



General Assembly

Substitute Bill No. 7361

January Session, 2007

* HB07361HS 032207 *

AN ACT CONCERNING CHILD SUPPORT ENFORCEMENT PROGRAM COMPLIANCE AND IMPROVEMENTS.

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

1 Section 1. Section 17b-77 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2008*):

3 Application for aid under the state supplement program, medical
4 assistance program, temporary family assistance program and food
5 stamps program, shall be made to the Commissioner of Social Services.
6 The name and address of each such applicant shall be recorded with
7 the commissioner. Such application, in the case of temporary family
8 assistance, shall be made by the supervising relative, his authorized
9 representative, or, in the case of an individual who is incapacitated,
10 someone acting responsibly for him and shall contain the name and
11 the exact residence of such applicant, the name, place and date of birth
12 of each dependent child, the Social Security number of the supervising
13 relative and of each dependent child, and such other information as is
14 required by the commissioner. If such supervising relative or any such
15 child does not have a Social Security number, the commissioner shall
16 assist in obtaining a Social Security number for each such person
17 seeking public assistance and during the time required to obtain such
18 Social Security numbers the supervising relative and children shall not
19 be precluded from eligibility under this section. By such application,

20 the applicant shall assign to the commissioner the right of support,
21 present, past and future, due all persons seeking assistance and shall
22 assist the commissioner in pursuing support obligations due from the
23 [absent] noncustodial parent. On and after October 1, 2008, such
24 assignment under the temporary family assistance program shall
25 apply only to such support rights as accrue during the period of
26 assistance, not to exceed the total amount of assistance provided to the
27 family under said program. Notice of such assignment shall be
28 conspicuously placed on said application and shall be explained to the
29 applicant at the time of application. All information required to be
30 provided to the commissioner as a condition of such eligibility under
31 federal law shall be so provided by the applicant, provided, no person
32 shall be determined to be ineligible if the applicant has good cause for
33 the refusal to provide information concerning the [absent]
34 noncustodial parent or if the provision of such information would be
35 against the best interests of the dependent child or children, or any of
36 them. The Commissioner of Social Services shall adopt by regulation,
37 in accordance with chapter 54, standards as to good cause and best
38 interests of the child. Any person aggrieved by a decision of the
39 commissioner as to the determination of good cause or the best
40 interests of such child or children may request a fair hearing in
41 accordance with the provisions of sections 17b-60 and 17b-61. All
42 statements made by the applicant concerning income, resources and
43 any other matters pertaining to eligibility shall be certified to by the
44 applicant as true and correct under penalty of false statement, and for
45 any such certified statement which is untrue or incorrect such
46 applicant shall be subject to the penalties provided for false statement
47 under section 17b-97.

48 Sec. 2. Subsection (h) of section 17b-179 of the general statutes is
49 repealed and the following is substituted in lieu thereof (*Effective*
50 *October 1, 2007*):

51 (h) (1) The Connecticut Child Support Enforcement Bureau shall
52 provide, or arrange to provide through one or more of the state offices,
53 departments and agencies the same services for obtaining and

54 enforcing child support orders in cases in which children are not
55 beneficiaries of TANF as in cases where children are the beneficiaries
56 of such aid. Such services shall also be made available to residents of
57 other states on the same terms as to residents of this state. Support
58 services in non-TANF support cases will be provided upon application
59 to the Connecticut Bureau of Child Support Enforcement by the person
60 seeking to enforce a child support obligation and the payment of an
61 application fee, pursuant to the provisions of subsection (i) of this
62 section.

63 (2) In addition to the application fee, the Connecticut Child Support
64 Enforcement Bureau may assess costs incurred for the establishment,
65 enforcement or modification of a support order in non-TANF cases.
66 Such assessment shall be based on a fee schedule adopted by the
67 Department of Social Services pursuant to chapter 54. The fee schedule
68 to be charged in non-TANF support cases shall be made available to
69 any individual upon request. The Child Support Enforcement Bureau
70 shall adopt procedures for the notification of Superior Court judges
71 and family support magistrates when a fee has been assessed an
72 obligee for support services and a Superior Court judge or a family
73 support magistrate shall order the obligor to pay any such assessment
74 to the Child Support Enforcement Bureau. In cases where such order is
75 not entered, the obligee shall pay an amount based on a sliding scale
76 not to exceed the obligee's ability to pay. The Department of Social
77 Services shall adopt such sliding scale pursuant to chapter 54.

78 (3) The Connecticut Child Support Enforcement Bureau shall also,
79 in the case of an individual who never received temporary assistance
80 for needy families and for whom the state has collected at least five
81 hundred dollars of support in a one-year period, impose an annual fee
82 of twenty-five dollars for each case in which services are furnished.
83 The annual fee shall be (A) retained by the state from the support
84 collected on behalf of the individual, but not from the first five
85 hundred dollars collected, (B) paid by the individual applying for the
86 services, (C) recovered from the noncustodial parent, or (D) paid by
87 the state.

88 Sec. 3. Subparagraph (A) of subdivision (2) of subsection (a) of
89 section 17b-745 of the general statutes is repealed and the following is
90 substituted in lieu thereof (*Effective October 1, 2007*):

91 (2) (A) The court or family support magistrate shall include in each
92 support order in a IV-D support case a provision for the health care
93 coverage of the child. [which] Such provision may include an order for
94 either parent or both parents to provide such coverage under any or all
95 of clauses (i), (ii) or (iii) of this subparagraph.

96 (i) The provision for healthcare coverage may include an order for
97 either parent to name any child as a beneficiary of any medical or
98 dental insurance or benefit plan carried by such parent or available to
99 such parent [on a group basis through an employer or a union. Any
100 such employment-based order] at a reasonable cost, as defined in
101 clause (iv) of this subparagraph. If such order requires the parent to
102 maintain insurance available through an employer, the order shall be
103 enforced using a National Medical Support Notice as provided in
104 section 46b-88, as amended by this act.

105 (ii) If [such] insurance coverage as described in clause (i) of this
106 subparagraph is unavailable at reasonable cost to the parent obligated
107 to maintain the insurance, or inaccessible to the child, the provision for
108 health care coverage may include an order for either parent to [apply] :
109 (I) Apply for and maintain coverage on behalf of the child under the
110 HUSKY Plan, Part B; [The noncustodial parent shall be ordered to
111 apply for the HUSKY Plan, Part B only if such parent is found to have
112 sufficient ability to pay the appropriate premium. In any IV-D support
113 case in which the noncustodial parent is found to have insufficient
114 ability to provide medical insurance coverage and the custodial party
115 is the HUSKY Plan, Part A or Part B applicant, the provision for health
116 care coverage may include an order for the noncustodial parent to pay
117 such amount as is specified by the court or family support magistrate]
118 or (II) provide cash medical support, as defined in clause (v) of this
119 subparagraph. An order under this clause shall be made only if the
120 cost to the parent obligated to maintain the insurance is reasonable as

121 described in clause (iv) of this subparagraph.

122 (iii) An order for payment of the child's medical and dental
123 expenses that are not covered by insurance or reimbursed in any other
124 manner shall be entered in accordance with the child support
125 guidelines established pursuant to section 46b-215a.

126 (iv) Health care coverage shall be deemed reasonable in cost if: (I)
127 the parent obligated to maintain the insurance would qualify as a low-
128 income obligor under the child support guidelines established
129 pursuant to section 46b-215a, based solely on such parent's income,
130 and the cost does not exceed five per cent of such parent's gross
131 income; or (II) the parent obligated to maintain the insurance would
132 not qualify as a low-income obligor under such guidelines and the cost
133 does not exceed seven and one-half per cent of such parent's gross
134 income.

135 (v) Cash medical support means an amount ordered to be paid
136 toward the cost of health insurance provided by a public entity,
137 including the HUSKY Plan, Part A or Part B, or by another parent
138 through employment or otherwise, or for other medical costs not
139 covered by insurance, except as provided in clause (iii) of this
140 subparagraph. Cash medical support may be ordered in lieu of an
141 order under clause (i) of this subparagraph to be effective until such
142 time as health insurance that is accessible to the child and reasonable
143 in cost becomes available, or in addition to such order, provided the
144 combined cost of insurance and cash medical support is reasonable.
145 An order for cash medical support shall be payable to the state or the
146 custodial party, as their interests may appear. [,] Cash medical support
147 to offset the cost of any insurance payable under the HUSKY Plan, Part
148 A or Part B, [unless the] shall not be ordered against a noncustodial
149 parent who is a low-income obligor, as defined in the child support
150 guidelines established pursuant to section 46b-215a.

151 Sec. 4. Subparagraph (A) of subdivision (7) of subsection (a) of
152 section 17b-745 of the general statutes is repealed and the following is

153 substituted in lieu thereof (*Effective October 1, 2007*):

154 (7) (A) Proceedings to obtain orders of support under this section
155 shall be commenced by the service on the liable person or persons of a
156 verified petition of the Commissioner of Administrative Services, the
157 Commissioner of Social Services or their designees. The verified
158 petition shall be filed by any of said commissioners or their designees
159 in the judicial district of the court or Family Support Magistrate
160 Division in which the patient, applicant, beneficiary, recipient or the
161 defendant resides. The judge or family support magistrate shall cause
162 a summons, signed by such judge or magistrate, by the clerk of said
163 court, or by a commissioner of the Superior Court to be issued,
164 requiring such liable person or persons to appear before the court or a
165 family support magistrate at a time and place as determined by the
166 clerk but not more than ninety days after the issuance of the summons
167 to show cause, if any, why the request for relief in such petition should
168 not be granted. [The] In other than IV-D support cases, the verified
169 petition, summons and order shall be on forms prescribed by the
170 Office of the Chief Court Administrator.

171 Sec. 5. Subsection (e) of section 38a-497a of the general statutes is
172 repealed and the following is substituted in lieu thereof (*Effective*
173 *October 1, 2007*):

174 (e) If a parent is required by a court or an administrative order to
175 provide health coverage for a child and the parent is eligible for family
176 health coverage through an employer doing business in the state, such
177 employer shall permit such parent to enroll such child under such
178 coverage without regard to any open enrollment restrictions. If a
179 parent is enrolled but fails to make application to obtain coverage of a
180 child, the employer shall enroll such child under health care coverage
181 upon application by the child's other parent or by the Commissioner of
182 Social Services, or his designee, when such child is eligible under the
183 Medicaid program or is receiving child support enforcement services
184 pursuant to Title IV-D of the Social Security Act. A NMSN shall
185 constitute an application for health care coverage by the issuing

186 agency. If a noncustodial parent in a IV-D case provides such coverage
187 and changes employment, and the new employer provides health care
188 coverage, the IV-D agency or an agency under cooperative agreement
189 therewith shall transfer notice of the provision for health care coverage
190 to such new employer, as provided in section 46b-88, as amended by
191 this act. [The notice] A NMSN shall operate to enroll the child in the
192 [noncustodial] parent's health care plan if that portion of the [obligor's]
193 parent's income which is subject to withholding pursuant to subsection
194 (e) of section 52-362, as amended by this act, is sufficient to cover both
195 the current support order and health care coverage. At the time notice
196 is transferred to the employer, the IV-D agency, or an agency under
197 cooperative agreement therewith, shall also cause a copy of the notice
198 of such transfer of health care coverage to be delivered to [the obligor
199 and to the custodial] each parent. [The noncustodial] A parent may
200 contest such notice by filing a motion for modification with the family
201 support magistrate. An employer, subject to the provisions of this
202 section, shall not disenroll or eliminate coverage of any such child
203 unless the employer is provided satisfactory written evidence that: (1)
204 A court or an administrative order for health care coverage is no
205 longer in effect; (2) the child is or shall be enrolled in comparable
206 health care coverage which shall take effect not later than the effective
207 date of such disenrollment or elimination; or (3) the employer has
208 eliminated family health care coverage for all of its employees.

209 Sec. 6. Subsection (b) of section 46b-84 of the general statutes is
210 repealed and the following is substituted in lieu thereof (*Effective*
211 *October 1, 2007*):

212 (b) If there is an unmarried child of the marriage who has attained
213 the age of eighteen [.] and is a full-time high school student, [and
214 resides with a parent,] the parents shall maintain the child according to
215 their respective abilities if the child is in need of maintenance until
216 [such time as] such child completes the twelfth grade or attains the age
217 of nineteen, whichever [first] occurs first. The provisions of this
218 subsection shall apply only in cases where the decree of dissolution of
219 marriage, legal separation or annulment is entered on or after July 1,

220 1994.

221 Sec. 7. Subsection (f) of section 46b-84 of the general statutes is
222 repealed and the following is substituted in lieu thereof (*Effective*
223 *October 1, 2007*):

224 (f) (1) After the granting of a decree annulling or dissolving the
225 marriage or ordering a legal separation, and upon complaint or motion
226 with order and summons made to the Superior Court by either parent
227 or by the Commissioner of Administrative Services in any case arising
228 under subsection (a) or (b) of this section, as amended by this act, the
229 court shall inquire into the child's need of maintenance and the
230 respective abilities of the parents to supply maintenance. The court
231 shall make and enforce the decree for the maintenance of the child as it
232 considers just, and may direct security to be given therefor, including
233 an order to either party to contract with a third party for periodic
234 payments or payments contingent on a life to the other party. The
235 court may order that a party obtain life insurance as such security
236 unless such party proves, by a preponderance of the evidence, that
237 such insurance is not available to such party, such party is unable to
238 pay the cost of such insurance or such party is uninsurable.

239 (2) The court shall include in each support order a provision for the
240 health care coverage of the child [which provision may include an
241 order for either parent to name any child] who is subject to the
242 provisions of subsection (a) or (b) of this section. Such provision may
243 include an order for either parent or both parents to provide such
244 coverage under any or all of subparagraphs (A), (B) or (C) of this
245 subdivision.

246 (A) The provision for health care coverage may include an order for
247 either parent to name any child as a beneficiary of any medical or
248 dental insurance or benefit plan carried by such parent or available to
249 such parent [on a group basis through an employer or a union. Any
250 such employment-based order] at a reasonable cost, as described in
251 subparagraph (D) of this subdivision. If such order in a IV-D support

252 case requires the parent to maintain insurance available through an
253 employer, the order shall be enforced using a National Medical
254 Support Notice as provided in section 46b-88, as amended by this act.

255 (B) If [such] insurance coverage in accordance with subparagraph
256 (A) of this subdivision is unavailable at reasonable cost to the parent
257 obligated to maintain the insurance, or inaccessible to the child, the
258 provision for health care coverage may include an order for either
259 parent to: [apply] (i) Apply for and maintain coverage on behalf of the
260 child under the HUSKY Plan, Part B; [. The noncustodial parent shall
261 be ordered to apply for the HUSKY Plan, Part B only if such parent is
262 found to have sufficient ability to pay the appropriate premium. In any
263 IV-D support case in which the noncustodial parent is found to have
264 insufficient ability to provide medical insurance coverage and the
265 custodial party is the HUSKY Plan, Part A or Part B applicant, the
266 provision for health care coverage may include an order for the
267 noncustodial parent to pay such amount as is specified by the court or
268 family support magistrate] or (ii) provide cash medical support, as
269 defined in subparagraph (E) of this subdivision. An order under this
270 subparagraph shall be made only if the cost to the parent obligated to
271 maintain the insurance is reasonable, as defined in subparagraph (D)
272 of this subdivision.

273 (C) An order for payment of the child's medical and dental expenses
274 that are not covered by insurance or reimbursed in any other manner
275 shall be entered in accordance with the child support guidelines
276 established pursuant to section 46b-215a.

