



General Assembly

February Session, 2010

Raised Bill No. 368

LCO No. 1786

01786_____JUD

Referred to Committee on Judiciary

Introduced by:
(JUD)

AN ACT CONCERNING THE ESTABLISHMENT OF PATERNITY AND SUPPORT AND ENFORCEMENT OF ORDERS IN TITLE IV-D CHILD SUPPORT CASES.

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

1 Section 1. Subsections (b) to (i), inclusive, of section 17b-179 of the
2 general statutes are repealed and the following is substituted in lieu
3 thereof (*Effective October 1, 2010*):

4 (b) (1) The Commissioner of Social Services shall [, in the manner
5 provided in section 17b-81,] investigate the financial condition of the
6 parent or parents of: (A) Any child applying for or receiving assistance
7 under [the provisions of sections 17b-807 and 17b-808 and] (i) the
8 temporary family assistance [for needy families] program pursuant to
9 section 17b-112, which may be referred to as ["TANF"] TFA for the
10 purposes of this section or (ii) the Medicaid program pursuant to
11 section 17b-261, (B) any child seeking IV-D child support enforcement
12 services pursuant to subdivision (1) of subsection (h) of this section,
13 and (C) any child committed to the care of the Commissioner of
14 Children and Families who is receiving payments in the foster care
15 program and for whom a referral to the Bureau of Child Support

16 Enforcement is made under section 46b-130, as amended by this act,
17 and shall determine the financial liability of such parent or parents for
18 [the] such child.

19 (2) The Bureau of Child Support Enforcement may, upon notice to
20 the obligor and obligee, redirect payments for the support of all such
21 children to either the state of Connecticut or the present custodial
22 party, as their interests may appear, provided neither the obligor nor
23 the obligee objects in writing within ten business days from the
24 mailing date of such notice. Any such notice shall be sent by first class
25 mail to the most recent address of such obligor and obligee, as
26 recorded in the state case registry pursuant to section 46b-218, and a
27 copy of such notice shall be filed with the court or family support
28 magistrate if both the obligor and obligee fail to object to the redirected
29 payments within ten business days from the mailing date of such
30 notice. All payments shall be distributed as required by Title IV-D of
31 the Social Security Act.

32 (3) Notwithstanding subdivision (2) of this subsection or
33 subparagraph (F) of subdivision (1) of subsection (u) of section 46b-
34 231, the Bureau of Child Support Enforcement or a support
35 enforcement agency under cooperative agreement with the Bureau of
36 Child Support Enforcement shall redirect payments for the support of
37 children described in subparagraphs (A)(i) and (C) of subdivision (1)
38 of this subsection to the state of Connecticut effective on the date of the
39 assistance grant. Upon such redirection, the Bureau of Child Support
40 Enforcement or support enforcement agency shall notify the obligor
41 and obligee as described in subdivision (2) of this subsection if
42 assistance is being received by a new custodial party on behalf of such
43 children and, if an objection to redirection is received in accordance
44 with said subdivision (2), shall refund to the obligee of the support
45 order any money retained by the state during the period of redirection
46 that is due such obligee.

47 (c) The [Connecticut] Bureau of Child Support Enforcement

48 [Bureau] shall enter into cooperative agreements with appropriate
49 officials of the Judicial [Department] Branch and law enforcement
50 officials to assist in administering the child support enforcement plan
51 and with respect to other matters of common concern in the area of
52 child support enforcement. Officers of the Judicial [Department]
53 Branch and law enforcement officials authorized and required to enter
54 into cooperative agreements with the [Connecticut] Bureau of Child
55 Support Enforcement [Bureau] include, but are not limited to, [the]
56 officials of the Superior Court and the office of the Attorney General.
57 Such cooperative agreements shall contain performance standards to
58 address the mandatory provisions of both state and federal laws and
59 federal regulations concerning child support.

60 (d) The [Connecticut] Bureau of Child Support Enforcement
61 [Bureau] shall have authority to determine on a periodic basis whether
62 any individuals who owe child support obligations are receiving
63 unemployment compensation. In IV-D cases, the bureau may
64 authorize the collection of any such obligations owed by an individual
65 receiving unemployment compensation through an agreement with
66 the individual or a court order pursuant to section 52-362, as amended
67 by this act, under which a portion of the individual's unemployment
68 compensation is withheld and forwarded to the state [agency] acting
69 by and through the IV-D agency. As used in this section, the term
70 "unemployment compensation" means any compensation payable
71 under chapter 567, including amounts payable by the administrator of
72 the unemployment compensation law pursuant to an agreement under
73 any federal law providing for compensation, assistance or allowances
74 with respect to unemployment.

75 (e) The Bureau of Child Support Enforcement [Bureau] shall enter
76 into purchase of service agreements with other state officials,
77 departments and agencies which do not have judicial or law
78 enforcement authority, including but not limited to, the Commissioner
79 of Administrative Services, to assist in administering the child support
80 enforcement plan. The Bureau of Child Support Enforcement [Bureau]

81 shall have authority to enter into such agreements with the Labor
82 Commissioner and to withhold unemployment compensation
83 pursuant to subsection (d) of this section and section 31-227.

84 (f) The [Connecticut] Bureau of Child Support Enforcement
85 [Bureau] shall have the sole responsibility to make referrals to the
86 federal Parent Locator Service established pursuant to 88 Stat. 2353
87 (1975), 42 USC 653, as amended, for the purpose of locating deserting
88 parents.

89 (g) The [Connecticut] Bureau of Child Support Enforcement
90 [Bureau] shall have the sole responsibility to make recommendations
91 to the Governor and the General Assembly for needed program
92 legislation to ensure implementation of Title IV-D of the Social Security
93 Act, as amended.

94 (h) (1) The [Connecticut] Bureau of Child Support Enforcement
95 [Bureau] shall provide, or arrange to provide through one or more of
96 the state offices, departments and agencies the same services for
97 obtaining and enforcing child support orders in cases in which
98 children are not beneficiaries of [TANF] TFA, Medicaid or foster care
99 as in cases where children are the beneficiaries of such aid. Such
100 services shall also be made available to residents of other states on the
101 same terms as to residents of this state. Support services in [non-TANF
102 support] cases other than TFA, Medicaid or foster care will be
103 provided upon application to the [Connecticut] Bureau of Child
104 Support Enforcement by the person seeking to enforce a child support
105 obligation and the payment of an application fee, pursuant to the
106 provisions of subsection (i) of this section.

107 (2) In addition to the application fee, the [Connecticut] Bureau of
108 Child Support Enforcement [Bureau] may assess costs incurred for the
109 establishment, enforcement or modification of a support order in [non-
110 TANF] cases other than TFA, Medicaid or foster care. Such assessment
111 shall be based on a fee schedule adopted by the Department of Social
112 Services pursuant to chapter 54. The fee schedule to be charged in

113 [non-TANF support] such cases shall be made available to any
114 individual upon request. The Bureau of Child Support Enforcement
115 [Bureau] shall adopt procedures for the notification of Superior Court
116 judges and family support magistrates when a fee has been assessed
117 an obligee for support services and a Superior Court judge or a family
118 support magistrate shall order the obligor to pay any such assessment
119 to the Bureau of Child Support Enforcement. [Bureau.] In cases where
120 such order is not entered, the obligee shall pay an amount based on a
121 sliding scale not to exceed the obligee's ability to pay. The Department
122 of Social Services shall adopt such sliding scale pursuant to chapter 54.

