
915 shall immediately notify the individual obligee of the date, time and  
916 place of the hearings and of the obligee's right to attend.

917 (d) When a support order is issued in another jurisdiction and the  
918 obligor has income subject to withholding in accordance with the  
919 provisions of section 52-362, as amended by this act, [the] Support  
920 Enforcement [Division] Services shall, upon receiving a support order  
921 of another jurisdiction with the documentation specified in this  
922 subsection from an agency of another jurisdiction, or from an obligee,  
923 and obligor or an attorney for either the obligee or obligor, file such  
924 support order and documents in the registry maintained by [the]  
925 Support Enforcement [Division] Services. Documentation required for  
926 the entry of a support order for another jurisdiction for the purpose of

927 withholding of income shall comply with the requirements of section  
928 46b-213i, as amended by this act. If the documentation received by  
929 [the] Support Enforcement [Division] Services does not conform to  
930 those requirements, [the] Support Enforcement [Division] Services  
931 shall remedy any defect which it can without the assistance of the  
932 obligee or requesting agency or person. If [the] Support Enforcement  
933 [Division] Services is unable to make such corrections, the requesting  
934 agency or person shall immediately be notified of the necessary  
935 additions or corrections. [The] Support Enforcement [Division]  
936 Services shall accept the documentation required by this subsection so  
937 long as the substantive requirements of this subsection are met.

938 Sec. 35. Subsection (f) of section 52-362f of the general statutes is  
939 repealed and the following is substituted in lieu thereof:

940 (f) Upon registration of a support order from another jurisdiction  
941 pursuant to subsection (d) of this section, Family Support Magistrate  
942 Division or [the] Support Enforcement [Division] Services of the  
943 Superior Court acting on its behalf shall proceed as provided in section  
944 46b-213k, as amended by this act.

945 Sec. 36. Subsections (h) to (j), inclusive, of section 52-362f of the  
946 general statutes are repealed and the following is substituted in lieu  
947 thereof:

948 (h) The agency or [the] Support Enforcement [Division] Services  
949 upon receiving a certified copy of any amendment or modification to a  
950 support order entered pursuant to subsection (d) of this section, shall  
951 file such certified copy with the clerk of [the] Support Enforcement  
952 [Division] Services, and [the division] Support Enforcement Services  
953 shall amend or modify the order for withholding to conform to the  
954 modified support order.

955 (i) If the agency or [the] Support Enforcement [Division] Services  
956 determines that the obligor has obtained employment in another state  
957 or has a new or additional source of income in another state, it shall

958 notify the agency which requested the income withholding of the  
959 changes within ten days of receiving that information and shall  
960 forward to such agency all information it has or can obtain with  
961 respect to the obligor's new address and the name and address of the  
962 obligor's new employer or other source of income. The agency or [the]  
963 Support Enforcement [Division] Services shall include with the notice  
964 a certified copy of the order for withholding in effect in this state.

965 (j) Any person who is the obligor on a support order of another  
966 jurisdiction may obtain a voluntary income withholding by filing with  
967 the agency a request for such withholding and a certified copy of the  
968 support order issued by such jurisdiction. The agency shall file such  
969 request for a voluntary withholding with the certified copy of the  
970 support order from the jurisdiction that entered such order with the  
971 clerk of [the] Support Enforcement [Division] Services of the Superior  
972 Court and [the division] Support Enforcement Services, acting on  
973 behalf of the Family Support Magistrate Division, shall issue an order  
974 for withholding. Any order for withholding thus issued shall be  
975 subject to all applicable provisions of this section.

976 Sec. 37. Section 52-362i of the general statutes is repealed and the  
977 following is substituted in lieu thereof:

978 If the court or family support magistrate finds that (1) an obligor is  
979 delinquent on payment of child support, and (2) future support  
980 payments are in jeopardy, or (3) the obligor has exhibited or expressed  
981 an intention not to pay any such support, the court or family support  
982 magistrate may order the obligor to provide a cash deposit not to  
983 exceed the amount of four times the current monthly support and  
984 arrearage obligation, to be held in escrow by the Connecticut Child  
985 Support Enforcement Bureau or Support Enforcement Services. Any  
986 funds from such cash deposit may be disbursed by the Connecticut  
987 Child Support Enforcement Bureau or Support Enforcement Services  
988 to the custodial parent upon a determination by said support  
989 enforcement bureau or Support Enforcement Services that the obligor

990 has failed to pay the full amount of the monthly support obligation.  
991 Payment shall be in an amount that, when combined with the obligor's  
992 payment, would not exceed the monthly support obligation. Payment  
993 from such cash deposit shall not preclude a finding of delinquency  
994 during the period of time in which the obligor failed to pay current  
995 support.