277 (D) Health care coverage shall be deemed reasonable in cost if: (i)
278 The parent obligated to maintain the insurance would qualify as a low-
279 income obligor under the child support guidelines established
280 pursuant to section 46b-215a, based solely on such parent's income,
281 and the cost does not exceed five per cent of such parent's gross
282 income; or (ii) the parent obligated to maintain insurance would not
283 qualify as a low-income obligor under such guidelines and the cost
284 does not exceed seven and one-half per cent of such parent's gross

285 income.

286 (E) Cash medical support means an amount ordered to be paid
287 toward the cost of health insurance provided by a public entity,
288 including the HUSKY Plan, Part A or Part B, or by another parent
289 through employment or otherwise, or for other medical costs not
290 covered by insurance, except as provided in subparagraph (C) of this
291 subdivision. Cash medical support may be ordered in lieu of an order
292 under subparagraph (A) of this subdivision to be effective until such
293 time as health insurance that is accessible to the child and reasonable
294 in cost becomes available, or in addition to such order, provided the
295 combined cost of insurance and cash medical support is reasonable.
296 An order for cash medical support shall be payable to the state or the
297 custodial party, as their interests may appear. [.] Cash medical support
298 to offset the cost of any insurance payable under the HUSKY Plan, Part
299 A or Part B, [unless the] shall not be ordered against a noncustodial
300 parent who is a low-income obligor, as defined in the child support
301 guidelines established pursuant to section 46b-215a.

302 Sec. 8. Subdivision (1) of subsection (b) of section 46b-88 of the
303 general statutes is repealed and the following is substituted in lieu
304 thereof (*Effective October 1, 2007*):

305 (b) (1) Whenever a court or family support magistrate enters a
306 support order in a Title IV-D support case, as defined in subsection (b)
307 of section 46b-231, as amended by this act, that requires a noncustodial
308 parent to provide employment-based health care coverage for a child,
309 and the noncustodial parent's employer is known to the issuing
310 agency, such agency shall enforce the health care coverage provisions
311 of the order through the use of a NMSN. The issuing agency may also
312 use the NMSN to enforce provisions of the support order requiring the
313 custodial parent to provide employment-based health coverage for the
314 child.

315 Sec. 9. Subsection (d) of section 46b-88 of the general statutes is
316 repealed and the following is substituted in lieu thereof (*Effective*

317 October 1, 2007):

318 (d) The NMSN shall inform the employer of the duration of the
319 withholding requirement, of any limitations on withholding
320 prescribed by federal or state law, and of any withholding priorities
321 that apply when available income is insufficient to satisfy all cash and
322 medical support obligations. A withholding for medical support
323 obligations shall take priority over all support obligations other than
324 current child and spousal support. The employer shall notify the
325 issuing agency when any such withholding limitations or priorities
326 prevent the employer from withholding the amount required to obtain
327 coverage under the group health plan for which the child is otherwise
328 eligible.

329 Sec. 10. Subsection (a) of section 46b-160 of the general statutes is
330 repealed and the following is substituted in lieu thereof (*Effective*
331 *October 1, 2007*):

332 (a) (1) (A) Proceedings to establish paternity of a child born or
333 conceived out of lawful wedlock, including one born to, or conceived
334 by, a married woman but begotten by a man other than her husband,
335 shall be commenced by the service on the putative father of a verified
336 petition of the mother or expectant mother. Such petition may be
337 brought at any time prior to the child's eighteenth birthday, provided
338 liability for past support shall be limited to the three years next
339 preceding the date of the filing of any such petition.

340 (B) In cases involving public assistance recipients, the petition shall
341 also be served upon the Attorney General who shall be and remain a
342 party to any paternity proceeding and to any proceedings after
343 judgment in such action.

344 (2) The verified petition, summons and order shall be filed in the
345 superior court for the judicial district in which either she or the
346 putative father resides, except that in IV-D support cases, as defined in
347 subdivision (13) of subsection (b) of section 46b-231, as amended by
348 this act, and in petitions brought under sections 46b-212 to [46b-213v]

349 46b-213w, inclusive, as amended by this act, such petition shall be filed
350 with the clerk for the Family Support Magistrate Division serving the
351 judicial district where either she or the putative father resides. [In cases
352 involving public assistance recipients the petition shall also be served
353 upon the Attorney General who shall be and remain a party to any
354 paternity proceeding and to any proceedings after judgment in such
355 action.] Such petition, summons, and order, in other than IV-D support
356 cases, shall be on forms prescribed by the Office of the Chief Court
357 Administrator.

358 (3) (A) The court or any judge, or family support magistrate,
359 assigned to said court shall cause a summons, signed by such judge or
360 magistrate, by the clerk of said court, or by a commissioner of the
361 Superior Court to be issued, requiring the putative father to appear in
362 court at a time and place as determined by the clerk but not more than
363 ninety days after the issuance of the summons to show cause why the
364 request for relief in such petition should not be granted.

365 (B) A state marshal, proper officer or investigator shall make due
366 [returns] return of process to the court not less than twenty-one days
367 before the date assigned for hearing. [Such petition, summons and
368 order shall be on forms prescribed by the Office of the Chief Court
369 Administrator.] In the case of a child or expectant mother being
370 supported wholly or in part by the state, service of such petition may
371 be made by any investigator employed by the Department of Social
372 Services and any proper officer authorized by law. [Such petition may
373 be brought at any time prior to the child's eighteenth birthday,
374 provided liability for past support shall be limited to the three years
375 next preceding the date of the filing of any such petition.]

376 (4) If the putative father fails to appear in court at such time and
377 place, the court or family support magistrate shall hear the petitioner
378 and, upon a finding that process was served on the putative father,
379 shall enter a default judgment of paternity against such father and
380 such other orders as the facts may warrant. Such court or family
381 support magistrate may order continuance of such hearing; and if such

382 mother or expectant mother continues constant in her accusation, it
383 shall be evidence that the respondent is the father of such child. The
384 court or family support magistrate shall, upon motion by a party, issue
385 an order for temporary support of the child by the respondent pending
386 a final judgment of the issue of paternity if such court or magistrate
387 finds that there is clear and convincing evidence of paternity which
388 evidence shall include, but not be limited to, genetic test results
389 indicating a ninety-nine per cent or greater probability that such
390 respondent is the father of the child.

391 Sec. 11. Subdivision (2) of subsection (a) of section 46b-171 of the
392 general statutes is repealed and the following is substituted in lieu
393 thereof (*Effective October 1, 2007*):

394 (2) In addition, the court or family support magistrate shall include
395 in each support order in a IV-D support case a provision for the health
396 care coverage of the child, [which] Such provision may include an
397 order for either parent or both parents to provide such coverage under
398 any or all of subparagraphs (A), (B) or (C) of this subdivision.

399 (A) The provision for health care coverage may include an order for
400 either parent to name any child as a beneficiary of any medical or
401 dental insurance or benefit plan carried by such parent or available to
402 such parent [on a group basis through an employer or union. Any such
403 employment-based order] at a reasonable cost as described in
404 subparagraph (D) of this subdivision. If such order requires the parent
405 to maintain insurance available through an employer, the order shall
406 be enforced using a National Medical Support Notice as provided in
407 section 46b-88, as amended by this act.

408 (B) If [such] insurance coverage in accordance with subparagraph
409 (A) is unavailable at reasonable cost to the parent obligated to
410 maintain the insurance, or inaccessible to the child, the provision for
411 health care coverage may include an order for either parent to: [apply]
412 (i) Apply for and maintain coverage on behalf of the child under the
413 HUSKY Plan, Part B; [. The noncustodial parent shall be ordered to

414 apply for the HUSKY Plan, Part B only if such parent is found to have
415 sufficient ability to pay the appropriate premium. In any IV-D support
416 case in which the noncustodial parent is found to have insufficient
417 ability to provide medical insurance coverage and the custodial party
418 is the HUSKY Plan, Part A or Part B applicant, the provision for health
419 care coverage may include an order for the noncustodial parent to pay
420 such amount as is specified by the court or family support magistrate]
421 (ii) provide cash medical support, as defined in subparagraph (E) of
422 this subdivision. An order under this subparagraph shall be made only
423 if the cost to the parent obligated to maintain the insurance is
424 reasonable, as described in subparagraph (D) of this subdivision.

425 (C) An order for payment of the child's medical and dental expenses
426 that are not covered by insurance or reimbursed in any other manner
427 shall be entered in accordance with the child support guidelines
428 established pursuant to section 46b-215a.

429 (D) Health care coverage shall be deemed reasonable in cost if: (i)
430 The parent obligated to maintain the insurance would qualify as a low-
431 income obligor under the child support guidelines established
432 pursuant to section 46b-215a, based solely on such parent's income,
433 and the cost does not exceed five per cent of such parent's gross
434 income; or (ii) the parent obligated to maintain insurance would not
435 qualify as a low-income obligor under such guidelines and the cost
436 does not exceed seven and one-half per cent of such parent's gross
437 income.

438 (E) Cash medical support means an amount ordered to be paid
439 toward the cost of health insurance provided by a public entity,
440 including the HUSKY Plan, Part A or Part B, or by another parent
441 through employment or otherwise, or for other medical costs not
442 covered by insurance, except as provided in subparagraph (C) of this
443 subdivision. Cash medical support may be ordered in lieu of an order
444 under subparagraph (A) of this subdivision to be effective until such
445 time as health insurance that is accessible to the child and reasonable
446 in cost becomes available, or in addition to such order, provided the

447 combined cost of insurance and cash medical support is reasonable.
448 An order for cash medical support shall be payable to the state or the
449 custodial party, as their interests may appear. [.] Cash medical support
450 to offset the cost of any insurance payable under the HUSKY Plan, Part
451 A or Part B, [unless the] shall not be ordered against a noncustodial
452 parent who is a low-income obligor, as defined in the child support
453 guidelines established pursuant to section 46b-215a.

454 Sec. 12. Subdivision (4) of subsection (b) of section 46b-172 of the
455 general statutes is repealed and the following is substituted in lieu
456 thereof (*Effective October 1, 2007*):

457 (4) Such written agreements to support shall be [on forms
458 prescribed by the Office of the Chief Court Administrator and shall be]
459 sworn to, [and shall be] binding on the person executing the same
460 whether he is an adult or a minor, and in other than IV-D support
461 cases, on forms prescribed by the Office of the Chief Court
462 Administrator.

463 Sec. 13. Subdivision (3) of subsection (c) of section 46b-172 of the
464 general statutes is repealed and the following is substituted in lieu
465 thereof (*Effective October 1, 2007*):

466 (3) The application, summons and order, in other than IV-D support
467 cases, shall be on forms prescribed by the Office of the Chief Court
468 Administrator. Proceedings to obtain such orders of support shall be
469 commenced by the service of such summons on the acknowledged
470 father. A state marshal or proper officer shall make due return of
471 process to the court not less than twenty-one days before the date
472 assigned for hearing.

473 Sec. 14. Section 46b-212 of the general statutes is repealed and the
474 following is substituted in lieu thereof (*Effective January 1, 2008*):

475 Sections 46b-212 to [46b-213v] 46b-213w, inclusive, as amended by
476 this act, may be cited as the Uniform Interstate Family Support Act.

477 Sec. 15. Section 46b-212a of the general statutes is repealed and the
478 following is substituted in lieu thereof (*Effective January 1, 2008*):

479 As used in sections 46b-212 to [46b-213v] 46b-213w, inclusive, as
480 amended by this act:

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

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

488 (3) "Duty of support" means an obligation imposed or imposed by
489 law to provide support for a child, spouse or former spouse, including
490 an unsatisfied obligation to provide support.

491 (4) "Governor" means an individual performing the functions of
492 Governor or the executive authority of a state covered by sections 46b-
493 212 to [46b-213v] 46b-213w, inclusive, as amended by this act.

494 (5) "Home state" means the state in which a child lived with a parent
495 or a person acting as parent for at least six consecutive months
496 immediately preceding the time of filing of a petition or comparable
497 pleading for support and, if such child is less than six months old, the
498 state in which such child lived from birth with such parent or person
499 acting as parent. A period of temporary absence of such parent or
500 person acting as parent is counted as part of the six-month or other
501 period.

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

505 (7) "Income withholding order" means an order or other legal
506 process directed to an obligor's employer, as defined in section 52-362,

507 as amended by this act, to withhold support from the income of the
508 obligor.

509 (8) "Initiating state" means a state from which a proceeding is
510 forwarded or in which a proceeding is filed for forwarding to a
511 responding state under sections 46b-212 to [46b-213v] 46b-213w,
512 inclusive, as amended by this act, or a law or procedure substantially
513 similar to said sections. [the Uniform Reciprocal Enforcement of
514 Support Act or the Revised Uniform Reciprocal Enforcement of
515 Support Act.]

516 (9) "Initiating tribunal" means the authorized tribunal in an
517 initiating state.

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

520 (11) "Issuing tribunal" means the tribunal [which] that issues a
521 support order or renders a judgment determining paternity.

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

524 (13) "Obligee" means: (A) An individual to whom a duty of support
525 is or is alleged to be owed or in whose favor a support order has been
526 issued or a judgment determining paternity has been rendered; (B) a
527 state or political subdivision to which the rights under a duty of
528 support or support order have been assigned or which has
529 independent claims based on financial assistance provided to an
530 individual obligee; or (C) an individual seeking a judgment
531 determining paternity of the individual's child.

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

536 (15) "Person" means an individual, corporation, business trust,

537 estate, trust, partnership, limited liability company, association, joint
538 venture, government, governmental subdivision, agency, or
539 instrumentality, public corporation, or any other legal or commercial
540 entity.

541 (16) "Record" means information that is inscribed on a tangible
542 medium or that is stored in an electronic or other medium and is
543 retrievable in perceivable form.

544 ~~[(15)]~~ (17) "Register" means to file a support order or judgment
545 determining paternity in the registry of support orders of the Family
546 Support Magistrate Division of the Superior Court. Such a support
547 order or judgment shall be filed by delivery of the order or judgment
548 for filing to Support Enforcement Services of the Superior Court which
549 shall maintain the registry on behalf of the Family Support Magistrate
550 Division.

551 ~~[(16)]~~ (18) "Registering tribunal" means a tribunal in which a
552 support order is registered.

553 ~~[(17)]~~ (19) "Responding state" means a state in which a proceeding is
554 filed or to which a proceeding is forwarded for filing from an initiating
555 state under sections 46b-212 to [46b-213v] 46b-213w, inclusive, as
556 amended by this act, or a law or procedure substantially similar to said
557 sections. [, the Uniform Reciprocal Enforcement of Support Act or the
558 Revised Uniform Reciprocal Enforcement of Support Act.]

559 ~~[(18)]~~ (20) "Responding tribunal" means the authorized tribunal in a
560 responding state.

561 ~~[(19) "Spousal-support"]~~ (21) "Spousal support order" means a
562 support order for a spouse or former spouse of the obligor.

563 ~~[(20)]~~ (22) "State" means a state of the United States, the District of
564 Columbia, Puerto Rico, the U.S. Virgin Islands or any territory or
565 insular possession subject to the jurisdiction of the United States. [The
566 term "state"] "State" includes: [an] (A) An Indian tribe, and (B) a foreign

567 [jurisdiction] country or political subdivision that: (i) Has been
568 declared to be a foreign reciprocating country or political subdivision
569 under federal law; (ii) has established a reciprocal arrangement for
570 child support with this state; or (iii) has enacted a law or established
571 procedures for issuance and enforcement of support orders which are
572 substantially similar to the procedure under sections 46b-212 to [46b-
573 213v] 46b-213w, inclusive, as amended by this act. [the Uniform
574 Reciprocal Enforcement of Support Act or the Revised Uniform
575 Enforcement of Support Act.]