123 (3) The [Connecticut] Bureau of Child Support Enforcement
124 [Bureau] shall also, in the case of an individual who never received
125 temporary assistance for needy families and for whom the state has
126 collected at least five hundred dollars of support in a one-year period,
127 impose an annual fee of twenty-five dollars for each case in which
128 services are furnished. The annual fee shall be (A) retained by the state
129 from the support collected on behalf of the individual, but not from the
130 first five hundred dollars collected, (B) paid by the individual applying
131 for the services, (C) recovered from the noncustodial parent, or (D)
132 paid by the state.

133 (i) In [non-TANF] child support cases other than TFA, Medicaid or
134 foster care, the state shall impose an application fee in an amount
135 necessary to comply with federal law and regulations under Title IV-D
136 of the Social Security Act, which fee shall be paid by the state. The
137 amount of such fee shall be established by regulations adopted, in
138 accordance with the provisions of chapter 54, by the Commissioner of
139 Social Services and shall not exceed twenty-five dollars or such higher
140 or lower amount as the Secretary of the Department of Health and
141 Human Services may determine to be appropriate for any fiscal year to
142 reflect increases or decreases in administrative costs. The court in
143 which a child support obligation is sought to be enforced may order
144 the obligor to reimburse the state for such application fee. Recipients of
145 [TANF] TFA, foster care or Medicaid assistance whose eligibility for

146 aid is terminated shall be entitled to continuation of child support
147 enforcement services without requiring an application or the payment
148 of an application fee.

149 Sec. 2. Subsection (l) of section 17b-179 of the general statutes is
150 repealed and the following is substituted in lieu thereof (*Effective*
151 *October 1, 2010*):

152 (l) The [Connecticut] Bureau of Child Support Enforcement [Bureau]
153 shall arrange to provide a single centralized automated system for the
154 reporting of collections on all accounts established for the collection of
155 all IV-D support orders. Such reporting shall be made available to the
156 Family Support Magistrate Division and to all state agencies which
157 have a cooperative agreement with the IV-D agency. [On or before
158 October 1, 1998, such] Such automated system shall include a state case
159 registry which complies with federal law and regulations. The state
160 case registry shall contain information on each support order
161 established or modified in this state.

162 Sec. 3. Subparagraphs (A) and (B) of subdivision (5) of subsection (a)
163 of section 17b-745 of the general statutes are repealed and the
164 following is substituted in lieu thereof (*Effective October 1, 2010*):

165 (5) (A) The court or family support magistrate may also make and
166 enforce orders for the payment by any person named herein of past-
167 due support for which any such person is liable in accordance with the
168 provisions of [subsection (b) of section 17b-179, or] section 17a-90,
169 17b-81, subsection (b) of section 17b-179, section 17b-223, 46b-129 or
170 46b-130, [or] as amended by this act, and, in IV-D cases, [and] order
171 such person, provided such person is not incapacitated, to participate
172 in work activities that may include, but shall not be limited to, job
173 search, training, work experience and participation in the job training
174 and retraining program established by the Labor Commissioner
175 pursuant to section 31-3t. [The father's] A parent's liability for past-due
176 support of a child [born out of wedlock] shall be limited to the three
177 years next preceding the filing of a petition pursuant to this section.

178 (B) In the determination of child support due based on neglect or
179 refusal to furnish support prior to the action, the support due for
180 periods of time prior to the action shall be based upon the obligor's
181 ability to pay during such prior periods, as determined in accordance
182 with the child support guidelines established pursuant to section 46b-
183 215a, as amended by this act. The state shall disclose to the court any
184 information in its possession concerning current and past ability to
185 pay. If no information is available to the court concerning past ability
186 to pay, the court may determine the support due for periods of time
187 prior to the action as if past ability to pay is equal to current ability to
188 pay, if current ability to pay is known. If current ability to pay is not
189 known, the court shall determine the past ability to pay based on the
190 obligor's work history if known, or if not known, on the state
191 minimum wage that was in effect during such periods, provided only
192 actual earnings shall be used to determine ability to pay for past
193 periods during which the obligor was a full-time high school student
194 or was incarcerated, institutionalized or incapacitated.

195 Sec. 4. Subdivision (8) of subsection (a) of section 17b-745 of the
196 general statutes is repealed and the following is substituted in lieu
197 thereof (*Effective October 1, 2010*):

198 (8) Failure of any defendant to obey an order of the court or Family
199 Support Magistrate Division made under this section may be punished
200 as contempt of court. If the summons and order is signed by a
201 commissioner of the Superior Court, upon proof of service of the
202 summons to appear in court or before a family support magistrate and
203 upon the failure of the defendant to appear at the time and place
204 named for hearing upon the petition, request may be made by the
205 petitioner to the court or family support magistrate for an order that a
206 *capias mittimus* be issued. Except as otherwise provided, upon proof
207 of the service of the summons to appear in court or before a family
208 support magistrate at the time and place named for a hearing upon the
209 failure of the defendant to obey the court order as contempt of court,
210 the court or the family support magistrate may order a *capias mittimus*

211 to be issued and directed to [some] a judicial marshal pursuant to
212 section 43 of this act, or any other proper officer to arrest such
213 defendant and bring such defendant before the Superior Court for the
214 contempt hearing. The costs of commitment of any person imprisoned
215 [therefor] for contempt shall be paid by the state as in criminal cases.
216 When any such defendant is so found in contempt, the court or family
217 support magistrate may award to the petitioner a reasonable attorney's
218 fee and the fees of the officer serving the contempt citation, such sums
219 to be paid by the person found in contempt.

220 Sec. 5. Subsection (b) of section 17b-745 of the general statutes is
221 repealed and the following is substituted in lieu thereof (*Effective*
222 *October 1, 2010*):

223 (b) Except as provided in sections 46b-212 to [46b-213v] 46b-213w,
224 inclusive, as amended by this act, any court or family support
225 magistrate, called upon to enforce a support order, shall insure that
226 such order is reasonable in light of the obligor's ability to pay. Except
227 as provided in sections 46b-212 to [46b-213v] 46b-213w, inclusive, as
228 amended by this act, any support order entered pursuant to this
229 section, or any support order from another jurisdiction subject to
230 enforcement by the state of Connecticut, may be modified by motion of
231 the party seeking such modification, including Support Enforcement
232 Services in [TANF] IV-D support cases as defined in subdivision [(14)]
233 (13) of subsection (b) of section 46b-231, as amended by this act, or as
234 provided in subdivision (4) of subsection (s) of section 46b-231, as
235 amended by this act, upon a showing of a substantial change in the
236 circumstances of either party or upon a showing that the final order for
237 child support substantially deviates from the child support guidelines
238 established pursuant to section 46b-215a, as amended by this act,
239 unless there was a specific finding on the record that the application of
240 the guidelines would be inequitable or inappropriate, provided the
241 court or family support magistrate finds that the obligor or the obligee
242 and any other interested party have received actual notice of the
243 pendency of such motion and of the time and place of the hearing on

244 such motion. There shall be a rebuttable presumption that any
245 deviation of less than fifteen per cent from the child support guidelines
246 is not substantial and any deviation of fifteen per cent or more from
247 the guidelines is substantial. Modification may be made of such
248 support order without regard to whether the order was issued before,
249 on or after May 9, 1991. In any hearing to modify any support order
250 from another jurisdiction the court or the family support magistrate
251 shall conduct the proceedings in accordance with [the procedure set
252 forth in] sections 46b-213o to [46b-213q] 46b-213r, inclusive. No such
253 support orders may be subject to retroactive modification, except that
254 the court or family support magistrate may order modification with
255 respect to any period during which there is a pending motion for a
256 modification of an existing support order from the date of service of
257 notice of such pending motion upon the opposing party pursuant to
258 section 52-50.

