



**AN ACT CONCERNING THE COLLECTION OF CHILD SUPPORT.**

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

1 Section 1. Section 17b-179 of the general statutes is amended by  
2 adding subsection (o) as follows (*Effective October 1, 2002*):

3 (NEW) (o) The Connecticut Child Support Enforcement Bureau  
4 shall maintain the addresses of the recipients of child support  
5 enforcement services through the IV-D system. Any such address shall  
6 be changed only upon the filing with the bureau of a written request  
7 by the recipient of child support enforcement services, and any  
8 address reported to the bureau must be the place where the recipient  
9 resides.

10 Sec. 2. Subdivisions (1) and (2) of subsection (a) of section 17b-745 of  
11 the general statutes are repealed and the following is substituted in  
12 lieu thereof (*Effective October 1, 2002*):

13 (a) (1) The Superior Court or a family support magistrate shall have  
14 authority to make and enforce orders for payment of support to the  
15 Commissioner of Administrative Services or in IV-D cases, to the state  
16 acting by and through the IV-D agency, directed to the husband or  
17 wife and, if the patient [or person is under twenty-one or, on and after  
18 October 1, 1972, under eighteen] is under the age of eighteen, or if the  
19 person is under the age of twenty, provided the person is unmarried, a

20 full-time high school student and residing with the custodial parent,  
21 any parent of any patient or person being supported by the state,  
22 wholly or in part, in a state humane institution, or under any welfare  
23 program administered by the state Department of Social Services, as  
24 said court finds, in accordance with the provisions of subsection (b) of  
25 section 17b-179, or section 17a-90, 17b-81, 17b-223, 46b-129, as  
26 amended, or 46b-130, to be reasonably commensurate with the  
27 financial ability of any such relative. Any court or family support  
28 magistrate called upon to make or enforce such an order, including  
29 one based upon a determination consented to by the relative, shall  
30 insure that such order is reasonable in light of the relative's ability to  
31 pay.

32 (2) (A) The court or family support magistrate shall include in each  
33 support order in a IV-D support case a provision for the health care  
34 coverage of the child which provision may include an order for either  
35 parent to name any child under eighteen, or any child under twenty,  
36 provided the child is unmarried, a full-time high school student and  
37 residing with the custodial parent, as a beneficiary of any medical or  
38 dental insurance or benefit plan carried by such parent or available to  
39 such parent on a group basis through an employer or a union. If such  
40 insurance coverage is unavailable at reasonable cost, the provision for  
41 health care coverage may include an order for either parent to apply  
42 for and maintain coverage on behalf of the child under the HUSKY  
43 Plan, Part B. The noncustodial parent shall be ordered to apply for the  
44 HUSKY Plan, Part B only if such parent is found to have sufficient  
45 ability to pay the appropriate premium. In any IV-D support case in  
46 which the noncustodial parent is found to have insufficient ability to  
47 provide medical insurance coverage and the custodial party is the  
48 HUSKY Plan, Part A or Part B applicant, the provision for health care  
49 coverage may include an order for the noncustodial parent to pay such  
50 amount as is specified by the court or family support magistrate to the  
51 state or the custodial party, as their interests may appear, to offset the  
52 cost of any insurance payable under the HUSKY Plan, Part A or Part B.  
53 In no event may such order include payment to offset the cost of any

54 such premium if such payment would reduce the amount of current  
55 support required under the child support guidelines.

56 (B) When a parent is ordered to provide insurance coverage in  
57 accordance with subparagraph (A) of this subdivision, the court or  
58 family support magistrate shall order the employer of such parent to  
59 withhold from such employee's compensation the employee's share, if  
60 any, of premiums for health coverage, except for certain circumstances  
61 under which an employer may withhold less than such employee's  
62 share of such premiums, as may be provided by regulation of the  
63 Secretary of the United States Department of Health and Human  
64 Services and pay such share of premiums to the insurer. The amount  
65 withheld shall not exceed the maximum amount permitted to be  
66 withheld as set forth in 15 USC 1673(b). Whenever an order of the  
67 Superior Court or family support magistrate is issued against a parent  
68 to cover the cost of such medical or dental insurance or benefit plan for  
69 a child who is eligible for Medicaid benefits, and such parent has  
70 received payment from a third party for the costs of such services but  
71 such parent has not used such payment to reimburse, as appropriate,  
72 either the other parent or guardian or the provider of such services, the  
73 Department of Social Services shall have the authority to request the  
74 court or family support magistrate to order the employer of such  
75 parent to withhold from the wages, salary or other employment  
76 income, of such parent to the extent necessary to reimburse the  
77 Department of Social Services for expenditures for such costs under  
78 the Medicaid program. However, any claims for current or past due  
79 child support shall take priority over any such claims for the costs of  
80 such services.

