



General Assembly

January Session, 2009

**Raised Bill No. 816**

LCO No. 2723

\* SB00816HS 030309 \*

Referred to Committee on Human Services

Introduced by:  
(HS)

**AN ACT CONCERNING CHILD SUPPORT COLLECTIONS.**

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

1 Section 1. Section 52-362e of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective October 1, 2009*):

3 (a) Subject to the provisions of section 52-362h, whenever an order  
4 of the Superior Court or a family support magistrate for support of a  
5 child or children is issued, and, in IV-D support cases as defined in  
6 subdivision (13) of subsection (b) of section 46b-231, the person against  
7 whom such order was issued owes past-due support in the amount  
8 specified in subsection (c) of this section, the state shall submit to the  
9 Internal Revenue Service through the federal Office of Child Support  
10 Enforcement the name of such person and request the withholding  
11 from refunds of federal income taxes owed to such person of an  
12 amount equal to the past-due support, and payment of such withheld  
13 amount to the state for distribution in accordance with subsection (d)  
14 of this section, after first deducting from any amount payable to the  
15 guardian or custodial parent of such child a collection fee sufficient to  
16 reimburse the Internal Revenue Service and the state for the cost of the  
17 offset procedure.

18 (b) (1) Subject to the provisions of subsection (d) of this section,  
19 whenever an order of the Superior Court or a family support  
20 magistrate for support of a child or children is issued, and, in IV-D  
21 support cases, the person against whom such support order is issued  
22 owes past-due support in the amount specified in subsection (c) of this  
23 section, the Department of Social Services shall submit to the  
24 Commissioner of Administrative Services the name of such person and  
25 request the withholding from refunds of state income taxes owed to  
26 such person of an amount equal to the past-due support, and payment  
27 of such withheld amount by the Commissioner of Revenue Services to  
28 the state for distribution in accordance with subsection (d) of this  
29 section.

30 (2) Whenever an order of the Superior Court or family support  
31 magistrate is issued against a parent to cover the cost of health  
32 insurance for a child who is eligible for Medicaid and such parent has  
33 received payment from a third party for the costs of services provided  
34 under such health coverage for such child but such parent has not used  
35 such payments to reimburse, as appropriate, either the other parent or  
36 guardian or the provider of such services, the Commissioner of Social  
37 Services shall submit to the Commissioner of Administrative Services  
38 the name of such person and request the withholding from refunds of  
39 state income taxes owed to such person of an amount necessary to  
40 reimburse the Department of Social Services for such costs under the  
41 Medicaid program, and payment of such amount shall be withheld by  
42 the Commissioner of Revenue Services and distributed to the  
43 Department of Social Services for reimbursement. However, any  
44 claims for current or past due child support shall take priority over  
45 any such claims for the costs of such services.

46 (c) The amount of past-due support qualifying a IV-D support case  
47 for use of the federal income tax refund withholding procedure under  
48 subsection (a) of this section or the state income tax refund  
49 withholding procedure under subdivision (1) of subsection (b) of this  
50 section shall be: (1) One hundred fifty dollars or more in temporary

51 family assistance cases under section 17b-112; and (2) five hundred  
52 dollars or more in nontemporary family assistance cases.

53 (d) Support collected pursuant to this section shall be distributed [as  
54 required by Title IV-D of the Social Security Act] in accordance with  
55 the provisions of 42 USC 654(34) and 42 USC 657.

56 (e) The Commissioner of Social Services shall adopt regulations, in  
57 accordance with chapter 54, setting forth procedures in compliance  
58 with federal law and regulations under Title IV-D of the Social Security  
59 Act providing for adequate notice of (1) the right to a review by  
60 Support Enforcement Services of the Superior Court, (2) the right to a  
61 fair hearing before a hearing officer, (3) a list of available defenses  
62 including the defense described in section 52-362h, and (4) procedures  
63 for a fair hearing for any person who is alleged to owe past-due  
64 support and is subject to the provisions of this section.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2009</i>	52-362e

**HS**      *Joint Favorable*