259 Sec. 6. Subsection (d) of section 19a-42 of the 2010 supplement to the
260 general statutes is repealed and the following is substituted in lieu
261 thereof (*Effective October 1, 2010*):

262 (d) (1) Upon receipt of (A) an acknowledgment of paternity
263 executed in accordance with the provisions of subsection (a) of section
264 46b-172 by both parents of a child born out of wedlock, or (B) a
265 certified copy of an order of a court of competent jurisdiction
266 establishing the paternity of a child born out of wedlock, the
267 commissioner shall include on or amend, as appropriate, such child's
268 birth certificate to show such paternity if paternity is not already
269 shown on such birth certificate and to change the name of the child if
270 so indicated on the acknowledgment of paternity form or within the
271 certified court order as part of the paternity action.

272 (2) If another father is listed on the birth certificate, the
273 commissioner shall not remove or replace the father's information
274 unless presented with a certified court order that meets the
275 requirements specified in section 7-50, or upon the proper filing of a

276 rescission, in accordance with the provisions of section 46b-172, as
277 amended by this act. The commissioner shall thereafter amend such
278 child's birth certificate to remove or change the father's name and to
279 change the name of the child, as requested at the time of the filing of a
280 rescission, in accordance with the provisions of section 46b-172, as
281 amended by this act. Birth certificates amended under this subsection
282 shall not be marked "Amended".

283 [(3) A fee of fifty dollars shall be charged by the department for each
284 amendment to a birth certificate requested pursuant to this subsection
285 which request is not received from a hospital, a state agency or a court
286 of competent jurisdiction.]

287 Sec. 7. Section 19a-42a of the general statutes is repealed and the
288 following is substituted in lieu thereof (*Effective October 1, 2010*):

289 (a) All (1) voluntary acknowledgments of paternity and rescissions
290 of such acknowledgments executed in accordance with subsection (a)
291 of section 46b-172, and (2) adjudications of paternity issued by a court
292 or family support magistrate under section 46b-171, as amended by
293 this act, section 46b-172a or any other provision of the general statutes
294 shall be filed in the paternity registry maintained by the Department of
295 Public Health. All information in such registry shall be made available
296 to the IV-D agency, as defined in subdivision (12) of subsection (b) of
297 section 46b-231, as amended by this act, for comparison with
298 information in the state case registry established under subsection (l) of
299 section 17b-179, as amended by this act. The IV-D agency may disclose
300 information in the paternity registry to an agency under cooperative
301 agreement with the IV-D agency for child support enforcement
302 purposes.

303 (b) Except for the IV-D agency, as provided in subsection (a) of this
304 section, the department shall restrict access to and issuance of certified
305 copies of acknowledgments of paternity to the following parties: (1)
306 Parents named on the acknowledgment of paternity; (2) the person
307 whose birth is acknowledged, if such person is over eighteen years of

308 age; (3) an authorized representative of the Department of Social
309 Services; (4) an attorney representing such person or a parent named
310 on the acknowledgment; or (5) agents of a state or federal agency, as
311 approved by the department.

312 Sec. 8. Subdivision (4) of subsection (b) of section 46b-56c of the
313 general statutes is repealed and the following is substituted in lieu
314 thereof (*Effective October 1, 2010*):

315 (4) On motion or petition of a parent, the court may enter an
316 educational support order at the time of entering an order pursuant to
317 any other provision of the general statutes authorizing the court to
318 make an order of support for a child, subject to the provisions of
319 sections 46b-212 to [46b-213v] 46b-213w, inclusive, as amended by this
320 act.

321 Sec. 9. Section 46b-62 of the general statutes is repealed and the
322 following is substituted in lieu thereof (*Effective October 1, 2010*):

323 In any proceeding seeking relief under the provisions of this chapter
324 and sections 17b-743, 17b-744, 45a-257, 46b-1, 46b-6, 46b-212 to [46b-
325 213v] 46b-213w, inclusive, as amended by this act, 47-14g, 51-348a and
326 52-362, as amended by this act, the court may order either spouse or, if
327 such proceeding concerns the custody, care, education, visitation or
328 support of a minor child, either parent to pay the reasonable attorney's
329 fees of the other in accordance with their respective financial abilities
330 and the criteria set forth in section 46b-82. If, in any proceeding under
331 this chapter and said sections, the court appoints an attorney for a
332 minor child, the court may order the father, mother or an intervening
333 party, individually or in any combination, to pay the reasonable fees of
334 the attorney or may order the payment of the attorney's fees in whole
335 or in part from the estate of the child. If the child is receiving or has
336 received state aid or care, the compensation of the attorney shall be
337 established and paid by the Commission on Child Protection.

338 Sec. 10. Subsection (c) of section 46b-86 of the general statutes is

339 repealed and the following is substituted in lieu thereof (*Effective*
340 *October 1, 2010*):

341 (c) When one of the parties, or a child of the parties, is receiving or
342 has received aid or care from the state under its aid to families with
343 dependent children [program] or temporary family assistance [for
344 needy families] program, HUSKY Plan, Part A, or [under its] foster
345 care program as provided in Title IV-E of the Social Security Act, or
346 [where] when one of the parties has applied for child support
347 enforcement services under Title IV-D of the Social Security Act as
348 provided in section 17b-179, as amended by this act, such motion to
349 modify shall be filed with the Family Support Magistrate Division for
350 determination in accordance with subsection (m) of section 46b-231, as
351 amended by this act.

352 Sec. 11. Section 46b-130 of the general statutes is repealed and the
353 following is substituted in lieu thereof (*Effective October 1, 2010*):

354 The parents of a minor child for whom care or support of any kind
355 has been provided under the provisions of this chapter shall be liable
356 to reimburse the state for such care or support to the same extent, and
357 under the same terms and conditions, as are the parents of recipients of
358 public assistance. Upon receipt of foster care maintenance payments
359 under Title IV-E of the Social Security Act by a minor child, the right of
360 support, [present,] past, present and future, from a parent of such child
361 shall, by this section, be assigned to the Commissioner of Children and
362 Families. Referral by the commissioner shall promptly be made to the
363 Bureau of Child Support Enforcement [Unit] of the Department of
364 Social Services for pursuit of support for such minor child in
365 accordance with the provisions of section 17b-179, as amended by this
366 act. Any child who reimburses the state under the provisions of
367 subsection (l) of section 46b-129 for any care or support such child
368 received shall have a right of action to recover such payments from
369 such child's parents.

370 Sec. 12. Subsection (a) of section 46b-168a of the general statutes is

371 repealed and the following is substituted in lieu thereof (*Effective*
372 *October 1, 2010*):

373 (a) In any IV-D support case, as defined in subdivision (13) of
374 subsection (b) of section 46b-231, as amended by this act, in which the
375 paternity of a child is at issue, or in any case in which a support
376 enforcement agency is providing services to a petitioner in a
377 proceeding under sections 46b-212 to [46b-213v] 46b-213w, inclusive,
378 as amended by this act, in which the paternity of a child is at issue, the
379 IV-D agency or the support enforcement agency shall require the child
380 and all other parties other than individuals who have good cause for
381 refusing to cooperate or who are subject to other exceptions to submit
382 to genetic tests which shall mean deoxyribonucleic acid tests, to be
383 performed by a hospital, accredited laboratory, qualified physician or
384 other qualified person designated by such agency, to determine
385 whether or not the putative father or husband is the father of the child,
386 upon the request of any such party, provided such request is
387 supported by a sworn statement by the party which either (1) alleges
388 paternity and sets forth facts establishing a reasonable possibility of
389 the requisite sexual contact between the parties, or (2) denies paternity
390 and sets forth facts establishing a reasonable possibility of the
391 nonexistence of sexual contact between the parties.