996 Sec. 38. Subsection (a) of section 53-304 of the general statutes is  
997 repealed and the following is substituted in lieu thereof:

998 (a) Any person who neglects or refuses to furnish reasonably  
999 necessary support to the person's spouse, child under the age of  
1000 eighteen or parent under the age of sixty-five shall be deemed guilty of  
1001 nonsupport and shall be imprisoned not more than one year, unless  
1002 the person shows to the court before which the trial is had that, owing  
1003 to physical incapacity or other good cause, the person is unable to  
1004 furnish such support. Such court may suspend the execution of any  
1005 community correctional center sentence imposed, upon any terms or  
1006 conditions that it deems just, may suspend the execution of the balance  
1007 of any such sentence in a like manner, and, in addition to any other  
1008 sentence or in lieu thereof, may order that the person convicted shall  
1009 pay to the Commissioner of Administrative Services directly or  
1010 through [the] Support Enforcement [Division] Services of the Superior  
1011 Court, such support, in such amount as the court may find  
1012 commensurate with the necessities of the case and the ability of such  
1013 person, for such period as the court shall determine. Any such order of  
1014 support may, at any time thereafter, be set aside or altered by such  
1015 court for cause shown. Failure of any defendant to make any payment  
1016 may be punished as contempt of court and, in addition thereto or in  
1017 lieu thereof, the court may order the issuance of a wage withholding in  
1018 the same manner as is provided in section 17b-748, which withholding  
1019 order shall have the same precedence as is provided in section 52-362,  
1020 as amended by this act. The amounts withheld under such  
1021 withholding order shall be remitted to the Department of  
1022 Administrative Services by the person or corporation to whom the

1023 withholding order is presented at such intervals as such withholding  
1024 order directs. For purposes of this section, the term "child" shall  
1025 include one born out of wedlock whose father has acknowledged in  
1026 writing his paternity of such child or has been adjudged the father by a  
1027 court of competent jurisdiction.

1028 Sec. 39. Subsection (d) of section 53-304 of the general statutes is  
1029 repealed and the following is substituted in lieu thereof:

1030 (d) Family relations caseworkers of the Family Division and support  
1031 enforcement officers of [the] Support Enforcement [Division] Services  
1032 may administer oaths in all affidavits, statements, complaints and  
1033 reports made to or by family relations caseworkers and support  
1034 enforcement officers of the Superior Court in the performance of their  
1035 duties.

1036 Sec. 40. Section 53-308 of the general statutes is repealed and the  
1037 following is substituted in lieu thereof:

1038 When any bond or recognizance conditioned for the appearance of  
1039 any person accused in any information or complaint charging a  
1040 violation of any of the provisions of section 53-304, as amended by this  
1041 act, becomes forfeited or whenever any person convicted under the  
1042 provisions of said section gives a bond and fails to comply with the  
1043 provisions of the same, the court before which such information or  
1044 complaint is pending or in which such conviction was had, upon  
1045 collection or settlement of such forfeited bond or recognizance, may  
1046 order the avails or any portion thereof to be paid to the spouse or for  
1047 the support of the children or both, in such manner and installments as  
1048 such court may find reasonable, or may order the avails or any portion  
1049 thereof to be paid to the selectmen of the town, [the] Support  
1050 Enforcement [Division] Services of the Superior Court, or the  
1051 Commissioner of Administrative Services, who shall administer the  
1052 same for the benefit of the spouse or children or both, as they [or he]  
1053 may find reasonable.

1054 Sec. 41. This act shall take effect July 1, 2001.

**Statement of Purpose:**

To implement the Governor's budget recommendations.

*[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.]*