576 [(21)] (23) "Support enforcement agency" means a public official or
577 agency authorized to seek: (A) Enforcement of support orders or laws
578 relating to the duty of support; (B) establishment or modification of
579 child support; (C) determination of paternity; [or] (D) the location of
580 obligors or their assets; or (E) determination of the controlling child
581 support order.

582 [(22)] (24) "Support order" means a judgment, decree, [or] order []
583 or directive whether temporary, final or subject to modification, issued
584 by a tribunal for the benefit of a child, a spouse or a former spouse,
585 which provides for monetary support, health care, arrearages or
586 reimbursement, and may include related costs and fees, interest,
587 income withholding, attorney's fees and other relief.

588 [(23)] (25) "Tribunal" means a court, administrative agency or quasi-
589 judicial entity authorized to establish, enforce or modify support
590 orders or to determine paternity.

591 Sec. 16. Section 46b-212b of the general statutes is repealed and the
592 following is substituted in lieu thereof (*Effective January 1, 2008*):

593 The Superior Court and the Family Support Magistrate Division of
594 the Superior Court are the tribunals of this state. The Family Support
595 Magistrate Division is the tribunal for the filing of petitions under
596 sections 46b-212 to [46b-213v] 46b-213w, inclusive, as amended by this
597 act, provided clerical, administrative and other nonjudicial functions in
598 proceedings before the Family Support Magistrate Division may be

599 performed by Support Enforcement Services of the Superior Court.

600 Sec. 17. Section 46b-212c of the general statutes is repealed and the
601 following is substituted in lieu thereof (*Effective January 1, 2008*):

602 (a) Remedies provided by sections 46b-212 to [46b-213v] 46b-213w,
603 inclusive, as amended by this act, are cumulative and do not affect the
604 availability of remedies under any other law, including the recognition
605 of a support order of a foreign country or political subdivision on the
606 basis of comity.

607 (b) Sections 46b-212 to 46b-213w, inclusive, as amended by this act,
608 do not: (1) Provide the exclusive method of establishing or enforcing a
609 support order under the laws of this state; or (2) grant a tribunal of this
610 state jurisdiction to render judgment or issue an order relating to child
611 custody or visitation in a proceeding under sections 46b-212 to 46b-
612 213w, inclusive, as amended by this act.

613 Sec. 18. Section 46b-212d of the general statutes is repealed and the
614 following is substituted in lieu thereof (*Effective January 1, 2008*):

615 (a) Subject to the provisions of subsection (b) of section 46b-46, in a
616 proceeding to establish [] or enforce [or modify] a support order or to
617 determine paternity, a tribunal of this state may exercise personal
618 jurisdiction over a nonresident individual if: (1) The individual is
619 personally served with process within this state; (2) the individual
620 submits to the jurisdiction of this state by consent in a record, by
621 entering a general appearance and failing to object to jurisdiction in a
622 timely manner, or by filing a responsive document having the effect of
623 waiving any contest to personal jurisdiction; (3) the individual resided
624 with the child in this state; (4) the individual resided in this state and
625 provided prenatal expenses or support for the child; (5) the child
626 resides in this state as a result of the acts or directives of the individual;
627 (6) the individual engaged in sexual intercourse in this state and the
628 child may have been conceived by that act of intercourse; or (7) there is
629 any other basis consistent with the Constitutions of this state and the
630 United States for the exercise of personal jurisdiction.

631 (b) The bases of personal jurisdiction set forth in subsection (a) of
632 this section or in any other law of this state may not be used to acquire
633 personal jurisdiction for a tribunal of the state to modify a child
634 support order of another state unless the requirements of section 46b-
635 213q, as amended by this act, or subsection (b) of section 46b-213r, as
636 amended by this act, are met.

637 (c) Personal jurisdiction acquired by the Family Support Magistrate
638 Division in a proceeding under sections 46b-212 to 46b-213w,
639 inclusive, as amended by this act, or other law of this state relating to a
640 support order continues as long as the Family Support Magistrate
641 Division has continuing, exclusive jurisdiction to modify its order or
642 continuing jurisdiction to enforce its order as provided by sections
643 46b-212h and 46b-212i, as amended by this act.

644 Sec. 19. Section 46b-212e of the general statutes is repealed and the
645 following is substituted in lieu thereof (*Effective January 1, 2008*):

646 The Family Support Magistrate Division exercising personal
647 jurisdiction over a nonresident [under section 46b-212d, may apply
648 section 46b-213a to] in a proceeding under sections 46b-212 to 46b-
649 213w, inclusive, as amended by this act, under other law of this state
650 relating to a support order, or recognizing a support order of a foreign
651 country or political subdivision on the basis of comity may receive
652 evidence from another state [, and section 46b-213c to] pursuant to
653 section 46b-213a, as amended by this act, communicate with a tribunal
654 of another state pursuant to section 46b-213b, as amended by this act,
655 and obtain discovery through a tribunal of another state pursuant to
656 section 46b-213c. In all other respects, sections 46b-212m to 46b-213s,
657 inclusive, as amended by this act, do not apply and the Family Support
658 Magistrate Division shall apply the procedural and substantive law of
659 this state, [, including the rules on choice of law other than those
660 established by sections 46b-212 to 46b-213v, inclusive.]

661 Sec. 20. Section 46b-212f of the general statutes is repealed and the
662 following is substituted in lieu thereof (*Effective January 1, 2008*):

663 Under sections 46b-212 to [46b-213v] 46b-213w, inclusive, as
664 amended by this act, the Family Support Magistrate Division may
665 serve as an initiating tribunal to forward proceedings to another state
666 and as a responding tribunal for proceedings initiated in another state.

667 Sec. 21. Section 46b-212h of the general statutes is repealed and the
668 following is substituted in lieu thereof (*Effective January 1, 2008*):

669 (a) The Family Support Magistrate Division or the Superior Court
670 [issuing] that has issued a support order consistent with the law of this
671 state has and shall exercise continuing exclusive jurisdiction [over a] to
672 modify its child support order if such order is the controlling support
673 order and: (1) [As long as] At the time of the filing of a request for
674 modification this state [remains] is the residence of the obligor, the
675 individual obligee or the child for whose benefit the support order is
676 issued; or (2) [until all of the parties who are individuals have filed
677 written consents with the Family Support Magistrate Division for a
678 tribunal of another state to modify the order and assume continuing
679 exclusive jurisdiction] if this state is not the residence of the obligor,
680 the individual obligee, or the child for whose benefit the support order
681 is issued, the parties consent in a record or in open court that the
682 Family Support Magistrate Division or the Superior Court may
683 continue to exercise jurisdiction to modify its order.

684 (b) The Family Support Magistrate Division or the Superior Court
685 [issuing] that has issued a child support order consistent with the law
686 of this state may not exercise [its] continuing, exclusive jurisdiction to
687 modify the order if: [the order has been modified by a tribunal of
688 another state pursuant to a law substantially similar to sections 46b-
689 212 to 46b-213v, inclusive.]

690 [(c) If a child support order of this state is modified by a tribunal of
691 another state pursuant to a law substantially similar to sections 46b-
692 212 to 46b-213v, inclusive, the Family Support Magistrate Division and
693 the Superior Court lose continuing exclusive jurisdiction with regard
694 to prospective enforcement of the order issued in this state, and may

695 only: (1) Enforce the order that was modified as to amounts accruing
696 before the modification; (2) enforce nonmodifiable aspects of that
697 order; and (3) provide other appropriate relief for violations of that
698 order which occurred before the effective date of the modification.]

699 [(d) The Family Support Magistrate Division and the Superior Court
700 shall recognize the continuing exclusive jurisdiction of]

701 (1) All of the parties who are individuals file consent in a record
702 with the Family Support Magistrate Division or the Superior Court
703 that a tribunal of another state that has jurisdiction over at least one of
704 the parties who is an individual or that is located in the state of
705 residence of the child may modify the order and assume continuing,
706 exclusive jurisdiction; or

707 (2) Its order is not the controlling order.

708 (c) If a tribunal of another state [which] has issued a child support
709 order pursuant to the Uniform Interstate Family Support Act or a law
710 substantially similar to [sections 46b-212 to 46b-213v, inclusive] said
711 act, which modifies a child support order of the Family Support
712 Magistrate Division or Superior Court, tribunals of this state shall
713 recognize the continuing, exclusive jurisdiction of the tribunal of the
714 other state.

715 (d) A tribunal of this state that lacks continuing, exclusive
716 jurisdiction to modify a child support order may serve as an initiating
717 tribunal to request a tribunal of another state to modify a support
718 order issued in that state.

719 (e) A temporary support order issued ex parte or pending resolution
720 of a jurisdictional conflict does not create continuing exclusive
721 jurisdiction in the issuing tribunal.

722 (f) (1) The Family Support Magistrate Division or Superior Court
723 issuing a spousal support order consistent with the law of this state
724 has continuing exclusive jurisdiction [over a] to modify the spousal

725 support order throughout the existence of the support obligation. (2)
726 The Family Support Magistrate Division and the Superior Court may
727 not modify a spousal support order issued by a tribunal of another
728 state having continuing exclusive jurisdiction over that order under
729 the law of that state. (3) The Family Support Magistrate Division or
730 Superior Court that has continuing exclusive jurisdiction over a
731 spousal support order may serve as: (A) An initiating tribunal to
732 request a tribunal of another state to enforce the spousal support order
733 issued in this state; or (B) a responding tribunal to enforce or modify
734 its own spousal support order.

735 Sec. 22. Section 46b-212i of the general statutes is repealed and the
736 following is substituted in lieu thereof (*Effective January 1, 2008*):

737 (a) The Family Support Magistrate Division that has issued a child
738 support order consistent with the law of this state may serve as an
739 initiating tribunal to request a tribunal of another state to enforce; [or
740 modify a support order issued in that state] (1) The order if the order is
741 the controlling order and has not been modified by a tribunal of
742 another state that assumed jurisdiction pursuant to the Uniform
743 Interstate Family Support Act; or (2) a money judgment for arrears of
744 support and interest on the order accrued before a determination that
745 an order of another state is the controlling order.

746 (b) The Family Support Magistrate Division having continuing
747 [exclusive] jurisdiction over a support order may act as a responding
748 tribunal to enforce [or modify] the order. [If a party subject to the
749 continuing exclusive jurisdiction of the Family Support Magistrate
750 Division no longer resides in the issuing state, in subsequent
751 proceedings the Family Support Magistrate Division may apply the
752 provisions of section 46b-213a to receive evidence from another state
753 and the provisions of section 46b-213c to obtain discovery through a
754 tribunal of another state.]

755 [(c) If the Family Support Magistrate Division or Superior Court
756 lacks continuing exclusive jurisdiction over a spousal support order, it

757 may not serve as a responding tribunal to modify a spousal support
758 order of another state.]

759 Sec. 23. Section 46b-212j of the general statutes is repealed and the
760 following is substituted in lieu thereof (*Effective January 1, 2008*):

761 (a) If a proceeding is brought under sections 46b-212 to [46b-213v]
762 46b-213w, inclusive, as amended by this act, and only one tribunal has
763 issued a child support order, the order of that tribunal controls and
764 shall be recognized.

765 (b) If a proceeding is brought under sections 46b-212 to [46b-213v]
766 46b-213w, inclusive, as amended by this act, and two or more child
767 support orders have been issued by tribunals of this state or another
768 state with regard to the same obligor and child, the family support
769 magistrate having personal jurisdiction over both the obligor and the
770 individual obligee shall apply the following rules [in determining] and
771 by order shall determine which order [to recognize for purposes of
772 continuing, exclusive jurisdiction] controls:

773 (1) If only one of the tribunals would have continuing, exclusive
774 jurisdiction under sections 46b-212 to [46b-213v] 46b-213w, inclusive,
775 as amended by this act, the order of that tribunal controls and shall be
776 recognized.

777 (2) If more than one of the tribunals would have continuing,
778 exclusive jurisdiction under 46b-212 to [46b-213v] 46b-213w, inclusive,
779 as amended by this act: (A) [an] An order issued by a tribunal in the
780 current home state of the child controls; [and shall be recognized,] but,
781 (B) if an order has not been issued in the current home state of the
782 child, the order most recently issued controls. [and shall be
783 recognized.]

784 (3) If none of the tribunals would have continuing, exclusive
785 jurisdiction under sections 46b-212 to [46b-213v] 46b-213w, inclusive,
786 as amended by this act, the family support magistrate [having
787 jurisdiction over the parties] shall issue a child support order, which

788 controls. [and shall be recognized.]

789 (c) If two or more child support orders have been issued for the
790 same obligor and same child, [or the individual obligee resides in this
791 state, a party may request] upon request of a party who is an
792 individual or a support enforcement agency, a family support
793 magistrate [to] having personal jurisdiction over both the obligor and
794 the obligee who is an individual shall determine which order controls
795 [and is required to be recognized] under subsection (b) of this section.
796 [The request shall be accompanied by a certified copy of every support
797 order in effect. The requesting party shall give notice of the request to
798 each party whose rights may be affected by the determination.]

799 (d) A request to determine which is the controlling order shall be
800 accompanied by a copy of every child support order in effect and the
801 applicable record of payments. The requesting party shall give notice
802 of the request to each party whose rights may be affected by the
803 determination.

804 [(d)] (e) The tribunal that issued [an order recognized] the
805 controlling order under subsection (a), (b) or (c) of this section [is the
806 tribunal having] has continuing [, exclusive] jurisdiction to the extent
807 provided in section 46b-212h or 46b-212i, as amended by this act.

808 [(e)] (f) The family support magistrate [which] that determines by
809 order [the identity of] which is the controlling order under
810 subdivisions (1) or (2) of subsection (b) or subsection (c) of this section
811 or [which] that issues a new controlling order under subdivision (3) of
812 subsection (b) of this section, shall state in the order: [the] (1) The basis
813 upon which the tribunal made its determination; (2) the amount of
814 prospective support, if any; and (3) the total amount of consolidated
815 arrears and accrued interest, if any, under all of the orders after all
816 payments made are credited as provided by section 46b-212l, as
817 amended by this act.

818 [(f)] (g) The family support magistrate shall order the party
819 obtaining the order determining [the identity of] which is the

820 controlling order to file, within thirty days after issuance of [an] the
821 order determining [the identity of] which is the controlling order, a
822 certified copy of such order with each tribunal that issued or registered
823 an earlier order of child support. A party or support enforcement
824 agency obtaining the order that fails to file a certified copy is subject to
825 appropriate sanctions by a tribunal in which the issue of failure to file
826 arises. The failure to file such order pursuant to this subsection shall
827 not affect the validity or enforceability of the controlling order.

828 (h) An order that has been determined to be the controlling order, or
829 a judgment for consolidated arrears of support and interest, if any,
830 made pursuant to this section shall be recognized in proceedings
831 under sections 46b-212 to 46b-213w, inclusive, as amended by this act.

832 Sec. 24. Section 46b-212k of the general statutes is repealed and the
833 following is substituted in lieu thereof (*Effective January 1, 2008*):

834 In responding to [multiple] registrations or petitions for
835 enforcement of two or more child support orders in effect at the same
836 time with regard to the same obligor and different individual obligees,
837 at least one of which was issued by a tribunal of another state, the
838 Family Support Magistrate Division shall enforce those orders in the
839 same manner as if the [multiple] orders had been issued by the Family
840 Support Magistrate Division.