392 Sec. 13. Section 46b-170 of the general statutes is repealed and the
393 following is substituted in lieu thereof (*Effective October 1, 2010*):

394 No [such] petition under section 46b-160 shall be withdrawn except
395 upon approval of a judge or in IV-D support cases as defined in
396 subsection (b) of section 46b-231, as amended by this act, and petitions
397 brought under sections 46b-212 to [46b-213v] 46b-213w, inclusive, as
398 amended by this act, the family support magistrate assigned to the
399 judicial district in which the petition was brought. Any agreement of
400 settlement, before or after a petition has been brought, other than an
401 agreement made under the provisions of section 46b-172, as amended
402 by this act, between the mother and putative father shall take effect

403 only upon approval of the terms thereof by a judge of the Superior
404 Court, or family support magistrate assigned to the judicial district in
405 which the mother or the putative father resides and, in the case of
406 children supported by the state or the town, on the approval of the
407 Commissioner of Social Services or the Attorney General. When so
408 approved, such agreements shall be binding upon all persons
409 executing them, whether such person is a minor or an adult.

410 Sec. 14. Subdivision (3) of subsection (a) of section 46b-171 of the
411 general statutes is repealed and the following is substituted in lieu
412 thereof (*Effective October 1, 2010*):

413 (3) The court or family support magistrate may also make and
414 enforce orders for the payment by any person named herein of past-
415 due support for which the defendant is liable in accordance with the
416 provisions of section 17b-81, 17b-223, subsection (b) of section 17b-179,
417 as amended by this act, section 17a-90, 46b-129 or 46b-130, as amended
418 by this act, and, in IV-D cases, [and] order such person, provided such
419 person is not incapacitated, to participate in work activities which may
420 include, but shall not be limited to, job search, training, work
421 experience and participation in the job training and retraining program
422 established by the Labor Commissioner pursuant to section 31-3t. The
423 defendant's liability for past-due support under this subdivision shall
424 be limited to the three years next preceding the filing of the petition.

425 Sec. 15. Subdivision (1) of subsection (b) of section 46b-172 of the
426 general statutes is repealed and the following is substituted in lieu
427 thereof (*Effective October 1, 2010*):

428 (b) (1) An agreement to support the child by payment of a periodic
429 sum until the child attains the age of eighteen years or as otherwise
430 provided in this subsection, together with provisions for
431 reimbursement for past-due support based upon ability to pay in
432 accordance with the provisions of subsection (b) of section 17b-179, as
433 amended by this act, or section 17a-90, 17b-81, 17b-223, 46b-129 or 46b-
434 130, as amended by this act, and reasonable expense of prosecution of

435 the petition, when filed with and approved by a judge of the Superior
436 Court, or in IV-D support cases and matters brought under sections
437 46b-212 to [46b-213v] 46b-213w, inclusive, as amended by this act, a
438 family support magistrate at any time, shall have the same force and
439 effect, retroactively or prospectively in accordance with the terms of
440 [said] the agreement, as an order of support entered by the court, and
441 shall be enforceable and subject to modification in the same manner as
442 is provided by law for orders of the court in such cases. If such child is
443 unmarried and a full-time high school student, such support shall
444 continue according to the parents' respective abilities to pay, if such
445 child is in need of support, until such child completes the twelfth
446 grade or attains the age of nineteen, whichever occurs first.

447 Sec. 16. Subdivision (1) of subsection (c) of section 46b-172 of the
448 general statutes is repealed and the following is substituted in lieu
449 thereof (*Effective October 1, 2010*):

450 (c) (1) At any time after the signing of any acknowledgment of
451 paternity, upon the application of any interested party, the court or
452 any judge thereof or any family support magistrate in IV-D support
453 cases and in matters brought under sections 46b-212 to [46b-213v] 46b-
454 213w, inclusive, as amended by this act, shall cause a summons, signed
455 by such judge or family support magistrate, by the clerk of the court or
456 by a commissioner of the Superior Court, to be issued, requiring the
457 acknowledged father to appear in court at a time and place as
458 determined by the clerk but not more than ninety days after the
459 issuance of the summons, to show cause why the court or the family
460 support magistrate assigned to the judicial district in IV-D support
461 cases should not enter judgment for support of the child by payment of
462 a periodic sum until the child attains the age of eighteen years or as
463 otherwise provided in this subsection, together with provision for
464 reimbursement for past-due support based upon ability to pay in
465 accordance with the provisions of subsection (b) of section 17b-179, as
466 amended by this act, or section 17a-90, 17b-81, 17b-223, 46b-129 or 46b-
467 130, as amended by this act, a provision for health coverage of the

468 child as required by section 46b-215, as amended by this act, and
469 reasonable expense of the action under this subsection. If such child is
470 unmarried and a full-time high school student such support shall
471 continue according to the parents' respective abilities to pay, if such
472 child is in need of support, until such child completes the twelfth
473 grade or attains the age of nineteen, whichever occurs first.

474 Sec. 17. Section 46b-207 of the general statutes is repealed and the
475 following is substituted in lieu thereof (*Effective October 1, 2010*):

476 The court is authorized to establish and maintain Support
477 Enforcement Services and such offices thereof as it determines are
478 necessary for the proper handling of the administrative details incident
479 to proceedings under sections 46b-212 to [46b-213v] 46b-213w,
480 inclusive, as amended by this act, and may appoint such personnel as
481 necessary for the proper administration of the nonjudicial functions of
482 proceedings under sections 46b-212 to [46b-213v] 46b-213w, inclusive,
483 as amended by this act.

484 Sec. 18. Section 46b-208 of the general statutes is repealed and the
485 following is substituted in lieu thereof (*Effective October 1, 2010*):

486 The support service investigators of Support Enforcement Services
487 of the Superior Court shall, while acting within the scope of their
488 duties as such, pursuant to matters under sections 46b-212 to [46b-
489 213v] 46b-213w, inclusive, as amended by this act, have the powers of
490 service and of execution of summons and orders for withholding, and
491 the conduct of investigations.

492 Sec. 19. Subsection (a) of section 46b-213d of the general statutes is
493 repealed and the following is substituted in lieu thereof (*Effective*
494 *October 1, 2010*):

495 (a) The Bureau of Child Support Enforcement [Bureau] of the
496 Department of Social Services, or its designated collection agent, and
497 any tribunal shall disburse promptly any amounts received pursuant

498 to a support order, as directed by the order. The bureau, agent or
499 tribunal shall furnish to a requesting party or tribunal of another state
500 a certified statement by the custodian of the record of the amounts and
501 dates of all payments received.

502 Sec. 20. Section 46b-213w of the 2010 supplement to the general
503 statutes is repealed and the following is substituted in lieu thereof
504 (*Effective October 1, 2010*):

505 (a) An income withholding order issued in another state may be
506 sent by or on behalf of the obligee, or by the support enforcement
507 agency, to the person defined as the obligor's employer under section
508 52-362, as amended by this act, without first filing a petition or
509 comparable pleading or registering the order in the registry of support
510 orders of the Family Support Magistrate Division.

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

516 (c) The Department of Social Services shall [distribute] make
517 available to all employers in this state a standard notice and claim
518 form, written in clear and simple language, which shall include:

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

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

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

528 (4) Notice of the right to object to the validity or enforcement of such
529 income withholding order in a court in this state and of the right to
530 seek modification of the underlying support order in the court of
531 continuing exclusive jurisdiction;

532 (5) Notice of the right to seek the assistance of the Bureau of Child
533 Support Enforcement of the Department of Social Services and the toll-
534 free telephone number at which the bureau can be contacted;

535 (6) A claim form which shall include (A) a list of the most common
536 defenses and exemptions to such income withholding order in a
537 manner which allows the obligor to check any of the defenses and
538 exemptions which apply; (B) a space where the obligor may briefly
539 explain the obligor's claim or defense; (C) a space where the obligor
540 may initiate a request for services to modify the support order and the
541 address of the Bureau of Child Support Enforcement of the
542 Department of Social Services to which such request may be sent; (D) a
543 space for the obligor to provide the obligor's address and the name of
544 the town in which the obligor principally conducts the obligor's work
545 for the employer; (E) a space for the obligor to sign the obligor's name;
546 (F) the address of [the Bureau of Child Support Enforcement of the
547 Department of Social Services] Support Enforcement Services to which
548 the claim form is to be sent in order to contest the validity or
549 enforcement of the income withholding order; [or to initiate a request
550 for modification;] and (G) space for the employer to state the date
551 upon which the form was actually delivered to the obligor.

