



Greater Hartford Legal Aid

Government Administrations and Elections Committee

March 16, 2009

Testimony submitted by Lucy Potter, Attorney

Greater Hartford Legal Aid

Re: H.B. 6376, oppose inclusion of public assistance and child support debt owing to the state

I am an attorney at Greater Hartford Legal Aid. I have represented low income Hartford area clients for over twenty years in child support and public assistance matters. I have also served on the past four Child Support Guideline Commissions. I am writing to express concern about Bill Number 6376, particularly as it might impact low income families who are owed child support and low income people generally. If the bill is passed, child support debt and the obligation to repay public assistance should be exempted from its requirements.

The bill requires that interest of 1% per month be assessed against all debts owing to any state agency. The bill also requires DAS to establish a centralized database listing all those who owe such debt, and to seek recovery through intercepting state tax refunds. In addition the bill would require denial of all state permits, licenses or registration to anyone listed on this database.

This broad language would make all recipients and parents of recipients of public assistance ineligible for any type of state license including automobile registration, drivers' licenses and occupational license. This would of course thwart the ability to pay child support, repay state debts or support a family.

The bill applies to "all unpaid debts owed" to each agency. This would presumably include all public assistance paid. Pursuant to Conn. Gen. Stats. § 17b-93, Connecticut has a claim against all beneficiaries of assistance against any property they come into possession of. And parents of beneficiaries are "liable to repay . . . the full amount of any such aid paid" to their children. While DAS does collect about \$20 million per year from former public assistance recipients and their parents, the vast majority of this debt goes uncollected. People do not have the means to repay it. This should not be surprising in that those who qualify for public assistance must demonstrate that they are destitute.

If this bill were to apply to public assistance debt, hundreds of thousands of low income people, including all former TFA recipients would be barred from driving or obtaining other types of licensure that might be fundamental to maintaining a livelihood.

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As applied to child support, the bill would not only hobble low income child support obligors, but would also make the struggling families who are owed child support get in line behind the state.

As you are probably aware, when a family receives Temporary Family Assistance, they assign, to the state, the right to the child support that they are owed for the time they receive TFA. This assignment remains in place when the family leaves assistance and supports itself without public assistance. And Connecticut has an extensive system in place to collect child support through income attachment and other means including the Department of Revenue tax intercept.

Federal and state law now prioritizes the family's claim to child support. Connecticut does not add on interest charges when late child support payment is overdue. Charging interest for overdue child support owing to the state would create an additional charge competing with the family's claim.

I urge you to delete child support and the claim for repayment of public assistance from this bill.