841 Sec. 25. Section 46b-212l of the general statutes is repealed and the
842 following is substituted in lieu thereof (*Effective January 1, 2008*):

843 [Amounts] The Family Support Magistrate Division shall credit
844 amounts collected [and credited] for a particular period pursuant to [a
845 support order] any child support order against the amounts owed for
846 the same period under any other child support order for support of the
847 same child issued by a tribunal of this or another state. [must be
848 credited against the amounts accruing or accrued for the same period
849 under a support order issued by the Family Support Magistrate
850 Division or the Superior Court.]

851 Sec. 26. Section 46b-212m of the general statutes is repealed and the
852 following is substituted in lieu thereof (*Effective January 1, 2008*):

853 (a) Except as otherwise provided in sections 46b-212 to [46b-213v]
854 46b-213w, inclusive, as amended by this act, sections 46b-212m to 46b-
855 213d, inclusive, as amended by this act, apply to all proceedings under
856 sections 46b-212 to [46b-213v] 46b-213w, inclusive, as amended by this
857 act.

858 [(b) Sections 46b-212 to 46b-213v, inclusive, provide for the
859 following proceedings: (1) Establishment of an order for spousal
860 support or child support pursuant to section 46b-213e; (2) enforcement
861 of a support order and income withholding order of another state
862 without registration pursuant to section 46b-213f; (3) registration of an
863 order for spousal support or child support of another state for
864 enforcement pursuant to sections 46b-213g to 46b-213r, inclusive; (4)
865 modification of an order for child support or spousal support issued
866 by a tribunal of this state pursuant to sections 46b-212f to 46b-212i,
867 inclusive; (5) registration of an order for child support of another state
868 for modification pursuant to sections 46b-213g to 46b-213r, inclusive;
869 (6) determination of paternity pursuant to section 46b-213s; and (7)
870 assertion of jurisdiction over nonresidents pursuant to sections 46b-
871 212d and 46b-212e.]

872 [(c)] (b) An individual petitioner or a support enforcement agency
873 may [commence] initiate a proceeding authorized under sections 46b-
874 212 to [46b-213v] 46b-213w, inclusive, as amended by this act, by filing
875 a petition in an initiating tribunal for forwarding to a responding
876 tribunal or by filing a petition or a comparable pleading directly in a
877 tribunal of another state which has or can obtain personal jurisdiction
878 over the respondent.

879 Sec. 27. Section 46b-212o of the general statutes is repealed and the
880 following is substituted in lieu thereof (*Effective January 1, 2008*):

881 Except as otherwise provided [by] in sections 46b-212 to [46b-213v]
882 46b-213w, inclusive, as amended by this act, a responding tribunal of

883 this state shall: (1) [Shall apply] Apply the procedural and substantive
884 law [, including the rules on choice of law,] generally applicable to
885 similar proceedings originating in this state and may exercise all
886 powers and provide all remedies available in those proceedings; and
887 (2) [shall] determine the duty of support and the amount payable in
888 accordance with the law and support guidelines of this state.

889 Sec. 28. Section 46b-212p of the general statutes is repealed and the
890 following is substituted in lieu thereof (*Effective January 1, 2008*):

891 (a) Except with respect to the initial petition in a IV-D support case,
892 upon filing of a petition authorized by sections 46b-212 to [46b-213v]
893 46b-213w, inclusive, as amended by this act, an initiating tribunal of
894 this state shall forward [three copies of] the petition and its
895 accompanying documents: (1) To the responding tribunal or
896 appropriate support enforcement agency in the responding state; or (2)
897 if the identity of the responding tribunal is unknown, to the state
898 information agency of the responding state with a request that they be
899 forwarded to the appropriate tribunal and that receipt be
900 acknowledged. If a petition is the initial petition in a IV-D support
901 case, the initiating tribunal shall forward [the three copies of] the
902 petition and its accompanying documents to the interstate central
903 registry in the responding state.

904 (b) If [a responding state has not enacted a law or procedure
905 substantially similar to sections 46b-212 to 46b-213v, inclusive]
906 requested by the responding tribunal, the family support magistrate
907 [may] shall issue a certificate or other document and make findings
908 required by the law of the [other] responding state. If the responding
909 state is a foreign [jurisdiction] country or political subdivision, upon
910 request, the family support magistrate [may] shall specify the amount
911 of support sought, convert that amount into the equivalent amount in
912 the foreign currency under applicable official or market exchange rate
913 as publicly reported and provide any other documents necessary to
914 satisfy the requirements of the responding state.

915 Sec. 29. Section 46b-212q of the general statutes is repealed and the
916 following is substituted in lieu thereof (*Effective January 1, 2008*):

917 (a) When the Family Support Magistrate Division receives a petition
918 or comparable pleading from an initiating tribunal or directly pursuant
919 to subsection [(c)] (b) of section 46b-212m, as amended by this act, the
920 Family Support Magistrate Division, or Support Enforcement Services
921 acting on its behalf shall promptly cause the petition or pleading to be
922 filed and notify the petitioner [by first class mail] where and when it
923 was filed.

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

927 (c) The family support magistrate shall include in a support order
928 issued under sections 46b-212 to 46b-213w, inclusive, as amended by
929 this act, or in the documents accompanying the order, the calculations
930 on which the support order is based.

931 [(c)] (d) The family support magistrate may not condition the
932 payment of a support order issued under sections 46b-212 to [46b-
933 213v] 46b-213w, inclusive, as amended by this act, upon compliance by
934 a party with provisions for visitation.

935 [(d)] (e) If the Family Support Magistrate Division issues an order
936 under sections 46b-212 to [46b-213v] 46b-213w, inclusive, as amended
937 by this act, the Family Support Magistrate Division, or Support
938 Enforcement Services acting on its behalf, shall send a copy of the
939 order [by first class mail] to the petitioner and the respondent and to
940 the initiating tribunal, if any.

941 (f) If requested to enforce a support order, arrears, or judgment or
942 modify a support order stated in a foreign currency, the Family
943 Support Magistrate Division, or Support Enforcement Services acting
944 on its behalf, shall convert the amount stated in the foreign currency to
945 the equivalent amount in dollars under the applicable official or

946 market exchange rate as publicly reported.

947 Sec. 30. Section 46b-212r of the general statutes is repealed and the
948 following is substituted in lieu thereof (*Effective January 1, 2008*):

949 If a petition or comparable pleading is received by an inappropriate
950 tribunal of this state, the tribunal shall promptly forward the pleading
951 and accompanying documents to an appropriate tribunal in this state
952 or another state and notify the petitioner [by first class mail] where and
953 when the pleading was sent.

954 Sec. 31. Section 46b-212s of the general statutes is repealed and the
955 following is substituted in lieu thereof (*Effective January 1, 2008*):

956 (a) A support enforcement agency of this state, upon request, shall
957 provide services to a petitioner in a proceeding under sections 46b-212
958 to [46b-213v] 46b-213w, inclusive, as amended by this act.

959 (b) A support enforcement agency of this state that is providing
960 services to the petitioner [as appropriate] shall: (1) Take all steps
961 necessary to enable an appropriate tribunal in this state or another
962 state to obtain jurisdiction over the respondent; (2) request an
963 appropriate tribunal to set a date, time and place for a hearing; (3)
964 make a reasonable effort to obtain all relevant information, including
965 information as to income and property of the parties; (4) within five
966 days, exclusive of Saturdays, Sundays and legal holidays, after receipt
967 of [a written] notice in a record from an initiating, responding or
968 registering tribunal, send a copy of the notice [by first class mail] to the
969 petitioner; (5) within five days, exclusive of Saturdays, Sundays and
970 legal holidays, after receipt of [a written] communication in a record
971 from the respondent or the respondent's attorney, send a copy of the
972 communication [by first class mail] to the petitioner; and (6) notify the
973 petitioner if jurisdiction over the respondent cannot be obtained.

974 (c) A support enforcement agency of this state that requests
975 registration of a child support order in this state for enforcement or
976 modification of such order shall make reasonable efforts: (1) To ensure

977 that the order to be registered is the controlling order; or (2) if two or
978 more child support orders exist and the identity of the controlling
979 order has not been determined, to ensure that a request for such a
980 determination is made in a tribunal having jurisdiction to do so.

981 (d) A support enforcement agency of this state that requests
982 registration and enforcement of a support order, arrears or judgment
983 stated in a foreign currency shall convert the amounts stated in the
984 foreign currency into the equivalent amounts in dollars under the
985 applicable official or market exchange rate as publicly reported.

986 (e) A support enforcement agency of this state shall issue, or request
987 a family support magistrate to issue, a child support order and an
988 income withholding order that redirect payment of current support,
989 arrears and interest if requested to do so by a support enforcement
990 agency of another state pursuant to section 46b-213d, as amended by
991 this act.

992 [(c)] (f) The provisions of sections 46b-212 to [46b-213v] 46b-213w,
993 inclusive, as amended by this act, do not create a relationship of
994 attorney and client or other fiduciary relationship between a support
995 enforcement agency or the attorney for the agency and the individual
996 being assisted by the agency.

997 Sec. 32. Section 46b-212t of the general statutes is repealed and the
998 following is substituted in lieu thereof (*Effective January 1, 2008*):

999 (a) The Attorney General shall provide necessary legal services on
1000 behalf of the support enforcement agency in providing services to a
1001 petitioner under sections 46b-212 to [46b-213v] 46b-213w, inclusive, as
1002 amended by this act.

1003 (b) An individual may employ private counsel to represent the
1004 individual in proceedings authorized by sections 46b-212 to [46b-213v]
1005 46b-213w, inclusive, as amended by this act.

1006 (c) The Attorney General may determine that a foreign country or

1007 political subdivision has established a reciprocal arrangement for child
1008 support with this state and take appropriate action for notification of
1009 the determination.

1010 Sec. 33. Section 46b-212v of the general statutes is repealed and the
1011 following is substituted in lieu thereof (*Effective January 1, 2008*):

1012 (a) Support Enforcement Services of the Superior Court is the state
1013 information agency under sections 46b-212 to [46b-213v] 46b-213w,
1014 inclusive, as amended by this act.

1015 (b) The state information agency shall: (1) Compile and maintain a
1016 current list, including addresses, of the tribunals in this state which
1017 have jurisdiction under sections 46b-212 to [46b-213v] 46b-213w,
1018 inclusive, as amended by this act, and any support enforcement
1019 agencies in this state and transmit a copy to the state information
1020 agency of every other state; (2) maintain a registry of the names and
1021 addresses of tribunals and support enforcement agencies received
1022 from other states; (3) forward to the appropriate tribunal [in the place]
1023 in this state in which the [individual] obligee who is an individual or
1024 the obligor resides, or in which the obligor's property is believed to be
1025 located, all documents concerning a proceeding under sections 46b-212
1026 to [46b-213v] 46b-213w, inclusive, as amended by this act, received
1027 from an initiating tribunal or the state information agency of the
1028 initiating state; and (4) obtain information concerning the location of
1029 the obligor and the obligor's property within this state not exempt
1030 from execution.

1031 (c) In addition to its duties as the state information agency Support
1032 Enforcement Services of the Superior Court shall maintain a registry of
1033 support orders and judgments in the Family Support Magistrate
1034 Division of the Superior Court and shall perform such clerical,
1035 administrative and other nonjudicial functions on behalf of the Family
1036 Support Magistrate Division as may be required, or as are otherwise
1037 agreed upon, pursuant to sections 46b-62, 46b-69, 46b-179a, 46b-179b,
1038 46b-207, 46b-208, 46b-212 to [46b-213v] 46b-213w, inclusive, as

1039 amended by this act, 46b-231, as amended by this act, 52-362, as
1040 amended by this act, and 52-362f.

1041 Sec. 34. Section 46b-212w of the general statutes is repealed and the
1042 following is substituted in lieu thereof (*Effective January 1, 2008*):

1043 (a) [A] In a proceeding under sections 46b-212 to 46b-213w,
1044 inclusive, as amended by this act, a petitioner seeking to: [establish or
1045 modify] Establish a support order, [or to] determine paternity, [in a
1046 proceeding under sections 46b-212 to 46b-213v, inclusive, must verify
1047 the] or register and modify a support order of another state must file a
1048 petition. Unless otherwise ordered under section 46b-212x, as
1049 amended by this act, the petition or accompanying documents [must]
1050 shall provide, so far as known, the name, residential address and
1051 Social Security numbers of the obligor and the obligee, or the parent
1052 and alleged parent, and the name, sex, residential address, Social
1053 Security number and date of birth of each child for [whom] whose
1054 benefit support is sought [. The] or whose paternity is to be
1055 determined. Unless filed at the time of registration, the petition [must]
1056 shall be accompanied by a [certified] copy of any support order [in
1057 effect] known to have been issued by another tribunal. The petition
1058 may include any other information that may assist in locating or
1059 identifying the respondent.

1060 (b) The petition [must] shall specify the relief sought. The petition
1061 and accompanying documents must conform substantially with the
1062 requirements imposed by the forms mandated by federal law for use
1063 in cases filed by a support enforcement agency.

1064 Sec. 35. Section 46b-212x of the general statutes is repealed and the
1065 following is substituted in lieu thereof (*Effective January 1, 2008*):

1066 [Upon a finding, which may be made ex parte, that the health,
1067 safety or liberty of a party or child would be unreasonably put at risk
1068 by the disclosure of identifying information, or if an existing order so
1069 provides, a tribunal shall order that the address of the child or party or
1070 other identifying information not be disclosed in a pleading or other

1071 document filed in a proceeding under sections 46b-212 to 46b-213v,
1072 inclusive.] If a party alleges in an affidavit or a pleading under oath
1073 that the health, safety or liberty of a party or child would be
1074 jeopardized by disclosure of specific identifying information, such
1075 identifying information shall be sealed and may not be disclosed to the
1076 other party or the public unless ordered by a tribunal. After a hearing
1077 in which a tribunal takes into consideration the health, safety or liberty
1078 of the party or child, the tribunal may order disclosure of any
1079 information that the tribunal determines to be in the interest of justice.

1080 Sec. 36. Section 46b-212z of the general statutes is repealed and the
1081 following is substituted in lieu thereof (*Effective January 1, 2008*):

1082 (a) Participation by a petitioner in a proceeding under sections 46b-
1083 212 to 46b-213w, inclusive, as amended by this act, before a responding
1084 tribunal, whether in person, by private attorney or through services
1085 provided by the support enforcement agency, does not confer personal
1086 jurisdiction over the petitioner in another proceeding.

1087 (b) A petitioner is not amenable to service of civil process while
1088 physically present in this state to participate in a proceeding under
1089 sections 46b-212 to [46b-213v] 46b-213w, inclusive, as amended by this
1090 act.

1091 (c) The immunity granted by this section does not extend to civil
1092 litigation based on acts unrelated to a proceeding under sections 46b-
1093 212 to [46b-213v] 46b-213w, inclusive, as amended by this act,
1094 committed by a party while physically present in this state to
1095 participate in the proceeding.

1096 Sec. 37. Section 46b-213 of the general statutes is repealed and the
1097 following is substituted in lieu thereof (*Effective January 1, 2008*):

1098 A party whose paternity of a child has been previously determined
1099 by or pursuant to law may not plead nonpaternity as a defense to a
1100 proceeding under sections 46b-212 to [46b-213v] 46b-212w, inclusive,
1101 as amended by this act.