552 (d) The employer shall treat an income withholding order issued in
553 another state which appears regular on its face as if it had been issued
554 by a tribunal of this state.

555 (e) Except as otherwise provided in subsections (f), [and] (g) and (l)
556 of this section, the employer shall withhold and distribute the funds as
557 directed in the withholding order by complying with terms of the
558 order which specify: (1) The duration and amount of periodic
559 payments of current child support, stated as a sum certain; (2) the

560 person designated to receive payments and the address to which the
561 payments are to be forwarded; (3) medical support, whether in the
562 form of periodic cash payment, stated as a sum certain, or ordering the
563 obligor to provide health insurance coverage for the child under a
564 policy available through the obligor's employment, subject to the
565 provisions of subsection (e) of section 38a-497a; (4) the amount of
566 periodic payments of fees and costs for a support enforcement agency,
567 the issuing tribunal and the obligee's attorney, stated as sums certain;
568 and (5) the amount of periodic payments of arrearages and interest on
569 arrearages, stated as sums certain.

570 (f) The employer shall comply with the law of this state for
571 withholding from income with respect to: (1) The prohibition against
572 an employer's fee for processing an income withholding order; (2) the
573 maximum amount permitted to be withheld from the obligor's income;
574 and (3) the time period within which the employer must implement
575 the withholding order and forward the child support payment.

576 (g) If an employer receives two or more income withholding orders
577 with respect to the earnings of the same obligor, the employer satisfies
578 the terms of such orders if the employer complies with the law of this
579 state to establish the priorities for withholding and allocating income
580 withheld for two or more child support obligees.

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

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

589 (j) An obligor may contest the validity or enforcement of an income
590 withholding order issued in another state and received directly by an

591 employer in this state by: (1) Registering the order in accordance with
592 section 46b-213h and filing a contest to that order as provided in
593 section 46b-213l notwithstanding the obligor is the registering party;
594 (2) otherwise contesting the order in the same manner as if the order
595 had been issued by a tribunal of this state; or (3) mailing to [the Bureau
596 of Child Support Enforcement of the Department of Social Services]
597 Support Enforcement Services the claim form delivered to the obligor
598 pursuant to subsection (b) of this section, signed by the obligor and
599 containing his address and a copy of the income withholding order.
600 [The obligor shall also deliver a copy of such claim form to the
601 employer.]

602 (k) Upon receipt of a claim form contesting the validity or
603 enforcement of an income withholding order, [the Bureau of Child
604 Support Enforcement shall within seven days notify the employer of
605 the receipt of the claim form. The bureau] Support Enforcement
606 Services shall: [also give] (1) Give notice of the contest to [(1)] (A) the
607 support enforcement agency providing services to the obligee; [(2)] (B)
608 each employer that has directly received an income withholding order
609 relating to the obligor; [(3)] (C) the person designated to receive
610 payments in the income withholding order; and [(4)] (D) if the
611 obligee's address is known, the obligee; [. In addition, the bureau shall
612 immediately cause the income withholding order to be registered in
613 this state in accordance with section 46b-213h. The bureau shall also
614 immediately] (2) file the claim form and a copy of the income
615 withholding order on behalf of the obligor with [Support Enforcement
616 Services acting on behalf of] the Family Support Magistrate Division;
617 and (3) notify the person or agency that sent the income withholding
618 order to file not less than ten days before the scheduled hearing: (A)
619 Two copies, including one certified copy of the underlying support
620 order, including any modification of such order; and (B) a sworn
621 statement showing the amount of any arrearage together with the last
622 court determination of an arrearage and an accounting of the arrearage
623 since such determination.

624 (l) [The] Upon receipt of a claim form filed by Support Enforcement
625 Services on behalf of the obligor in accordance with subsection (k) of
626 this section, the clerk shall promptly enter the appearance of the
627 obligor, schedule a hearing, and give notice of the hearing to the
628 obligor, [the Bureau of Child Support Enforcement] Support
629 Enforcement Services, the party initiating the income withholding
630 order, and, if the obligee's address is known, the obligee. [The clerk
631 shall proceed in accordance with subsection (d) of section 52-362.] The
632 family support magistrate shall promptly hear and determine the
633 claim and enter its determination within forty-five days from the date
634 of the filing of the claim form. The family support magistrate shall use
635 the procedures in sections 46b-213a to 46b-213c, inclusive, to obtain
636 additional evidence and information as needed for a prompt
637 determination on the claim. If the person or agency that sent the
638 income withholding order fails to file the documents described in
639 subdivision (3) of subsection (k) of this section or fails to comply with a
640 reasonable request for information or documents made under section
641 46b-213b or 46b-213c, the family support magistrate may: (1) Continue
642 the hearing for a period of not more than an additional forty-five days
643 and direct Support Enforcement Services to provide such notice as
644 may be appropriate; (2) order a temporary or partial stay of income
645 withholding for a period not to exceed forty-five days; or (3) sustain
646 the obligor's objection to the validity or enforcement of the income
647 withholding order and enjoin the employer from complying with such
648 order. In addition to any notice given by the clerk, upon entry of the
649 decision of the family support magistrate on the claim, [the bureau]
650 Support Enforcement Services shall give notice of the decision to each
651 employer that has directly received an income withholding order
652 related to the obligor, the party initiating the income withholding
653 order, the obligor and, if the obligee's address is known, the obligee.

654 [(l)] (m) If the claim form requests services to modify the support
655 order, the Bureau of Child Support Enforcement shall assist the obligor
656 to file a motion for modification with the appropriate tribunal of the
657 state of continuing exclusive jurisdiction in accordance with the law of

658 that jurisdiction. The receipt of the request for modification shall
659 constitute a request for Title IV-D services, but the bureau may require
660 the making of a formal application. Such assistance shall include, but is
661 not limited to, providing the obligor with information about how such
662 a motion is filed, contacting the state of continuing exclusive
663 jurisdiction on behalf of the obligor to obtain appropriate forms, and
664 transmitting such forms and applicable information to the appropriate
665 tribunal in such state.

666 [(m)] (n) Venue for contested claims under this section shall be the
667 family support magistrate division of the superior court in the judicial
668 district in which the obligor resides, provided (1) if the obligor does
669 not reside in this state, venue shall be in the judicial district in which
670 the obligor principally conducts his work for the employer who is
671 subject to the income withholding order, and (2) if there is an existing
672 action concerning support of the child or children who are the subject
673 of the income withholding order, the claim shall be filed in that action.

674 Sec. 21. Subdivision (1) of subsection (a) of section 46b-215 of the
675 general statutes is repealed and the following is substituted in lieu
676 thereof (*Effective October 1, 2010*):

677 (a) (1) (A) The Superior Court or a family support magistrate may
678 make and enforce orders for payment of support against any person
679 who neglects or refuses to furnish necessary support to such person's
680 spouse or a child under the age of eighteen or as otherwise provided in
681 this subsection, according to such person's ability to furnish such
682 support, notwithstanding the provisions of section 46b-37. If such child
683 is unmarried and a full-time high school student, such support shall
684 continue according to the parents' respective abilities, if such child is in
685 need of support, until such child completes the twelfth grade or attains
686 the age of nineteen, whichever occurs first.