81 Sec. 3. Subdivision (1) of subsection (a) of section 46b-215 of the  
82 general statutes is repealed and the following is substituted in lieu  
83 thereof (*Effective October 1, 2002*):

84 (a) (1) The Superior Court or a family support magistrate shall have  
85 authority to make and enforce orders for payment of support against  
86 any person who neglects or refuses to furnish necessary support to

87 such person's spouse or a child under the age of eighteen or an  
88 unmarried child under the age of twenty who is a full-time high school  
89 student residing with the custodial parent, according to such person's  
90 ability to furnish such support, notwithstanding the provisions of  
91 section 46b-37, as amended.

92 Sec. 4. Subdivision (1) of subsection (a) of section 46b-171 of the  
93 general statutes is repealed and the following is substituted in lieu  
94 thereof (*Effective October 1, 2002*):

95 (a) (1) If the defendant is found to be the father of the child, the  
96 court or family support magistrate shall order the defendant to stand  
97 charged with the support and maintenance of such child, with the  
98 assistance of the mother if such mother is financially able, as said court  
99 finds, in accordance with the provisions of section 17b-81, 17b-223,  
100 17b-745, as amended by this act, subsection (b) of section 17b-179,  
101 section 17a-90, 46b-129, as amended, 46b-130 or 46b-215, as amended  
102 by this act, to be reasonably commensurate with the financial ability of  
103 the defendant, and to pay a certain sum periodically until the child  
104 attains the age of eighteen years or until the child attains the age of  
105 twenty years provided the child is unmarried, a full-time high school  
106 student and residing with the custodial parent. The court or family  
107 support magistrate shall order the defendant to pay such sum to the  
108 complainant, or, if a town or the state has paid such expense, to the  
109 town or the state, as the case may be, and shall grant execution for the  
110 same and costs of suit taxed as in other civil actions, together with a  
111 reasonable attorney's fee; and may require the defendant to become  
112 bound with sufficient surety to perform such orders for support and  
113 maintenance.

114 Sec. 5. Subsection (c) of section 46b-172 of the general statutes, as  
115 amended by section 42 of public act 01-195, is repealed and the  
116 following is substituted in lieu thereof (*Effective October 1, 2002*):

117 (c) At any time after the signing of any acknowledgment of  
118 paternity, upon the application of any interested party, the court or

119 any judge thereof or any family support magistrate in IV-D support  
120 cases and in matters brought under sections 46b-212 to 46b-213v,  
121 inclusive, as amended, shall cause a summons, signed by such judge or  
122 magistrate, by the clerk of said court or by a commissioner of the  
123 Superior Court, to be issued, requiring the acknowledged father to  
124 appear in court at a time and place as determined by the clerk but not  
125 more than ninety days after the issuance of the summons, to show  
126 cause why the court or the family support magistrate assigned to the  
127 judicial district in IV-D support cases should not enter judgment for  
128 support of the child by payment of a periodic sum until the child  
129 attains the age of eighteen years or until the child attains the age of  
130 twenty years, provided the child is unmarried, a full-time high school  
131 student and residing with the custodial parent, together with provision  
132 for reimbursement for past due support based upon ability to pay in  
133 accordance with the provisions of section 17b-81, 17b-223, subsection  
134 (b) of section 17b-179, section 17a-90, 46b-129, as amended, or 46b-130,  
135 a provision for health coverage of the child as required by section 46b-  
136 215, as amended by this act, and reasonable expense of the action  
137 under this subsection. Such court or family support magistrate, in IV-D  
138 cases, shall also have the authority to order the acknowledged father  
139 who is subject to a plan for reimbursement of past-due support and is  
140 not incapacitated, to participate in work activities which may include,  
141 but shall not be limited to, job search, training, work experience and  
142 participation in the job training and retraining program established by  
143 the Labor Commissioner pursuant to section 31-3t. The application,  
144 summons and order shall be on forms prescribed by the Office of the  
145 Chief Court Administrator. Proceedings to obtain such orders of  
146 support shall be commenced by the service of such summons on the  
147 acknowledged father. A state marshal or proper officer shall make due  
148 return of process to the court not less than twenty-one days before the  
149 date assigned for hearing. The prior judgment as to paternity shall be  
150 res judicata as to that issue for all paternity acknowledgments filed  
151 with the court on or after March 1, 1981, but before July 1, 1997, and  
152 shall not be reconsidered by the court unless the person seeking review  
153 of the acknowledgment petitions the superior court for the judicial