1102 Sec. 38. Section 46b-213a of the general statutes is repealed and the
1103 following is substituted in lieu thereof (*Effective January 1, 2008*):

1104 (a) The physical presence of [the petitioner] a nonresident party who
1105 is an individual in a [responding] tribunal of this state is not required
1106 for the establishment, enforcement or modification of a support order
1107 or the rendition of a judgment determining paternity.

1108 (b) [A verified petition,] An affidavit, a document substantially
1109 complying with federally-mandated forms [and] or a document
1110 incorporated by reference in any of them, which would not be
1111 excluded under the hearsay rule if given in person, is admissible in
1112 evidence if given under [oath] penalty of perjury by a party or witness
1113 residing in another state.

1114 (c) A copy of the record of child support payments certified as a true
1115 copy of the original by the custodian of the record may be forwarded
1116 to a responding tribunal. The copy is evidence of facts asserted in it
1117 and is admissible to show whether payments were made.

1118 (d) Copies of bills for testing for paternity and for prenatal and
1119 postnatal health care of the mother and child, furnished to the adverse
1120 party at least ten days before trial, are admissible in evidence to prove
1121 the amount of the charges billed and that the charges were reasonable,
1122 necessary and customary.

1123 (e) Documentary evidence transmitted from another state to a
1124 tribunal of this state by telephone, telecopier or other means that do
1125 not provide an original [writing] record may not be excluded from
1126 evidence on an objection based on the means of transmission.

1127 (f) In a proceeding under sections 46b-212 to [46b-213v] ~~46b-213w,~~
1128 inclusive, as amended by this act, the family support magistrate [may]
1129 shall permit a party or witness residing in another state to be deposed
1130 or to testify under penalty or perjury by telephone, audiovisual means,
1131 or other electronic means [, if available, and such costs for such
1132 testimony shall be assessed to the party requesting such method of

1133 providing testimony] at a designated tribunal or other location in that
1134 state. A tribunal of this state shall cooperate with tribunals of other
1135 states in designating an appropriate location for the deposition or
1136 testimony.

1137 (g) If a party called to testify at a civil hearing refuses to answer on
1138 the ground that the testimony may be self-incriminating, the trier of
1139 fact may draw an adverse inference from the refusal.

1140 (h) A privilege against disclosure of communications between
1141 spouses does not apply in a proceeding under sections 46b-212 to [46b-
1142 213v] 46b-213w, inclusive, as amended by this act.

1143 (i) The defense of immunity based on the relationship of husband
1144 and wife or parent and child does not apply in a proceeding under
1145 sections 46b-212 to [46b-213v] 46b-213w, inclusive, as amended by this
1146 act.

1147 (j) A voluntary acknowledgment of paternity, certified as a true
1148 copy, is admissible to establish paternity of the child.

1149 Sec. 39. Section 46b-213b of the general statutes is repealed and the
1150 following is substituted in lieu thereof (*Effective January 1, 2008*):

1151 A family support magistrate may communicate with a tribunal of
1152 another state or foreign country or political subdivision in [writing] a
1153 record, or by telephone or other means, to obtain information
1154 concerning the laws, [of that state,] the legal effect of a judgment,
1155 decree or order of that tribunal and the status of a proceeding in the
1156 other state or foreign country or political subdivision. A family
1157 support magistrate may furnish similar information by similar means
1158 to a tribunal of another state or foreign country or political
1159 subdivision.

1160 Sec. 40. Section 46b-213d of the general statutes is repealed and the
1161 following is substituted in lieu thereof (*Effective January 1, 2008*):

1162 (a) The Child Support Enforcement Bureau of the Department of

1163 Social Services or its designated collection agent, and any tribunal shall
1164 disburse promptly any amounts received pursuant to a support order,
1165 as directed by the order. The bureau, agent or tribunal shall furnish to
1166 a requesting party or tribunal of another state a certified statement by
1167 the custodian of the record of the amounts and dates of all payments
1168 received.

1169 (b) If neither the obligor, nor an obligee who is an individual, nor
1170 the child resides in this state, upon request from the support
1171 enforcement agency of this state or another state, the support
1172 enforcement agency or tribunal of this state shall: (1) Direct that the
1173 support payment be made to the support enforcement agency in the
1174 state in which the obligee is receiving services; and (2) issue and send
1175 to the obligor's employer a conforming income withholding order or
1176 an administrative notice of change of payee, reflecting the redirected
1177 payments.

1178 (c) The support enforcement agency of this state, receiving
1179 redirected payments from another state pursuant to a law similar to
1180 subsection (b) of this section, shall furnish to a requesting party or
1181 tribunal of the other state a certified statement by the custodian of the
1182 record of the amount and dates of all payments received.

1183 Sec. 41. Section 46b-213e of the general statutes is repealed and the
1184 following is substituted in lieu thereof (*Effective January 1, 2008*):

1185 (a) If a support order entitled to recognition under sections 46b-212
1186 to [46b-213v] 46b-213w, inclusive, as amended by this act, has not been
1187 issued, a family support magistrate may issue a support order if: (1)
1188 The individual seeking the order resides in another state; or (2) the
1189 support enforcement agency seeking the order is located in another
1190 state.

1191 (b) The family support magistrate may issue a temporary child
1192 support order if the family support magistrate determines that such an
1193 order is appropriate and the individual ordered to pay is: (1) [The
1194 respondent has signed a verified statement acknowledging paternity;

1195 (2) the respondent has been determined by or pursuant to law to be the
1196 parent; or (3) there is clear and convincing evidence of paternity which
1197 evidence shall include, but not be limited to, genetic test results
1198 indicating a ninety-nine per cent or greater probability that such
1199 respondent is the father of the child] A presumed father of the child;
1200 (2) petitioning to have paternity adjudicated; (3) identified as the father
1201 of the child through genetic testing; (4) an alleged father who has
1202 declined to submit to genetic testing; (5) shown by clear and
1203 convincing evidence to be the father of the child; (6) an acknowledged
1204 father as provided by section 46b-172, as amended by this act; (7) the
1205 mother of the child; or (8) an individual who has been ordered to pay
1206 child support in a previous proceeding and the order has not been
1207 reversed or vacated.

1208 (c) Upon finding, after notice and opportunity to be heard, that an
1209 obligor owes a duty of support, the tribunal shall issue a support order
1210 directed to the obligor and may issue other orders pursuant to section
1211 46b-212q, as amended by this act.

1212 Sec. 42. Subsection (a) of section 46b-213f of the general statutes is
1213 repealed and the following is substituted in lieu thereof (*Effective*
1214 *January 1, 2008*):

1215 (a) A party or support enforcement agency seeking to enforce a
1216 support order or an income withholding order, or both, issued by a
1217 tribunal of another state may send the documents required for
1218 registering the order to Support Enforcement Services.

1219 Sec. 43. Section 46b-213g of the general statutes is repealed and the
1220 following is substituted in lieu thereof (*Effective January 1, 2008*):

1221 A support order or [an] income withholding order issued by a
1222 tribunal of another state may be registered in this state for enforcement
1223 with the registry of support orders of the Family Support Magistrate
1224 Division maintained by Support Enforcement Services of the Superior
1225 Court.

1226 Sec. 44. Section 46b-213h of the general statutes is repealed and the
1227 following is substituted in lieu thereof (*Effective January 1, 2008*):

1228 (a) A support order or income withholding order of another state
1229 may be registered in this state by sending the following [documents]
1230 records and information to Support Enforcement Services for filing in
1231 the registry of support orders of the Family Support Magistrate
1232 Division: (1) A letter of transmittal to Support Enforcement Services
1233 requesting registration and enforcement; (2) two copies, including one
1234 certified copy, of [all orders] the order to be registered, including any
1235 modification of [an] the order; (3) a sworn statement by the [party
1236 seeking] person requesting registration or a certified statement by the
1237 custodian of the records showing the amount of any arrearage; (4) the
1238 name of the obligor and, if known: (A) The obligor's address and Social
1239 Security number; (B) the name and address of the obligor's employer
1240 and any other source of income of the obligor; and (C) a description
1241 and the location of property of the obligor in this state not exempt
1242 from execution; (5) except as otherwise provided in section 46b-212x,
1243 as amended by this act, the name and address of the obligee and, if
1244 applicable, the [agency or] person to whom support payments are to
1245 be remitted; and (6) a statement disclosing whether or not any other
1246 action or proceeding is currently pending concerning the support of
1247 the child who is the subject of such support order.

1248 (b) On receipt of a request for registration, Support Enforcement
1249 Services shall cause the order to be filed as a foreign judgment in the
1250 registry of support orders of the Family Support Magistrate Division,
1251 together with one copy of the documents and information, regardless
1252 of their form.

1253 (c) A petition or comparable pleading seeking a remedy that is
1254 required to be affirmatively sought under other law of this state may
1255 be filed at the same time as the request for registration or later. The
1256 pleading shall specify the grounds for the remedy sought.

1257 (d) If two or more orders are in effect, the person requesting

1258 registration shall: (1) Furnish to Support Enforcement Services a copy
1259 of every support order asserted to be in effect in addition to the
1260 documents specified in this section; (2) specify the order alleged to be
1261 the controlling order, if any; and (3) specify the amount of
1262 consolidated arrears, if any.

1263 (e) A request for a determination of which is the controlling order
1264 may be filed separately or with a request for registration and
1265 enforcement or for registration and modification. The person
1266 requesting registration shall give notice of the request to each party
1267 whose rights may be affected by the determination.

1268 Sec. 45. Section 46b-213j of the general statutes is repealed and the
1269 following is substituted in lieu thereof (*Effective January 1, 2008*):

1270 (a) [The] Except as provided in subsection (d) of this section, the law
1271 of the issuing state governs: [the] (1) The nature, extent, amount and
1272 duration of current payments [and other obligations of support and
1273 the] under a registered support order; (2) the computation and
1274 payment of arrearages and accrual of interest on the arrearages under
1275 the support order; and (3) the existence and satisfaction of other
1276 obligations under the support order.

1277 (b) In a proceeding for [arrearages] arrears under a registered
1278 support order, the statute of limitations [under the laws] of this state or
1279 of the issuing state, whichever is longer, applies.

1280 (c) A responding tribunal of this state shall apply the procedures
1281 and remedies of this state to enforce current support and collect arrears
1282 and interest due on a support order of another state registered in this
1283 state.

1284 (d) After a tribunal of this or another state determines which is the
1285 controlling order and issues an order consolidating arrears, if any, a
1286 tribunal of this state shall prospectively apply the law of the state
1287 issuing the controlling order, including its law on interest, arrears,
1288 current and future support, and on consolidated arrears.

1289 Sec. 46. Section 46b-213k of the general statutes is repealed and the
1290 following is substituted in lieu thereof (*Effective January 1, 2008*):

1291 (a) When a support order or income withholding order issued in
1292 another state is registered, the Family Support Magistrate Division or
1293 Support Enforcement Services acting on its behalf, shall notify the
1294 nonregistering party. [Notice must be given by first class, certified or
1295 registered mail or by any means of personal service authorized by the
1296 law of this state.] The notice [must] shall be accompanied by a copy of
1297 the registered order and the documents and relevant information
1298 accompanying the order.

1299 (b) [The] A notice [must] shall inform the nonregistering party: (1)
1300 That a registered order is enforceable as of the date of registration in
1301 the same manner as an order issued by a tribunal of this state; (2) that a
1302 hearing before the Family Support Magistrate Division to contest the
1303 validity or enforcement of the registered order must be requested
1304 [within] not later than twenty days after [the date of mailing or
1305 personal service of the] a notice; (3) that failure to contest the validity
1306 or enforcement of the registered order in a timely manner will result in
1307 confirmation of the order and enforcement of the order and the alleged
1308 arrearages and precludes further contest of that order with respect to
1309 any matter that could have been asserted; and (4) of the amount of any
1310 alleged arrearages.

1311 (c) If the registering party asserts that two or more orders are in
1312 effect, a notice shall also: (1) Identify the two or more orders and the
1313 order alleged by the registering person to be the controlling order and
1314 the consolidated arrears, if any; (2) notify the nonregistering party of
1315 the right to a determination of which is the controlling order; (3) state
1316 that the procedures provided in subsection (b) of this section apply to
1317 the determination of which is the controlling order; and (4) state that
1318 failure to contest the validity or enforcement of the order alleged to be
1319 the controlling order in a timely manner may result in confirmation
1320 that the order is the controlling order.

1321 [(c)] (d) Upon registration of an income withholding order for
1322 enforcement, the Family Support Magistrate Division, or Support
1323 Enforcement Services acting on its behalf, shall notify the obligor's
1324 employer pursuant to section 52-362, as amended by this act.

1325 Sec. 47. Section 46b-213l of the general statutes is repealed and the
1326 following is substituted in lieu thereof (*Effective January 1, 2008*):

1327 (a) A nonregistering party seeking to contest the validity or
1328 enforcement of a registered order in this state shall request a hearing
1329 before the Family Support Magistrate Division within twenty days
1330 after [the date of mailing or personal service of] notice of the
1331 registration. The nonregistering party may seek to vacate the
1332 registration, to assert any defense to an allegation of noncompliance
1333 with the registered order, or to contest the remedies being sought or
1334 the amount of any alleged arrearages pursuant to section 46b-213m, as
1335 amended by this act.

1336 (b) If the nonregistering party fails to contest the validity or
1337 enforcement of the registered order in a timely manner, the order is
1338 confirmed by operation of law.

1339 (c) If a nonregistering party requests a hearing to contest the validity
1340 or enforcement of the registered order, the Family Support Magistrate
1341 Division shall schedule the matter for hearing and give notice to the
1342 parties [by first class mail] of the date, time and place of the hearing.

1343 Sec. 48. Section 46b-213m of the general statutes is repealed and the
1344 following is substituted in lieu thereof (*Effective January 1, 2008*):

1345 (a) A party contesting the validity or enforcement of a registered
1346 order or seeking to vacate the registration has the burden of proving
1347 one or more of the following defenses: (1) The issuing tribunal lacked
1348 personal jurisdiction over the contesting party; (2) the order was
1349 obtained by fraud; (3) the order has been vacated, suspended or
1350 modified by a later order; (4) the issuing tribunal has stayed the order
1351 pending appeal; (5) there is a defense under the law of this state to the

1352 remedy sought; (6) full or partial payment has been made; [or] (7) the
1353 statute of limitations under section 46b-213j, as amended by this act,
1354 precludes enforcement of some or all of the alleged arrearages; or (8)
1355 the alleged controlling order is not the controlling order.

1356 (b) If a party presents evidence establishing a full or partial defense
1357 under subsection (a) of this section, a tribunal may stay enforcement of
1358 the registered order, continue the proceeding to permit production of
1359 additional relevant evidence and issue other appropriate orders. An
1360 uncontested portion of the registered order may be enforced by all
1361 remedies available under the law of this state.

1362 (c) If the contesting party does not establish a defense under
1363 subsection (a) of this section to the validity or enforcement of the
1364 order, the registering tribunal shall issue an order confirming the
1365 order.

1366 Sec. 49. Section 46b-213p of the general statutes is repealed and the
1367 following is substituted in lieu thereof (*Effective January 1, 2008*):

1368 A family support magistrate may enforce a child support order of
1369 another state registered for purposes of modification, in the same
1370 manner as if the order had been issued by a family support magistrate,
1371 but the registered order may be modified only if the requirements of
1372 section 46b-213q, as amended by this act, or subsection (b) of section
1373 46b-213r, as amended by this act, have been met.