687 (B) In the case of a petition brought pursuant to subparagraph (A) of
688 this subdivision for the support of a child in a IV-D support case, as
689 defined in subdivision (13) of subsection (b) of section 46b-231, as

690 amended by this act, the application for services under subsection (h)
691 of section 17b-179, as amended by this act, or the granting of financial
692 or medical assistance shall establish a rebuttable presumption of
693 neglect and refusal to support. The court shall inform the parties what
694 evidence may rebut the presumption.

695 Sec. 22. Subparagraph (A) of subdivision (7) of subsection (a) of
696 section 46b-215 of the general statutes is repealed and the following is
697 substituted in lieu thereof (*Effective October 1, 2010*):

698 (7) (A) The court or family support magistrate may also determine,
699 order and enforce payment of any support due because of neglect or
700 refusal to furnish support for periods prior to the action. [In the case of
701 a child born out of wedlock whose parents have not intermarried, the
702 father's] A parent's liability for such support shall be limited to the
703 three years next preceding the filing of a petition or written agreement
704 to support pursuant to this section.

705 Sec. 23. Subparagraph (C) of subdivision (8) of subsection (a) of
706 section 46b-215 of the general statutes is repealed and the following is
707 substituted in lieu thereof (*Effective October 1, 2010*):

708 (C) The court [,] or any judge thereof, when said court or judge is
709 not sitting, or a family support magistrate, when said [court or] family
710 support magistrate is not sitting, may require the defendant or
711 defendants to become bound, with sufficient surety, to the state, town
712 or person bringing the complaint, to abide such judgment as may be
713 rendered on such complaint. Failure of the defendant or defendants to
714 obey any order made under this section [,] may be punished as
715 contempt of court and the costs of commitment of any person
716 imprisoned [therefor] for contempt shall be paid by the state as in
717 criminal cases. Except as otherwise provided, upon proof of the service
718 of the summons to appear in court or before a family support
719 magistrate at the time and place named for a hearing upon the failure
720 of the defendant or defendants to obey such court order or order of the
721 family support magistrate, the court or family support magistrate may

722 order a *capias mittimus* be issued, and directed to [some] a judicial
723 marshal pursuant to section 43 of this act or any other proper officer to
724 arrest such defendant or defendants and bring such defendant or
725 defendants before the Superior Court for the contempt hearing. When
726 any person is found in contempt under this section, the court or family
727 support magistrate may award to the petitioner a reasonable attorney's
728 fee and the fees of the officer serving the contempt citation, such sums
729 to be paid by the person found in contempt.

730 Sec. 24. Subsection (b) of section 46b-215 of the general statutes is
731 repealed and the following is substituted in lieu thereof (*Effective*
732 *October 1, 2010*):

733 (b) The Attorney General of the state of Connecticut and the
734 attorney representing a town [,] shall become a party for the interest of
735 the state of Connecticut and such town [,] in any proceedings for
736 support which concerns any person who is receiving or has received
737 public assistance or care from the state or any town. The Attorney
738 General shall represent the IV-D agency in [non-TANF] non-TFA IV-D
739 support cases if the IV-D agency determines that such representation is
740 required pursuant to guidelines issued by the Commissioner of Social
741 Services.

742 Sec. 25. Subsection (e) of section 46b-215 of the general statutes is
743 repealed and the following is substituted in lieu thereof (*Effective*
744 *October 1, 2010*):

745 (e) [Any] Except as provided in sections 46b-212 to 46b-213w,
746 inclusive, as amended by this act, any court or family support
747 magistrate, called upon to enforce a support order, shall insure that
748 such order is reasonable in light of the obligor's ability to pay. [Any]
749 Except as provided in sections 46b-212 to 46b-213w, inclusive, as
750 amended by this act, any support order entered pursuant to this
751 section, or any support order from another jurisdiction subject to
752 enforcement by the state of Connecticut, may be modified by motion of
753 the party seeking such modification upon a showing of a substantial

754 change in the circumstances of either party or upon a showing that
755 such support order substantially deviates from the child support
756 guidelines established pursuant to section 46b-215a, as amended by
757 this act, unless there was a specific finding on the record that the
758 application of the guidelines would be inequitable or inappropriate,
759 provided the court or family support magistrate finds that the obligor
760 or the obligee and any other interested party have received actual
761 notice of the pendency of such motion and of the time and place of the
762 hearing on such motion. There shall be a rebuttable presumption that
763 any deviation of less than fifteen per cent from the child support
764 guidelines is not substantial and any deviation of fifteen per cent or
765 more from the guidelines is substantial. Modification may be made of
766 such support order without regard to whether the order was issued
767 before, on or after May 9, 1991. No such support orders may be subject
768 to retroactive modification, except that the court or family support
769 magistrate may order modification with respect to any period during
770 which there is a pending motion for a modification of an existing
771 support order from the date of service of the notice of such pending
772 motion upon the opposing party pursuant to section 52-50. In any
773 hearing to modify any support order from another jurisdiction the
774 court or the family support magistrate shall conduct the proceedings in
775 accordance with [the procedure set forth in] sections 46b-213o to [46b-
776 213q] 46b-213r, inclusive.

777 Sec. 26. Section 46b-215a of the general statutes is repealed and the
778 following is substituted in lieu thereof (*Effective October 1, 2010*):

779 (a) The Commission for Child Support Guidelines is established to
780 [review the] issue child support and arrearage guidelines
781 [promulgated pursuant to section 8 of public act 85-548*, to establish
782 criteria for the establishment of guidelines] to ensure the
783 appropriateness of criteria for the establishment of child support
784 awards and to review and issue updated guidelines [not later than
785 October 1, 1993, and] every four years. [thereafter. Not later than
786 January 1, 1992, the commission shall also establish criteria and

787 promulgate guidelines to ensure that such] Such guidelines shall
788 ensure, subject to section 46b-215c, as amended by this act, that the
789 child support award consisting of current support, health care
790 coverage, child care contribution and orders of payment on any
791 arrearage and past due support shall be based on the income of both
792 parents and the obligor's ability to pay. Such guidelines shall also
793 ensure the appropriateness of periodic [payments of] payment orders
794 on arrearages when the obligor (1) is the child's legal guardian and
795 resides with the child, or (2) is not the child's legal guardian but has
796 resided with the child either for at least six months immediately
797 preceding the order of payment [of] on the arrearage or for at least six
798 months of the twelve months immediately preceding such order. In
799 such cases, [the commission shall consider exemptions similar to those
800 in the uniform contribution scale adopted pursuant to section 4a-12.
801 Updated arrearage guidelines shall be issued at the same time as the
802 child support guidelines] the guidelines shall require the payment
803 order to be no more than one dollar per week if the obligor's gross
804 income is less than or equal to two hundred fifty per cent of the federal
805 poverty guidelines for the obligor's household size or, if the obligor's
806 income is above that amount, no more than twenty per cent of the
807 imputed current support obligation.

808 (b) The commission shall consist of eleven members as follows: The
809 Chief Court Administrator or his designee, the Commissioner of Social
810 Services or his designee, the Attorney General or his designee, the
811 chairpersons and ranking members of the joint standing committee on
812 judiciary or their designees and a representative of the Connecticut Bar
813 Association [, a representative of legal services, a person who]
814 designated by the association, and three members appointed by the
815 Governor, one of whom represents legal services, one of whom
816 represents the financial concerns of child support obligors and [a
817 representative of] one of whom represents the Permanent Commission
818 on the Status of Women. [, all of whom shall be appointed by the
819 Governor.] The Commissioner of Social Services shall convene the
820 commission whenever a review is required to issue updated guidelines

821 pursuant to subsection (a) of this section. The chairperson of the
822 commission shall be elected by the members of the commission. A
823 vacancy on the commission at any time shall not invalidate any actions
824 taken by the commission during such vacancy, provided at least nine
825 members are serving at such time.

