



Senate

General Assembly

File No. 34

January Session, 2007

Senate Bill No. 1222

Senate, March 13, 2007

The Committee on Human Services reported through SEN. HARRIS of the 5th Dist., Chairperson of the Committee on the part of the Senate, that the bill ought to pass.

AN ACT PRECLUDING BANKS FROM CHARGING FEES FOR PROVIDING RECORDS WITH RESPECT TO PERSONS WHO APPLY FOR OR RECEIVE STATE ASSISTANCE OR CHILD SUPPORT ENFORCEMENT SERVICES.

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

1 Section 1. Subsection (a) of section 17b-137 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective July*
3 *1, 2007*):

4 (a) (1) (A) Any person who has in his possession or control any
5 property of any person applying for or presently or formerly receiving
6 aid or care or child support enforcement services, as defined in
7 subdivision (2) of subsection (b) of section 46b-231, from the state or
8 who is indebted to such applicant or recipient or has knowledge of any
9 insurance, including health insurance or property currently or
10 formerly belonging to him, or information pertaining to eligibility for
11 such aid or care or services, and any officer who has control of the
12 books and accounts of any corporation which has possession or control

13 of any property belonging to any person applying for or receiving such
14 aid or care or services or who is indebted to him, or has knowledge of
15 any insurance, including health insurance or any person having in his
16 employ any such person, shall, upon presentation by the
17 Commissioner of Social Services, or the Commissioner of
18 Administrative Services, or the Commissioner of Public Safety, or a
19 support enforcement officer of the Superior Court, or any person
20 deputized by any of them, of a certificate, signed by him, stating that
21 such applicant, recipient or employee has applied for or is receiving or
22 has received such aid or care or services from the state, make full
23 disclosure to said commissioner, such officer or such deputy of any
24 such property, insurance, wages, indebtedness or information.

25 (B) At the request of the Commissioner of Social Services, insurance
26 companies licensed to do business in Connecticut shall be required,
27 when compatible data elements are available, to conduct automated
28 data matches to identify insurance coverage for recipients and the
29 parents of recipients who are minors. Upon completion of such
30 matches the commissioner shall reimburse such companies for the
31 reasonable documented costs of conducting the matches.

32 (2) (A) Such disclosure may be obtained in like manner of the
33 property, wages or indebtedness of any person who is either: (i) Liable
34 for the support of any such applicant or recipient, including the
35 parents of any child receiving aid or services through the Department
36 of Children and Families, or one adjudged or acknowledged to be the
37 father of an illegitimate child; or (ii) the subject of an investigation in a
38 IV-D support case, as defined in subdivision (13) of subsection (b) of
39 section 46b-231. Any company or officer who has control of the books
40 and accounts of any corporation shall make full disclosure to the IV-D
41 agency, as defined in subdivision (12) of subsection (b) of section 46b-
42 231, or to the support enforcement officer of the Superior Court of any
43 such property, wages or indebtedness in all support cases, including
44 IV-D support cases, as defined in subdivision (13) of subsection (b) of
45 section 46b-231.

46 (B) The Commissioner of Social Services, the Commissioner of
47 Administrative Services, the Commissioner of Public Safety or a
48 support enforcement officer of the Superior Court, or any person
49 deputized by any of them, may compel, by subpoena, the attendance
50 and testimony under oath of any person who refuses to disclose in
51 accordance with the provisions of this section, or of any person who is
52 either: (i) Liable for the support of any such applicant or recipient; or
53 (ii) the subject of an investigation in a IV-D support case, as defined in
54 subdivision (13) of subsection (b) of section 46b-231, who refuses to
55 disclose his own financial circumstances, and may so compel the
56 production of books and papers pertaining to such information.

57 (C) The Commissioner of Social Services may subpoena the financial
58 records of any financial institution concerning property of any person
59 applying for or presently or formerly receiving aid or care from the
60 state or who is indebted to such applicant or recipient. The
61 Commissioner of Social Services may subpoena such records of any
62 parent or parents of any child applying for or presently or formerly
63 receiving assistance under the aid to families with dependent children
64 program, the temporary family assistance program or the state-
65 administered general assistance program.

66 (D) The commissioner, or a support enforcement officer of the
67 Superior Court, or the person deputized by the commissioner or officer
68 shall set a time and place for any examination under this subdivision,
69 and any person summoned who, without reasonable excuse, fails to
70 appear and testify or to produce such books and papers shall be fined
71 fifty dollars for each such offense.

72 (E) Except as provided in subparagraph (B) of subdivision (1) of this
73 subsection, no person or entity that provides access to or discloses
74 records or any information in accordance with the provisions of this
75 subsection shall charge a fee for providing access to or disclosing any
76 such records or information.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>July 1, 2007</i>	17b-137(a)
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HS *Joint Favorable*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either chamber thereof for any purpose:

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 08 \$	FY 09 \$
Department of Social Services	GF - Savings	Minimal	Minimal

Municipal Impact: None

Explanation

This bill is expected to result in a savings to the Department of Social Services, as the department will no longer be required to pay fees when requesting bank records for people applying for public assistance. This savings is expected to be minimal. This change may also help the department's fraud detection efforts by expediting the receipt of financial records.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

OLR Bill Analysis**SB 1222*****AN ACT PRECLUDING BANKS FROM CHARGING FEES FOR PROVIDING RECORDS WITH RESPECT TO PERSONS WHO APPLY FOR OR RECEIVE STATE ASSISTANCE OR CHILD SUPPORT ENFORCEMENT SERVICES*****SUMMARY:**

The law requires certain people and institutions to disclose information to state officials about property and funds belonging to people who apply for or receive state support or assistance or are liable for child support. This bill, with one exception, prohibits any such person or entity from charging a fee for providing access to or disclosing records or information. But it continues to require the social services commissioner to reimburse an insurance company for its reasonable documented costs if the commissioner requires it to conduct automated data matches to identify insurance coverage such state aid recipients and the parents of minor recipients may have.

The bill applies to any financial institution, person, corporate officer or other entity that (1) possesses or controls any property belonging to someone who applies for, receives, or has received state aid, care, or child support enforcement services; (2) is indebted to the applicant or recipient; (3) knows of any insurance (including health insurance) covering the applicant or recipient, property currently or formerly belonging to that person, or information pertaining to that person's eligibility for state aid, care, or services; or (4) employs the applicant or recipient. The person or entity must make full disclosure in response to a certificate from the Department of Social Services, Administrative Services, or Public Safety commissioners; a Superior Court child support enforcement officer; or someone deputized by any of them. These officials can also subpoena these records if they are not produced.

The law requires the same disclosure about the property, wages, or indebtedness of someone who is liable for any such applicant's or recipient's support, including parents of a child receiving aid or services through the Department of Children and Families; someone who is judged or acknowledged to be an illegitimate child's father; or someone who is the subject of a child support investigation.

EFFECTIVE DATE: July 1, 2007

COMMITTEE ACTION

Human Services Committee

Joint Favorable

Yea 19 Nay 0 (03/01/2007)