1374 Sec. 50. Section 46b-213q of the general statutes is repealed and the
1375 following is substituted in lieu thereof (*Effective January 1, 2008*):

1376 (a) [After] If all of the parties who are individuals reside in this state
1377 and the child does not reside in the issuing state, and except as
1378 otherwise provided in subsection (b) of section 46b-213r, as amended
1379 by this act, upon petition a family support magistrate may modify a
1380 child support order issued in another state [has been] which is
1381 registered in this state [, a family support magistrate may modify that
1382 order only if subsection (e) of this section does not apply and,] if, after

1383 notice and hearing, such magistrate finds that: (1) The following
1384 requirements are met: (A) [The] Neither the child, nor the [individual]
1385 obligee [and] who is an individual nor the obligor [do not reside]
1386 resides in the issuing state; (B) a petitioner who is a nonresident of this
1387 state seeks modification; and (C) the respondent is subject to the
1388 personal jurisdiction of the Family Support Magistrate Division; or (2)
1389 this state is the state of residence the child or a party who is an
1390 individual is subject to the personal jurisdiction of the Family Support
1391 Magistrate Division and all of the parties who are individuals have
1392 filed [written] consents in a record in the issuing tribunal for a family
1393 support magistrate to modify the support order and assume
1394 continuing exclusive jurisdiction, [over the order provided if the
1395 issuing state is a foreign jurisdiction that has not enacted a law or
1396 established procedures substantially similar to sections 46b-212 to
1397 46b-213v, inclusive, the consent otherwise required of an individual
1398 residing in this state is not required for the family support magistrate
1399 to assume jurisdiction to modify a child support order.]

1400 (b) Modification of a registered child support order is subject to the
1401 same requirements, procedures and defenses that apply to the
1402 modification of an order issued by the Family Support Magistrate
1403 Division and the order may be enforced and satisfied in the same
1404 manner.

1405 (c) [A] Except as provided in subsection (b) of section 46b-213r, as
1406 amended by this act, a family support magistrate may not modify any
1407 aspect of a child support order that may not be modified under the law
1408 of the issuing state, including the duration of the obligation of support.
1409 If two or more tribunals have issued child support orders for the same
1410 obligor and same child, the order that controls and shall be so
1411 recognized under section 46b-212j, as amended by this act, establishes
1412 the aspects of the support order which are nonmodifiable.

1413 (d) In a proceeding to modify a child support order, the law of the
1414 state that is determined to have issued the initial controlling order
1415 governs the duration of the obligation of support. The obligor's

1416 fulfillment of the duty of support established by that order precludes
1417 imposition of a further obligation of support by a tribunal of this state.

1418 ~~[(d)]~~ (e) On issuance of an order by the Family Support Magistrate
1419 Division modifying a child support order issued in another state, the
1420 Family Support Magistrate Division becomes the tribunal [of] having
1421 continuing exclusive jurisdiction.

1422 ~~[(e)]~~ (f) (1) If all of the parties who are individuals reside in this state
1423 and the child does not reside in the issuing state, the Family Support
1424 Magistrate Division has jurisdiction to enforce and to modify the
1425 issuing state's child support order in a proceeding to register that
1426 order.

1427 (2) The Family Support Magistrate Division exercising jurisdiction
1428 under this subsection shall apply the provisions of sections 46b-212a to
1429 46b-212l, inclusive, as amended by this act, and sections 46b-213g to
1430 46b-213r, inclusive, as amended by this act, and the procedural and
1431 substantive law of this state to the proceeding for enforcement or
1432 modification. Sections 46b-212m to 46b-213f, inclusive, as amended by
1433 this act, sections 46b-213s to 46b-213u, inclusive, as amended by this
1434 act, and section 46b-213w, as amended by this act, shall not apply to
1435 such proceeding.

1436 ~~[(f)]~~ (g) The family support magistrate shall order the party
1437 obtaining the modification of a child support order to file, within thirty
1438 days after issuance of such modification order, a certified copy of such
1439 order with each tribunal that issued or registered an earlier order of
1440 child support. A party who obtains the order and fails to file a certified
1441 copy is subject to appropriate sanctions by a tribunal in which the
1442 issue of failure to file arises. The failure to file such orders pursuant to
1443 this subsection shall not affect the validity or enforceability of the
1444 [controlling] modified order of the new tribunal having continuing
1445 exclusive jurisdiction.

1446 Sec. 51. Section 46b-213r of the general statutes is repealed and the
1447 following is substituted in lieu thereof (*Effective January 1, 2008*):

1448 [The] (a) If a child support order issued by the Family Support
1449 Magistrate Division or Superior Court [shall recognize a modification
1450 of its earlier child support order] is modified by a tribunal of another
1451 state which assumed jurisdiction pursuant to [a law substantially
1452 similar to sections 46b-212 to 46b-213v, inclusive, and, upon request,
1453 except as otherwise provided in said sections, shall] the Uniform
1454 Interstate Family Support Act, a tribunal of this state: (1) [Enforce the]
1455 May enforce its order that was modified only as to [amounts] arrears
1456 and interest accruing before the modification; (2) [enforce only
1457 nonmodifiable aspects of that order; (3)] may provide [other]
1458 appropriate relief [only] for violations of [that] its order which
1459 occurred before the effective date of modification; and [(4)] (3) shall
1460 recognize the modifying order of the other state, upon registration, for
1461 the purpose of enforcement.

1462 (b) (1) If a foreign country or political subdivision that is a state will
1463 not or may not modify its order pursuant to its laws, a tribunal of this
1464 state may assume jurisdiction to modify the child support order and
1465 bind all individuals subject to the personal jurisdiction of the tribunal
1466 whether or not the consent to modification of a child support order
1467 otherwise required of the individual pursuant to subsection (a) of
1468 section 46b-213q, as amended by this act, has been given or whether
1469 the individual seeking modification is a resident of this state or of the
1470 foreign country or political subdivision. (2) An order issued pursuant
1471 to this subsection is the controlling order.

1472 Sec. 52. Section 46b-213s of the general statutes is repealed and the
1473 following is substituted in lieu thereof (*Effective January 1, 2008*):

1474 [(a) The Family Support Magistrate Division] A court of this state
1475 authorized to determine paternity of a child may serve as [an initiating
1476 or] a responding tribunal in a proceeding to determine paternity
1477 brought under sections 46b-212 to [46b-213v] 46b-213w, inclusive, as
1478 amended by this act, or a law substantially similar to said sections. [,
1479 the Uniform Reciprocal Enforcement of Support Act or the Revised
1480 Uniform Reciprocal Enforcement of Support Act to determine that the

1481 petitioner is a parent of a particular child or to determine that a
1482 respondent is a parent of such child.]

1483 [(b) In a proceeding to determine paternity, the Family Support
1484 Magistrate Division shall apply the procedural and substantive law of
1485 this state and the rules of this state on choice of law.]

1486 Sec. 53. Section 46b-213t of the general statutes is repealed and the
1487 following is substituted in lieu thereof (*Effective January 1, 2008*):

1488 (a) The Governor of this state may: (1) Demand that the governor of
1489 another state surrender an individual found in the other state who is
1490 charged criminally in this state with having failed to provide for the
1491 support of an obligee; or (2) on the demand [by] of the governor of
1492 another state, surrender an individual found in this state who is
1493 charged criminally in the other state with having failed to provide for
1494 the support of an obligee.

1495 (b) A provision for extradition of individuals not inconsistent with
1496 sections 46b-212 to [46b-213v] 46b-213w, inclusive, as amended by this
1497 act, applies to the demand even if the individual whose surrender is
1498 demanded was not in the demanding state when the crime was
1499 allegedly committed and has not fled therefrom.

1500 Sec. 54. Section 46b-213u of the general statutes is repealed and the
1501 following is substituted in lieu thereof (*Effective January 1, 2008*):

1502 (a) Before making a demand that the governor of another state
1503 surrender an individual charged criminally in this state with having
1504 failed to provide for the support of an obligee, the Governor of this
1505 state may require a state's attorney or assistant state's attorney to
1506 demonstrate that at least sixty days previously the obligee had
1507 initiated proceedings for support pursuant to sections 46b-212 to [46b-
1508 213v] 46b-213w, inclusive, as amended by this act, or that the
1509 proceeding would be of no avail.

1510 (b) If, under sections 46b-212 to [46b-213v] 46b-213w, inclusive, as

1511 amended by this act, or a law substantially similar to said sections, [the
1512 Uniform Reciprocal Enforcement of Support Act or the Revised
1513 Uniform Reciprocal Enforcement of Support Act,] the governor of
1514 another state makes a demand that the Governor of this state
1515 surrender an individual charged criminally in that state with having
1516 failed to provide for the support of a child or other individual to whom
1517 a duty of support is owed, the Governor may require a state's attorney
1518 or assistant state's attorney to investigate the demand and report
1519 whether a proceeding for support has been initiated or would be
1520 effective. If it appears that a proceeding would be effective, but has not
1521 been initiated, the Governor may delay honoring the demand for a
1522 reasonable time to permit the initiation of a proceeding.

1523 (c) If a proceeding for support has been initiated and the individual
1524 whose rendition is demanded prevails, the Governor may decline to
1525 honor the demand. If the petitioner prevails and the individual whose
1526 rendition is demanded is subject to a support order, the Governor may
1527 decline to honor the demand if the individual is complying with the
1528 support order.

1529 Sec. 55. Section 46b-213v of the general statutes is repealed and the
1530 following is substituted in lieu thereof (*Effective January 1, 2008*):

1531 [Sections 46b-212 to 46b-213v, inclusive, shall be applied and
1532 construed to effectuate their general purpose to make uniform] In
1533 applying and construing the Uniform Interstate Family Support Act
1534 under this part consideration shall be given to the need to promote
1535 uniformity of the law with respect to [the] its subject [of said sections,]
1536 matter among states [enacting this uniform act] that enact said
1537 Uniform Act.

1538 Sec. 56. Section 46b-213w of the general statutes is repealed and the
1539 following is substituted in lieu thereof (*Effective January 1, 2008*):

1540 (a) An income withholding order issued in another state may be
1541 sent by or on behalf of the obligee, or by the support enforcement
1542 agency, to the person [or entity] defined as the obligor's employer

1543 under section 52-362, as amended by this act, without first filing a
1544 petition or comparable pleading or registering the order in the registry
1545 of support orders of the Family Support Magistrate Division.

1546 (b) Upon receipt of an income withholding order issued in another
1547 state, the obligor's employer shall immediately provide to the obligor
1548 (1) a copy of the order, and (2) a copy of the notice and claim form
1549 provided by the Department of Social Services pursuant to subsection
1550 (c) of this section.

1551 (c) The Department of Social Services shall distribute to all
1552 employers in this state a standard notice and claim form, written in
1553 clear and simple language, which shall include:

1554 (1) Notice that money will be withheld from the employee's wages
1555 for child support and health insurance;

1556 (2) Notice of the amount of disposable earnings that are exempt
1557 from the income withholding order;

1558 (3) Notice that the amount of the income withholding order may not
1559 exceed the maximum permitted by federal law under Section 1673 of
1560 Title 15 of the United States Code, together with a statement of the
1561 obligor's right to claim any other applicable state or federal
1562 exemptions;

1563 (4) Notice of the right to object to the validity or enforcement of such
1564 income withholding order in a court in this state and of the right to
1565 seek modification of the underlying support order in the court of
1566 continuing exclusive jurisdiction;

1567 (5) Notice of the right to seek the assistance of the Bureau of Child
1568 Support Enforcement [Bureau] of the Department of Social Services
1569 and the toll-free telephone number at which the bureau can be
1570 contacted;

1571 (6) A claim form which shall include (A) a list of the most common
1572 defenses and exemptions to such income withholding order in a

1573 manner which allows the obligor to check any of the defenses and
1574 exemptions which apply; (B) a space where the obligor may briefly
1575 explain the obligor's claim or defense; (C) a space where the obligor
1576 may initiate a request for services to modify the support order; (D) a
1577 space for the obligor to provide the obligor's address and the name of
1578 the town in which the obligor principally conducts the obligor's work
1579 for the employer; (E) a space for the obligor to sign the obligor's name;
1580 (F) the address of the Bureau of Child Support Enforcement of the
1581 Department of Social Services to which the claim form is to be sent in
1582 order to contest the validity or enforcement of the income withholding
1583 order or to initiate a request for modification; and (G) space for the
1584 employer to state the date upon which the form was actually delivered
1585 to the obligor.

1586 (d) The employer shall treat an income withholding order issued in
1587 another state which appears [valid] regular on its face if it had been
1588 issued by a tribunal of this state.

1589 (e) Except as otherwise provided in subsections (f) and (g) of this
1590 section, the employer shall withhold and distribute the funds as
1591 directed in the withholding order by complying with terms of the
1592 order which specify: (1) The duration and amount of periodic
1593 payments of current child support, stated as a sum certain; (2) the
1594 person [or agency] designated to receive payments and the address to
1595 which the payments are to be forwarded; (3) medical support, whether
1596 in the form of periodic cash payment, stated as a sum certain, or
1597 ordering the obligor to provide health insurance coverage for the child
1598 under a policy available through the obligor's employment, subject to
1599 the provisions of subsection (e) of section 38a-497a, as amended by this
1600 act; (4) the amount of periodic payments of fees and costs for a support
1601 enforcement agency, the issuing tribunal and the obligee's attorney,
1602 stated as sums certain; and (5) the amount of periodic payments of
1603 arrearages and interest on arrearages, stated as sums certain.

1604 (f) The employer shall comply with the law of this state for
1605 withholding from income with respect to: (1) The prohibition against

1606 an employer's fee for processing an income withholding order; (2) the
1607 maximum amount permitted to be withheld from the obligor's income;
1608 and (3) the time period within which the employer must implement
1609 the withholding order and forward the child support payment.

1610 (g) If an employer receives [multiple] two or more income
1611 withholding orders with respect to the earnings of the same obligor,
1612 the employer satisfies the terms of [the multiple] such orders if the
1613 employer complies with the law of this state to establish the priorities
1614 for withholding and allocating income withheld for [multiple] two or
1615 more child support obligees.

1616 (h) An employer who complies with an income withholding order
1617 issued in another state in accordance with this section shall be immune
1618 from civil liability with regard to the employer's withholding of child
1619 support from the obligor's income.

1620 (i) An employer who wilfully fails to comply with an income
1621 withholding order issued by another state and received for
1622 enforcement is subject to the same penalties that may be imposed for
1623 noncompliance with an order issued by a tribunal of this state.

1624 (j) An obligor may contest the validity or enforcement of an income
1625 withholding order issued in another state and received directly by an
1626 employer in this state by: (1) Registering the order in accordance with
1627 section 46b-213h, as amended by this act, and filing a contest to that
1628 order as provided in section 46b-213l, as amended by this act,
1629 notwithstanding the obligor is the registering party; (2) otherwise
1630 contesting the order in the same manner as if the order had been
1631 issued by a tribunal of this state; or [by] (3) mailing to the Bureau of
1632 Child Support Enforcement of the Department of Social Services the
1633 claim form delivered to the obligor pursuant to subsection (b) of this
1634 section, signed by the obligor and containing his address and a copy of
1635 the income withholding order. The obligor shall also deliver a copy of
1636 such claim form to the employer. [If a claim form contesting the
1637 validity or enforcement of an income withholding order is received by

1638 the employer within fourteen days of the receipt by the obligor of the
1639 notice and claim form, imposition of the withholding order shall be
1640 stayed and the employer shall not implement the withholding order
1641 for a period of thirty days. If the employer receives from the Bureau of
1642 Child Support Enforcement a notice that it has received the claim form,
1643 the employer shall not implement the withholding order until the
1644 claim is decided by a family support magistrate.]