826 Sec. 27. Section 46b-215b of the general statutes is repealed and the
827 following is substituted in lieu thereof (*Effective October 1, 2010*):

828 (a) The child support and arrearage guidelines [established] issued
829 pursuant to section 46b-215a, as amended by this act, adopted as
830 regulations pursuant to section 46b-215c, as amended by this act, and
831 in effect on the date of the support determination shall be considered
832 in all determinations of child support award amounts, including any
833 current support, health care coverage, child care contribution and past-
834 due support amounts, and payment on arrearages and past-due
835 support within the state. In all such determinations, there shall be a
836 rebuttable presumption that the amount of such awards which
837 resulted from the application of such guidelines is the amount [of
838 support, including any past-due support, or payment on any arrearage
839 or past-due support] to be ordered. A specific finding on the record
840 that the application of the guidelines would be inequitable or
841 inappropriate in a particular case, as determined under the deviation
842 criteria established by the Commission for Child Support Guidelines
843 under section 46b-215a, as amended by this act, shall be required in
844 order to rebut the presumption in such case.

845 (b) In any determination pursuant to subsection (a) of this section,
846 when a party has been determined by the Social Security
847 Administration, or a state agency authorized to award disability
848 benefits, to qualify for disability benefits under the federal
849 Supplemental Security Income Program, the Social Security disability
850 program, the state supplement to the federal Supplemental Security
851 Income Program, or the state-administered general assistance
852 program, parental earning capacity shall not be a basis for deviating

853 from the presumptive support amount that results from the
854 application of the child support guidelines to such party's income.

855 (c) In any proceeding for the establishment or modification of a
856 child support award, the child support and arrearage guidelines shall
857 be considered in addition to and not in lieu of the criteria for such
858 awards established in sections 46b-84, 46b-86, as amended by this act,
859 46b-130, as amended by this act, 46b-171, as amended by this act, 46b-
860 172, as amended by this act, 46b-215, as amended by this act, 17b-179,
861 as amended by this act, and 17b-745, as amended by this act.

862 Sec. 28. Section 46b-215c of the general statutes is repealed and the
863 following is substituted in lieu thereof (*Effective October 1, 2010*):

864 (a) Notwithstanding the provisions of sections [46b-215] 46b-215a,
865 as amended by this act, and 46b-215b, as amended by this act, updated
866 child support and arrearage guidelines issued by the Commission for
867 Child Support Guidelines pursuant to section 46b-215a, as amended by
868 this act, shall be submitted by the commission to the standing
869 legislative regulation review committee and adopted as regulations in
870 accordance with the provisions of chapter 54.

871 (b) Nothing in this section shall affect the validity of a child support
872 order issued pursuant to any guidelines promulgated pursuant to
873 section 46b-215a, as amended by this act, prior to the approval of [any]
874 such guidelines pursuant to the provisions of this section.

875 Sec. 29. Subsection (b) of section 46b-231 of the general statutes is
876 repealed and the following is substituted in lieu thereof (*Effective*
877 *October 1, 2010*):

878 (b) For the purposes of this section:

879 (1) "Chief Family Support Magistrate" means the family support
880 magistrate designated by the Chief Court Administrator as provided
881 in subsection (g) of this section;

882 (2) "Child support enforcement services" means the services
883 provided by the IV-D agency or an agency under cooperative or
884 purchase of service agreement therewith pursuant to Title IV-D of the
885 Social Security Act, including, but not limited to, location;
886 establishment of paternity; establishment, modification and
887 enforcement of child and medical support orders; and the collection
888 and distribution of support payments;

889 (3) "Commissioner" means the Commissioner of Social Services or a
890 designee or authorized representative;

891 (4) "Bureau of Child Support Enforcement" means a division within
892 the Department of Social Services established pursuant to section
893 17b-179, as amended by this act;

894 (5) "Department" means the Department of Social Services or any
895 bureau, division or agency of the Department of Social Services;

896 (6) "Family Support Magistrate Division" means a division of the
897 Superior Court created by this section for the purpose of establishing
898 and enforcing child and spousal support in IV-D cases and in cases
899 brought pursuant to sections 46b-212 to [46b-213v] 46b-213w,
900 inclusive, as amended by this act, utilizing quasi-judicial proceedings;

901 (7) "Family support magistrate" means a person [L] appointed as
902 provided in subsection (f) of this section to establish and enforce child
903 and spousal support orders;

904 (8) "Foster care cases" [are] means cases in which children are
905 receiving foster care under part I of chapter 319a or part I of chapter
906 815t, but does not include cases in which children reside in detention
907 facilities, forestry camps, training schools or other facilities operated
908 primarily for the detention of children adjudicated as delinquent;

909 (9) "Law" [includes] means both [common and statute] statutory and
910 common law;

911 (10) "Obligee" means any person to whom a duty of support is
912 owed;

913 (11) "Obligor" means any person owing a duty of support;

914 (12) "IV-D agency" means the Bureau of Child Support Enforcement
915 within the Department of Social Services, [created by] established
916 pursuant to section 17b-179, as amended by this act, and authorized to
917 administer the child support program mandated by Title IV-D of the
918 Social Security Act;

919 (13) "IV-D support cases" [are those] means cases in which the IV-D
920 agency is providing child support enforcement services under Title IV-
921 D of the Social Security Act [, including all] pursuant to (A) an
922 application under subsection (h) of section 17b-179, as amended by this
923 act, or (B) referral of a (i) temporary family assistance case under
924 section 17b-112, which for the purposes of this section may be referred
925 to as "TFA", (ii) a Medicaid case under section 17b-261, or (iii) a foster
926 care [cases referred to the Bureau of Child Support Enforcement] case
927 under section 46b-130, as amended by this act; and

928 (14) "Support order" means a judgment, decree or order, whether
929 temporary, final or subject to modification, issued by a court or
930 another state's administrative agency of competent jurisdiction, for the
931 support and maintenance of a child, including a child who has attained
932 the age of majority under the law of the issuing state, or [a child and]
933 of the parent with whom the child is living, which provides for
934 monetary support, health care, arrearages or reimbursement, and
935 which may include related costs and fees, interest and penalties,
936 income withholding, attorneys' fees and other relief.

937 Sec. 30. Subsection (f) of section 46b-231 of the general statutes is
938 repealed and the following is substituted in lieu thereof (*Effective*
939 *October 1, 2010*):

940 (f) The Family Support Magistrate Division shall include nine family

941 support magistrates who shall be appointed by the Governor to serve
942 in that capacity for a term of three years. A family support magistrate
943 may be reappointed by the Governor upon completion of [his] each
944 term of office, [by the Governor.] To be eligible for appointment, a
945 family support magistrate must have engaged in the practice of law for
946 five years prior to [his] appointment and shall be experienced in the
947 field of family law. [He] The family support magistrate shall devote
948 full time to [his] the duties [as] of a family support magistrate and shall
949 not engage in the private practice of law. A family support magistrate
950 may be removed from office by the Governor for cause.

951 Sec. 31. Subsection (l) of section 46b-231 of the general statutes is
952 repealed and the following is substituted in lieu thereof (*Effective*
953 *October 1, 2010*):

954 (l) The judges of the Superior Court shall adopt rules of procedure
955 in accordance with the provisions of section 51-14 for the handling by
956 magistrates of IV-D support cases and in cases brought pursuant to
957 sections 46b-212 to [46b-213v] 46b-213w, inclusive, as amended by this
958 act. Such rules of procedure shall conform when applicable to rules
959 adopted for the Superior Court.