154 district having venue for a hearing on the issue of paternity within  
155 three years of such judgment. In addition to such review, if the  
156 acknowledgment of paternity was filed prior to March 1, 1981, the  
157 acknowledgment of paternity may be reviewed by denying the  
158 allegation of paternity in response to the initial petition for support,  
159 whenever it is filed. All such payments shall be made to the petitioner,  
160 except that in IV-D support cases, as defined in subsection (b) of  
161 section 46b-231, payments shall be made to the state, acting by and  
162 through the IV-D agency.

163 Sec. 6. Subdivision (2) of subsection (n) of section 46b-231 of the  
164 general statutes is repealed and the following is substituted in lieu  
165 thereof (*Effective October 1, 2002*):

166 (2) Proceedings for such appeal shall be instituted by filing a  
167 petition in superior court for the judicial district in which the decision  
168 of the family support magistrate was rendered not later than fourteen  
169 days after filing of the final decision with an assistant clerk assigned to  
170 the Family Support Magistrate Division or, if a rehearing is requested,  
171 not later than fourteen days, or, in cases decided pursuant to sections  
172 46b-212 to 46b-213v, inclusive, as amended, not later than thirty days,  
173 after filing of the notice of the decision thereon. In a IV-D support case,  
174 such petitions shall be accompanied by a certification that copies of the  
175 petition have been served upon the IV-D agency as defined in  
176 subsection (b) of this section and all parties of record. Service upon the  
177 IV-D agency may be made by the appellant mailing a copy of the  
178 petition by certified mail to the office of the Attorney General in  
179 Hartford.

180 Sec. 7. Subsection (d) of section 52-362d of the general statutes, as  
181 amended by section 23 of public act 01-91 and section 10 of public act  
182 01-207, is repealed and the following is substituted in lieu thereof  
183 (*Effective October 1, 2002*):

184 (d) Whenever an order of the Superior Court or a family support  
185 magistrate for support of a minor child or children is issued or an

186 order of another state is registered pursuant to section 46b-213h, as  
187 amended, or section 46b-213o, and such payments have been ordered  
188 through the IV-D agency, and the obligor against whom such support  
189 order was issued owes overdue support under such order in the  
190 amount of five hundred dollars or more, the IV-D agency, as defined  
191 in subdivision (12) of subsection (b) of section 46b-231, or Support  
192 Enforcement Services of the Superior Court may notify (1) any state or  
193 local agency with authority to distribute benefits to such obligor  
194 including, but not limited to, unemployment compensation and  
195 workers' compensation, (2) any person having or expecting to have  
196 custody or control of or authority to distribute any amounts due such  
197 obligor under any judgment or settlement, (3) any financial institution  
198 holding assets of such obligor, and (4) any public or private entity  
199 administering a public or private retirement fund in which such  
200 obligor has an interest that such obligor owes overdue support in a IV-  
201 D support case. Upon receipt of such notice, such agency, person,  
202 institution or entity shall withhold delivery or distribution of any such  
203 benefits, amounts, assets or funds until receipt of further notice from  
204 the IV-D agency.

This act shall take effect as follows:	
Section 1	<i>October 1, 2002</i>
Sec. 2	<i>October 1, 2002</i>
Sec. 3	<i>October 1, 2002</i>
Sec. 4	<i>October 1, 2002</i>
Sec. 5	<i>October 1, 2002</i>
Sec. 6	<i>October 1, 2002</i>
Sec. 7	<i>October 1, 2002</i>

**JUD**      *Joint Favorable Subst.*

**HS**        *Joint Favorable*

**INS**       *Joint Favorable*