1645 (k) Upon receipt of a claim form contesting the validity or
1646 enforcement of an income withholding order, the Bureau of Child
1647 Support Enforcement shall within seven days notify the employer of
1648 the receipt of the claim form. The bureau shall also give notice of the
1649 contest [and of the fact that the order is stayed until the claim is
1650 decided by a family support magistrate] to (1) the support enforcement
1651 agency providing services to the obligee; (2) [the obligor's] each
1652 employer that has directly received an income withholding order
1653 relating to the obligor; (3) the person [or agency] designated to receive
1654 payments in the income withholding order; and (4) if the obligee's
1655 address is known, the obligee. In addition, the bureau shall
1656 immediately cause the income withholding order to be registered in
1657 this state [with the appropriate clerk of the Family Support Magistrate
1658 Division and shall comply with the registration requirements of] in
1659 accordance with section 46b-213h, as amended by this act. The bureau
1660 shall also immediately file the claim form on behalf of the obligor with
1661 Support Enforcement Services acting on behalf of the Family Support
1662 Magistrate Division. [of the Superior Court.] The clerk shall promptly
1663 enter the appearance of the obligor, schedule a hearing, and give notice
1664 of the hearing to the obligor, the Bureau of Child Support
1665 Enforcement, the party initiating the income withholding order, and, if
1666 the obligee's address is known, the obligee. The clerk shall proceed in
1667 accordance with subsection (d) of section [52-361] 52-362, as amended
1668 by this act. The family support magistrate shall promptly hear and
1669 determine the claim and enter its determination within forty-five days
1670 from the date of the filing of the claim form. In addition to any notice
1671 given by the clerk, upon entry of the decision of the family support

1672 magistrate on the claim, the bureau shall give notice of the decision to
1673 [the] each employer that has directly received an income withholding
1674 order related to the obligor, the party initiating the income
1675 withholding order, the obligor and, if the obligee's address is known,
1676 the obligee.

1677 (l) If the claim form requests services to modify the support order,
1678 the Bureau of Child Support Enforcement shall assist the obligor to file
1679 a motion for modification with the appropriate tribunal of the state of
1680 continuing exclusive jurisdiction in accordance with the law of that
1681 jurisdiction. The receipt of the request for modification shall constitute
1682 a request for Title IV-D services, but the bureau may require the
1683 making of a formal application. Such assistance shall include, but is
1684 not limited to, providing the obligor with information about how such
1685 a motion is filed, contacting the state of continuing exclusive
1686 jurisdiction on behalf of the obligor to obtain appropriate forms, and
1687 transmitting such forms and applicable information to the appropriate
1688 tribunal in such state.

1689 (m) Venue for contested claims under this section shall be the family
1690 support magistrate division of the superior court in the judicial district
1691 in which the obligor resides, provided (1) if the obligor does not reside
1692 in this state, venue shall be in the judicial district in which the obligor
1693 principally conducts his work for the employer who is subject to the
1694 income withholding order, and (2) if there is an existing action
1695 concerning support of the child or children who are the subject of the
1696 income withholding order, the claim shall be filed in that action.

1697 Sec. 57. Subdivision (2) of subsection (a) of section 46b-215 of the
1698 general statutes is repealed and the following is substituted in lieu
1699 thereof (*Effective October 1, 2007*):

1700 (2) Any such support order in a IV-D support case shall include a
1701 provision for the health care coverage of the child. [which] Such
1702 provision may include an order for either parent or both parents to
1703 provide such coverage under any or all of subparagraphs (A), (B) or

1704 (C) of this subdivision.

1705 (A) The provision for health care coverage may include an order for
1706 either parent to name any child as a beneficiary of any medical or
1707 dental insurance or benefit plan carried by such parent or available to
1708 such parent [on a group basis through an employer or a union. Any
1709 such employment-based order] at a reasonable cost, as defined in
1710 subparagraph (D) of this subdivision. If such order requires the parent
1711 to maintain insurance available through an employer, the order shall
1712 be enforced using a National Medical Support Notice as provided in
1713 section 46b-88, as amended by this act.

1714 (B) If [such] insurance coverage in accordance with subparagraph
1715 (A) is unavailable at reasonable cost to the parent obligated to
1716 maintain the insurance, or inaccessible to the child, the provision for
1717 health care coverage may include an order for either parent to: [apply]
1718 (i) Apply for and maintain coverage on behalf of the child under the
1719 HUSKY Plan, Part B; [The noncustodial parent shall be ordered to
1720 apply for the HUSKY Plan, Part B only if such parent is found to have
1721 sufficient ability to pay the appropriate premium. In any IV-D support
1722 case in which the noncustodial parent is found to have insufficient
1723 ability to provide medical insurance coverage and the custodial party
1724 is the HUSKY Plan, Part A or Part B applicant, the provision for health
1725 care coverage may include an order for the noncustodial parent to pay
1726 such amount as is specified by the court or family support magistrate]
1727 or (ii) provide cash medical support, as described in subparagraph (E)
1728 of this subdivision. An order under this subparagraph shall be made
1729 only if the cost to the parent obligated to maintain the insurance is
1730 reasonable, as defined in subparagraph (D) of this subdivision.

1731 (C) An order for payment of the child's medical and dental expenses
1732 that are not covered by insurance or reimbursed in any other manner
1733 shall be entered in accordance with the child support guidelines
1734 established pursuant to section 46b-215a.

1735 (D) Health care coverage shall be deemed reasonable in cost if: (i)

1736 The parent obligated to maintain the insurance would qualify as a low-
1737 income obligor under the child support guidelines established
1738 pursuant to section 46b-215a, based solely on such parent's income,
1739 and the cost does not exceed five per cent of such parent's gross
1740 income; or (ii) the parent obligated to maintain insurance would not
1741 qualify as a low-income obligor under such guidelines and the cost
1742 does not exceed seven and one-half per cent of such parent's gross
1743 income.

1744 (E) Cash medical support means an amount ordered to be paid
1745 toward the cost of health insurance provided by a public entity,
1746 including the HUSKY Plan, Part A or Part B, or by another parent
1747 through employment or otherwise, or for other medical costs not
1748 covered by insurance, except as provided in subparagraph (C) of this
1749 subdivision. Cash medical support may be ordered in lieu of an order
1750 under subparagraph (A) of this subdivision to be effective until such
1751 time as health insurance that is accessible to the child and reasonable
1752 in cost becomes available, or in addition to such order, provided the
1753 combined cost of insurance and cash medical support is reasonable.
1754 An order for cash medical support shall be payable to the state or the
1755 custodial party, as their interests may appear. [,] Cash medical support
1756 to offset the cost of any insurance payable under the HUSKY Plan, Part
1757 A or Part B, [unless the] shall not be ordered against a noncustodial
1758 parent who is a low-income obligor, as defined in the child support
1759 guidelines established pursuant to section 46b-215a.

1760 Sec. 58. Subdivision (3) of subsection (a) of section 46b-215 of the
1761 general statutes is repealed and the following is substituted in lieu
1762 thereof (*Effective October 1, 2007*):

1763 (3) Proceedings to obtain orders of support under this section shall
1764 be commenced by the service on the liable person or persons of a
1765 verified petition, with summons and order, [in a form prescribed by
1766 the Office of the Chief Court Administrator,] of the husband or wife,
1767 child or any relative or the conservator, guardian or support
1768 enforcement officer, town or state, or any selectmen or the public

1769 official charged with the administration of public assistance of the
1770 town, or in [TANF] IV-D support cases, as defined in subdivision [(14)]
1771 (13) of subsection (b) of section 46b-231, as amended by this act, the
1772 Commissioner of Social Services. The verified petition, summons and
1773 order shall be filed in the judicial district in which the petitioner or
1774 respondent resides or does business, or if filed in the Family Support
1775 Magistrate Division, in the judicial district in which the petitioner or
1776 respondent resides or does business. Such petition, summons and
1777 order, in other than IV-D support cases, shall be on forms prescribed
1778 by the Office of the Chief Court Administrator.

1779 Sec. 59. Section 46b-223 of the general statutes is repealed and the
1780 following is substituted in lieu thereof (*Effective October 1, 2007*):

1781 The judges of the Superior Court may adopt any rules they deem
1782 necessary to implement the provisions of section 46b-220, including
1783 the application of said section to the practice of law, and the Office of
1784 the Chief Court Administrator, in other than IV-D support cases, shall
1785 prescribe any forms required to implement said section.

1786 Sec. 60. Section 46b-224 of the general statutes is repealed and the
1787 following is substituted in lieu thereof (*Effective October 1, 2007*):

1788 Whenever the Probate Court, in a guardianship matter under
1789 chapter 802h, or the Superior Court, in a [juvenile matter under
1790 chapter 815t,] family relations matter, as defined in section 46b-1,
1791 orders a change or transfer of the guardianship or custody of a child
1792 who is the subject of a preexisting support order, and the court makes
1793 no finding with respect to such support order, such guardianship or
1794 custody order shall operate to: (1) Suspend the support order if
1795 guardianship or custody is transferred to the obligor under the
1796 support order; or (2) modify the payee of the support order to be the
1797 person or entity awarded guardianship or custody of the child by the
1798 court, if such person or entity is other than the obligor under the
1799 support order.

1800 Sec. 61. Subsection (s) of section 46b-231 of the general statutes is

1801 repealed and the following is substituted in lieu thereof (*Effective*
1802 *October 1, 2007*):

1803 (s) Support enforcement officers of Support Enforcement Services of
1804 the Superior Court shall:

1805 (1) Supervise the payment of any child or spousal support order
1806 made by a family support magistrate. Supervision of such orders is
1807 defined as the utilization of all procedures available by law to collect
1808 child or spousal support, or enforce medical support including (A)
1809 issuance and implementation of income withholdings ordered by the
1810 Superior Court or a family support magistrate pursuant to section 52-
1811 362, as amended by this act, (B) issuance of an order requiring any
1812 party to appear before a family support magistrate on an action to
1813 modify a support order pursuant to subdivision (4) of this subsection,
1814 (C) issuance of a *capias mittimus* directed to a proper officer to arrest
1815 an obligor or witness and bring such obligor or witness before a family
1816 support magistrate if such obligor or witness is served with a
1817 summons, subpoena, citation or order to appear issued by a family
1818 support magistrate, the assistant clerk of the Family Support
1819 Magistrate Division or a support enforcement officer and fails to
1820 appear, [and] (D) if necessary, bringing an application for contempt to
1821 a family support magistrate and, in connection with such application,
1822 issuing an order requiring the obligor to appear before a family
1823 support magistrate to show cause why such obligor should not be held
1824 in contempt for failure to pay an order for child or spousal support
1825 entered by the Superior Court or a family support magistrate, and (E)
1826 issuance of a National Medical Support Notice in accordance with
1827 section 46b-88, as amended by this act;

1828 (2) In non-TANF cases, have the authority to bring petitions for
1829 support orders pursuant to section 46b-215, as amended by this act, file
1830 agreements for support with the assistant clerk of the Family Support
1831 Magistrate Division, and bring applications for show cause orders
1832 pursuant to section 46b-172, as amended by this act, and in IV-D
1833 support cases and cases under sections 46b-212 to [46b-213v] 46b-

1834 213w, inclusive, as amended by this act, enforce foreign support orders
1835 registered with the Family Support Magistrate Division pursuant to
1836 sections 46b-213f to 46b-213i, inclusive, as amended by this act, and file
1837 agreements for support with the assistant clerk of the Family Support
1838 Magistrate Division;

1839 (3) In connection with any order or agreement entered by, or filed
1840 with, the Family Support Magistrate Division, or any order entered by
1841 the Superior Court in a IV-D support case, upon order, investigate the
1842 financial situation of the parties and report findings to the family
1843 support magistrate regarding: (A) Any pending motion to modify such
1844 order or agreement; or (B) any request or application for modification
1845 of such order or agreement made by an obligee;

1846 (4) Review child support orders (A) in non-TANF IV-D support
1847 cases (i) at the request of either parent or custodial party subject to a
1848 support order, or (ii) upon receipt of information indicating a
1849 substantial change in circumstances of any party to the support order,
1850 (B) in TANF cases, at the request of the Bureau of Child Support
1851 Enforcement, or (C) as necessary to comply with federal requirements
1852 for the child support enforcement program mandated by Title IV-D of
1853 the Social Security Act, and initiate an action before a family support
1854 magistrate to modify such support order if it is determined upon such
1855 review that the order substantially deviates from the child support
1856 guidelines established pursuant to section 46b-215a or 46b-215b. A
1857 requesting party under subparagraph (A)(i) or (B) of this subdivision
1858 shall have a right to such review every three years without proving a
1859 substantial change in circumstances, but more frequent reviews shall
1860 be made only if such requesting party demonstrates a substantial
1861 change in circumstances. There shall be a rebuttable presumption that
1862 any deviation of less than fifteen per cent from the child support
1863 guidelines is not substantial and any deviation of fifteen per cent or
1864 more from the guidelines is substantial. Modification may be made of
1865 such support order without regard to whether the order was issued
1866 before, on or after May 9, 1991. In determining whether to modify a
1867 child support order based on a substantial deviation from such child

1868 support guidelines, consideration shall be given to the division of real
1869 and personal property between the parties set forth in any final decree
1870 entered pursuant to chapter 815j and the benefits accruing to the child
1871 as the result of such division. No order for periodic payment of
1872 support may be subject to retroactive modification, except that the
1873 family support magistrate may order modification with respect to any
1874 period during which there is a pending motion for modification of a
1875 support order from the date of service of notice of such pending
1876 motion to the opposing party pursuant to section 52-50.

1877 Sec. 62. Subsection (a) of section 52-362 of the general statutes is
1878 repealed and the following is substituted in lieu thereof (*Effective*
1879 *October 1, 2007*):

1880 (a) For purposes of this section:

1881 (1) "Dependent" means a spouse, former spouse or child entitled to
1882 payments under a support order, provided Support Enforcement
1883 Services of the Superior Court or the state acting under an assignment
1884 of a dependent's support rights or under an application for child
1885 support enforcement services shall, through an officer of Support
1886 Enforcement Services or the Bureau of Child Support Enforcement
1887 within the Department of Social Services or an investigator of the
1888 Department of Administrative Services or the Attorney General, take
1889 any action which the dependent could take to enforce a support order;

1890 (2) "Disposable earnings" means that part of the earnings of an
1891 individual remaining after deduction from those earnings of amounts
1892 required to be withheld for the payment of federal, state and local
1893 income taxes, employment taxes, normal retirement contributions,
1894 union dues and initiation fees, and group life and health insurance
1895 premiums;

1896 (3) "Earnings" means any debt accruing to an obligor by reason of
1897 such obligor's personal services, including any compensation payable
1898 by an employer to an employee for such personal services whether
1899 denominated as wages, salary, commission, bonus or otherwise,

1900 including unemployment compensation if a purchase of service
1901 agreement between the Commissioner of Social Services and the Labor
1902 Commissioner is in effect pursuant to subsection (e) of section 17b-179,
1903 as amended by this act;

1904 (4) "Employer" means any person, including the Labor
1905 Commissioner, who owes earnings to an obligor;

1906 (5) "Income" means any periodic form of payment due to an
1907 individual, regardless of source, including, but not limited to,
1908 disposable earnings, workers' compensation and disability benefits,
1909 payments pursuant to a pension or retirement program and interest;

1910 (6) "Obligor" means a person required to make payments under a
1911 support order;

1912 (7) "Support order" means a court order, or order of a family
1913 support magistrate including an agreement approved by a court or a
1914 family support magistrate, that requires the payment to a dependent of
1915 [either] current support, cash medical support, a specific dollar
1916 amount of child care costs or arrearage payments; [, payments on an
1917 arrearage, or both;]

1918 (8) "Unemployment compensation" means any compensation
1919 payable under chapter 567, including amounts payable by the
1920 administrator of the unemployment compensation law pursuant to an
1921 agreement under any federal law providing for compensation,
1922 assistance or allowances with respect to unemployment.

1923 Sec. 63. Subsection (e) of section 52-362 of the general statutes is
1924 repealed and the following is substituted in lieu thereof (*Effective*
1925 *October 1, 2007*):

1926 (e) A withholding order shall issue in the amount necessary to
1927 enforce a support order against only such nonexempt income of the
1928 obligor as exceeds the greater of (1) eighty-five per cent of the first one
1929 hundred forty-five dollars per week of disposable income, or (2) the

1930 amount exempt under Section 1673 of Title 15 of the United States
1931 Code, or against any lesser amount which the court or family support
1932 magistrate deems equitable. [The] Subject to subsection (d) of section
1933 46b-88, as amended by this act, the withholding order shall secure
1934 payment of past and future amounts due under the support order and
1935 an additional amount computed in accordance with the child support
1936 guidelines established in accordance with section 46b-215a, to be
1937 applied toward liquidation of any arrearage accrued under such order,
1938 unless contested by the obligor after a notice has been served pursuant
1939 to subsection (c) of this section, in which case the court or family
1940 support magistrate may determine the amount to be applied toward
1941 the liquidation of the arrearage found to have accrued under prior
1942 order of the court or family support magistrate. In no event shall such
1943 additional amount be applied if there is an existing arrearage order
1944 from the court or family support magistrate in a IV-D support case, as
1945 defined in subdivision (13) of subsection (b) of section 46b-231, as
1946 amended by this act. Any investigator or other authorized employee of
1947 the Bureau of Child Support Enforcement within the Department of
1948 Social Services, or any officer of Support Enforcement Services of the
1949 Superior Court, may issue a withholding order entered by the Superior
1950 Court or a family support magistrate pursuant to subsection (b) of this
1951 section, and shall issue a withholding order pursuant to this subsection
1952 when the obligor becomes subject to withholding under subsection (c)
1953 of this section. On service of the order of withholding on an existing or
1954 any future employer or other payer of income, and until the support
1955 order is fully satisfied or modified, the order of withholding is a
1956 continuing lien and levy on the obligor's income as it becomes due.

1957 Sec. 64. Section 52-362e of the general statutes is repealed and the
1958 following is substituted in lieu thereof (*Effective October 1, 2007*):

1959 (a) Subject to the provisions of section 52-362h, whenever an order
1960 of the Superior Court or a family support magistrate for support of a
1961 [minor] child or children is issued, and, in [TFA] IV-D support cases as
1962 defined in subdivision (13) of subsection (b) of section 46b-231, as
1963 amended by this act, the person against whom such order was issued

1964 owes past-due support [of one hundred fifty dollars or more, or in
1965 non-TANF IV-D support cases, as defined in subdivision (13) of
1966 subsection (b) of said section 46b-231, the person against whom such
1967 order was issued owes past-due support of five hundred dollars or
1968 more] in the amount specified in subsection (c) of this section, the state
1969 shall submit to the Internal Revenue Service through the federal Office
1970 of Child Support Enforcement the name of such person and request
1971 the withholding from refunds of federal income taxes owed to such
1972 person of an amount equal to the past-due support, and payment of
1973 such withheld amount to the state for distribution [to the state for
1974 reimbursement of public assistance in TANF cases and in non-TANF
1975 IV-D support cases for distribution to the guardian or custodial parent
1976 of such minor child or children] in accordance with subsection (d) of
1977 this section, after first deducting from [the] any amount payable to
1978 [such] the guardian or custodial parent of such child a collection fee
1979 [determined by the Secretary of the Treasury to be] sufficient to
1980 reimburse the Internal Revenue Service and the state for the cost of the
1981 offset procedure.

1982 (b) (1) Subject to the provisions of subsection [(c)] (d) of this section,
1983 whenever an order of the Superior Court or a family support
1984 magistrate for support of a [minor] child or children is issued, and, in
1985 [TANF] IV-D support cases, the person against whom such support
1986 order is issued owes past-due support [of one hundred fifty dollars or
1987 more, or in non-TANF IV-D support cases the person against whom
1988 such order is issued owes past-due support of five hundred dollars or
1989 more] in the amount specified in subsection (c) of this section, the
1990 Department of Social Services shall submit to the Commissioner of
1991 Administrative Services the name of such person and request the
1992 withholding from refunds of state income taxes owed to such person
1993 of an amount equal to the past-due support, and payment of such
1994 withheld amount by the Commissioner of Revenue Services to the
1995 state for distribution [to the state for reimbursement of public
1996 assistance in TANF cases and in non-TANF IV-D support cases for
1997 distribution to the guardian or custodial parent of such minor child or

1998 children] in accordance with subsection (d) of this section.

1999 (2) Whenever an order of the Superior Court or family support
2000 magistrate is issued against a parent to cover the cost of health
2001 insurance for a child who is eligible for Medicaid and such parent has
2002 received payment from a third party for the costs of services provided
2003 under such health coverage for such child but such parent has not used
2004 such payments to reimburse, as appropriate, either the other parent or
2005 guardian or the provider of such services, the Commissioner of Social
2006 Services shall submit to the Commissioner of Administrative Services
2007 the name of such person and request the withholding from refunds of
2008 state income taxes owed to such person of an amount necessary to
2009 reimburse the Department of Social Services for such costs under the
2010 Medicaid program, and payment of such amount shall be withheld by
2011 the Commissioner of Revenue Services and distributed to the
2012 Department of Social Services for reimbursement. However, any
2013 claims for current or past due child support shall take priority over
2014 any such claims for the costs of such services.

2015 (c) The amount of past-due support qualifying a IV-D support case
2016 for use of the federal income tax refund withholding procedure under
2017 subsection (a) of this section or the state income tax refund
2018 withholding procedure under subdivision (1) of subsection (b) of this
2019 section shall be: (1) One hundred fifty dollars or more in temporary
2020 family assistance cases under section 17b-112; and (2) five hundred
2021 dollars or more in nontemporary family assistance cases.

2022 [(c)] (d) Support collected pursuant to this section shall be
2023 distributed as required by Title IV-D of the Social Security Act.

2024 [(d)] (e) The Commissioner of Social Services shall adopt
2025 regulations, in accordance with chapter 54, setting forth procedures in
2026 compliance with federal law and regulations under Title IV-D of the
2027 Social Security Act providing for adequate notice of (1) the right to a
2028 review by Support Enforcement Services of the Superior Court, (2) the
2029 right to a fair hearing before a hearing officer, (3) a list of available

2030 defenses including the defense described in section 52-362h, and (4)
2031 procedures for a fair hearing for any person who is alleged to owe
2032 past-due support and is subject to the provisions of this section.

2033 Sec. 65. (NEW) (*Effective January 1, 2008*) (a) Notwithstanding any
2034 provision of the general statutes, the Commissioner of Motor Vehicles
2035 shall not issue a renewal of registration for any recreational vehicle;
2036 antique, rare or special interest motor vehicle; motorcycle; snowmobile
2037 or all-terrain vehicle; or vessel for the next registration period if the
2038 owner thereof has been identified by the IV-D agency, as defined in
2039 subdivision (12) of subsection (b) of section 46b-231 of the general
2040 statutes, as amended by this act, as a child support obligor owing at
2041 least five thousand dollars past-due support in a IV-D case, as defined
2042 in subdivision (13) of subsection (b) of section 46b-231 of the general
2043 statutes, as amended by this act.

2044 (b) The Commissioner of Motor Vehicles and the IV-D agency shall
2045 enter into an agreement for the exchange of information necessary for
2046 the purposes of this section. Such agreement shall include provision
2047 for: (1) Automated date exchange to the maximum extent feasible, (2)
2048 release of owner information to the IV-D agency pursuant to
2049 subparagraph (A) (vii) of subdivision (1) of subsection (b) of section
2050 17b-137 of the general statutes, and (3) notice to the applicant for
2051 registration who is identified by the IV-D agency under subsection (a)
2052 of this section of: (A) The reason for refusal to renew the registration of
2053 the motor vehicle or vessel, (B) the amount of past-due support alleged
2054 to be owing, and (C) the right to request a fair hearing before a hearing
2055 officer of the Department of Social Services pursuant to section 17b-60
2056 of the general statutes either: (i) To challenge the identification of such
2057 applicant as a child support obligor owing at least five thousand
2058 dollars past-due support in a IV-D support case, or (ii) to show that the
2059 vehicle being denied renewal of registration under subsection (a) of
2060 this section is used in the applicant's trade or business, or is necessary
2061 for the applicant to commute to and from such applicant's place of
2062 employment.

2063 (c) If a hearing officer finds, pursuant to a hearing held under
2064 subsection (b) of this section, that the applicant for renewal of
2065 registration was incorrectly identified as a child support obligor owing
2066 at least five thousand dollars past-due support in a IV-D support case,
2067 or that the vehicle being denied renewal of registration under
2068 subsection (a) of this section is used in the applicant's trade or
2069 business, or is necessary for the applicant to commute to and from
2070 such applicant's place of employment, the IV-D agency shall so notify
2071 the Commissioner of Motor Vehicles, who shall take any action on the
2072 application for renewal of registration that may be warranted under
2073 subpart A of part III of chapter 246 of the general statutes.

2074 Sec. 66. Subsection (a) of section 12-742 of the general statutes is
2075 repealed and the following is substituted in lieu thereof (*Effective*
2076 *October 1, 2007*):

2077 (a) In cases where any person or entity is due a refund of state
2078 income taxes, and that same person owes a debt or obligation for
2079 which the Commissioner of Administrative Services is seeking
2080 reimbursement, the Commissioner of Revenue Services, upon
2081 notification by the Commissioner of Administrative Services, shall
2082 withhold the payment of said refund to such person or entity to the
2083 extent of such debt or obligation, provided the Commissioner of
2084 Revenue Services shall notify such debtor that he or she has the right
2085 to a hearing before an officer designated by the Commissioner of
2086 Administrative Services if he or she contests the validity or amount of
2087 the Commissioner of Administrative Services' claim, except that where
2088 the debt or obligation is a debt resulting from failure to pay an order
2089 for child support, the administrative review process will be held in
2090 accordance with subsection [(c)] (e) of section 52-362e, as amended by
2091 this act. If the debtor fails to apply in writing to the Commissioner of
2092 Administrative Services for a hearing within sixty days of the issuance
2093 of notice of withholding, the Commissioner of Revenue Services shall
2094 remit the amount of the withheld refund to the Commissioner of
2095 Administrative Services. If the debtor elects an administrative hearing
2096 within this time, the Commissioner of Revenue Services shall remit the

2097 amount of the withheld refund in accordance with any decisions of the
 2098 hearing officer or the court upon an appeal of the hearing officer's
 2099 decision.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2008</i>	17b-77
Sec. 2	<i>October 1, 2007</i>	17b-179(h)
Sec. 3	<i>October 1, 2007</i>	17b-745(a)(2)(A)
Sec. 4	<i>October 1, 2007</i>	17b-745(a)(7)(A)
Sec. 5	<i>October 1, 2007</i>	38a-497a(e)
Sec. 6	<i>October 1, 2007</i>	46b-84(b)
Sec. 7	<i>October 1, 2007</i>	46b-84(f)
Sec. 8	<i>October 1, 2007</i>	46b-88(b)(1)
Sec. 9	<i>October 1, 2007</i>	46b-88(d)
Sec. 10	<i>October 1, 2007</i>	46b-160(a)
Sec. 11	<i>October 1, 2007</i>	46b-171(a)(2)
Sec. 12	<i>October 1, 2007</i>	46b-172(b)(4)
Sec. 13	<i>October 1, 2007</i>	46b-172(c)(3)
Sec. 14	<i>January 1, 2008</i>	46b-212
Sec. 15	<i>January 1, 2008</i>	46b-212a
Sec. 16	<i>January 1, 2008</i>	46b-212b
Sec. 17	<i>January 1, 2008</i>	46b-212c
Sec. 18	<i>January 1, 2008</i>	46b-212d
Sec. 19	<i>January 1, 2008</i>	46b-212e
Sec. 20	<i>January 1, 2008</i>	46b-212f
Sec. 21	<i>January 1, 2008</i>	46b-212h
Sec. 22	<i>January 1, 2008</i>	46b-212i
Sec. 23	<i>January 1, 2008</i>	46b-212j
Sec. 24	<i>January 1, 2008</i>	46b-212k
Sec. 25	<i>January 1, 2008</i>	46b-212l
Sec. 26	<i>January 1, 2008</i>	46b-212m
Sec. 27	<i>January 1, 2008</i>	46b-212o
Sec. 28	<i>January 1, 2008</i>	46b-212p
Sec. 29	<i>January 1, 2008</i>	46b-212q
Sec. 30	<i>January 1, 2008</i>	46b-212r
Sec. 31	<i>January 1, 2008</i>	46b-212s
Sec. 32	<i>January 1, 2008</i>	46b-212t
Sec. 33	<i>January 1, 2008</i>	46b-212v

Sec. 34	January 1, 2008	46b-212w
Sec. 35	January 1, 2008	46b-212x
Sec. 36	January 1, 2008	46b-212z
Sec. 37	January 1, 2008	46b-213
Sec. 38	January 1, 2008	46b-213a
Sec. 39	January 1, 2008	46b-213b
Sec. 40	January 1, 2008	46b-213d
Sec. 41	January 1, 2008	46b-213e
Sec. 42	January 1, 2008	46b-213f(a)
Sec. 43	January 1, 2008	46b-213g
Sec. 44	January 1, 2008	46b-213h
Sec. 45	January 1, 2008	46b-213j
Sec. 46	January 1, 2008	46b-213k
Sec. 47	January 1, 2008	46b-213l
Sec. 48	January 1, 2008	46b-213m
Sec. 49	January 1, 2008	46b-213p
Sec. 50	January 1, 2008	46b-213q
Sec. 51	January 1, 2008	46b-213r
Sec. 52	January 1, 2008	46b-213s
Sec. 53	January 1, 2008	46b-213t
Sec. 54	January 1, 2008	46b-213u
Sec. 55	January 1, 2008	46b-213v
Sec. 56	January 1, 2008	46b-213w
Sec. 57	October 1, 2007	46b-215(a)(2)
Sec. 58	October 1, 2007	46b-215(a)(3)
Sec. 59	October 1, 2007	46b-223
Sec. 60	October 1, 2007	46b-224
Sec. 61	October 1, 2007	46b-231(s)
Sec. 62	October 1, 2007	52-362(a)
Sec. 63	October 1, 2007	52-362(e)
Sec. 64	October 1, 2007	52-362e
Sec. 65	January 1, 2008	New section
Sec. 66	October 1, 2007	12-742(a)

HS *Joint Favorable Subst.*