960 Sec. 32. Subdivisions (1) to (3), inclusive, of subsection (m) of section
961 46b-231 of the general statutes are repealed and the following is
962 substituted in lieu thereof (*Effective October 1, 2010*):

963 (1) A family support magistrate in IV-D support cases may compel
964 the attendance of witnesses or the obligor under a summons issued
965 pursuant to [sections] section 17b-745, as amended by this act, 46b-172,
966 as amended by this act, [and] or 46b-215, as amended by this act, a
967 subpoena issued pursuant to section 52-143, or a citation for failure to
968 obey an order of a family support magistrate or a judge of the Superior
969 Court. If a person is served with any such summons, subpoena or
970 citation issued by a family support magistrate or the assistant clerk of
971 the Family Support Magistrate Division and fails to appear, a family
972 support magistrate may issue a capias mittimus directed to a judicial

973 marshal pursuant to section 43 of this act or any other proper officer to
974 arrest the obligor or the witness and bring [him] the obligor or witness
975 before a family support magistrate. Whenever such a capias mittimus
976 is ordered, the family support magistrate shall establish a recognizance
977 to the state of Connecticut in the form of a bond of such character and
978 amount as to assure the appearance of the obligor at the next regular
979 session of the Family Support Magistrate Division in the judicial
980 district in which the matter is pending. If the obligor posts such a
981 bond, and thereafter fails to appear before the family support
982 magistrate at the time and place [he] the obligor is ordered to appear,
983 the family support magistrate may order the bond forfeited, and the
984 proceeds thereof distributed as required by Title IV-D of the Social
985 Security Act.

986 (2) (A) Family support magistrates shall hear and determine matters
987 involving child and spousal support in IV-D support cases including
988 petitions for support brought pursuant to sections 17b-81, 17b-179, as
989 amended by this act, 17b-745, as amended by this act, and 46b-215, as
990 amended by this act; applications for show cause orders in IV-D
991 support cases brought pursuant to subsection (b) of section 46b-172, as
992 amended by this act, and actions for interstate enforcement of child
993 and spousal support and paternity under sections 46b-212 to [46b-
994 213v] 46b-213w, inclusive, as amended by this act, and shall hear and
995 determine all motions for modifications of child and spousal support
996 in such cases.

997 (B) In all IV-D support cases, family support magistrates shall have
998 the authority to order any obligor who is subject to a plan for
999 reimbursement of past-due support and is not incapacitated, to
1000 participate in work activities which may include, but shall not be
1001 limited to, job search, training, work experience and participation in
1002 the job training and retraining program established by the Labor
1003 Commissioner pursuant to section 31-3t.

1004 (C) A family support magistrate shall not modify an order for

1005 periodic payment on an arrearage due the state for state assistance
1006 which has been discontinued to increase such payments, unless the
1007 family support magistrate first determines that the state has made a
1008 reasonable effort to notify the current recipient of child support, at the
1009 most current address available to the IV-D agency, of the pendency of
1010 the motion to increase such periodic arrearage payments and of the
1011 time and place of the hearing on such motion. If such recipient
1012 appears, either personally or through a representative, at such hearing,
1013 the family support magistrate shall determine whether the order in
1014 effect for child support is reasonable in relation to the current financial
1015 circumstances of the parties, prior to modifying an order increasing
1016 such periodic arrearage payments.

1017 (3) Family support magistrates shall review and approve or
1018 [modify] disapprove all agreements for support in IV-D support cases
1019 filed with the Family Support Magistrate Division in accordance with
1020 sections 17b-179, as amended by this act, 17b-745, as amended by this
1021 act, 46b-172, as amended by this act, 46b-215, as amended by this act,
1022 and subsection (c) of section 53-304.

1023 Sec. 33. Subdivision (6) of subsection (m) of section 46b-231 of the
1024 general statutes is repealed and the following is substituted in lieu
1025 thereof (*Effective October 1, 2010*):

1026 (6) Agreements for support obtained in IV-D support cases shall be
1027 filed with the assistant clerk of the family support magistrate division
1028 for the judicial district where the mother or the father of the child
1029 resides, pursuant to subsection (b) of section 46b-172, as amended by
1030 this act, and shall become effective as an order upon filing with the
1031 clerk. Such support agreements shall be reviewed by a family support
1032 magistrate who shall approve or disapprove the agreement. If the
1033 support agreement filed with the clerk is disapproved by a family
1034 support magistrate, the reason for disapproval shall be stated in the
1035 record and such disapproval shall have a retroactive effect. Upon such
1036 disapproval, the clerk shall schedule a hearing to determine

1037 appropriate support amounts and notify all appearing parties of the
1038 hearing date.

1039 Sec. 34. Subsection (s) of section 46b-231 of the general statutes is
1040 repealed and the following is substituted in lieu thereof (*Effective*
1041 *October 1, 2010*):

1042 (s) Support enforcement officers of Support Enforcement Services of
1043 the Superior Court shall:

1044 (1) Supervise the payment of any child or spousal support order
1045 [made by a family support magistrate] in IV-D support cases and cases
1046 under sections 46b-212 to 46b-213w, inclusive, as amended by this act.
1047 Supervision of such orders is defined as the utilization of all
1048 procedures available by law to collect child or spousal support, or
1049 enforce medical support including (A) issuance and implementation of
1050 income withholdings ordered by the Superior Court or a family
1051 support magistrate pursuant to section 52-362, as amended by this act,
1052 (B) issuance of an order requiring any party to appear before a family
1053 support magistrate on an action to modify a support order pursuant to
1054 subdivision (4) of this subsection, (C) issuance of a *causas mittimus*
1055 directed to a proper officer to arrest an obligor or witness and bring
1056 such obligor or witness before a family support magistrate if such
1057 obligor or witness is served with a summons, subpoena, citation or
1058 order to appear issued by a family support magistrate, the assistant
1059 clerk of the Family Support Magistrate Division or a support
1060 enforcement officer and fails to appear, (D) if necessary, bringing an
1061 application for contempt to a family support magistrate and, in
1062 connection with such application, issuing an order requiring the
1063 obligor to appear before a family support magistrate to show cause
1064 why such obligor should not be held in contempt for failure to pay an
1065 order for child or spousal support entered by the Superior Court or a
1066 family support magistrate, and (E) issuance of a National Medical
1067 Support Notice in accordance with section 46b-88;

1068 (2) In [non-TANF] non-TFA cases, have the authority to bring

1069 petitions for support orders pursuant to section 46b-215, as amended
1070 by this act, file agreements for support with the assistant clerk of the
1071 Family Support Magistrate Division, and bring applications for show
1072 cause orders pursuant to section 46b-172, as amended by this act, and
1073 in IV-D support cases and cases under sections 46b-212 to 46b-213w,
1074 inclusive, as amended by this act, enforce foreign support orders
1075 registered with the Family Support Magistrate Division pursuant to
1076 sections 46b-213f to 46b-213i, inclusive, and file agreements for support
1077 with the assistant clerk of the Family Support Magistrate Division;

1078 (3) In connection with any order or agreement entered by, or filed
1079 with, the Family Support Magistrate Division, or any order entered by
1080 the Superior Court in a IV-D support case, upon order, investigate the
1081 financial situation of the parties and report findings to the family
1082 support magistrate regarding: (A) Any pending motion to modify such
1083 order or agreement; or (B) any request or application for modification
1084 of such order or agreement made by an obligee;

1085 (4) Review child support orders (A) in [non-TANF] non-TFA IV-D
1086 support cases (i) at the request of either parent or custodial party
1087 subject to a support order, or (ii) upon receipt of information
1088 indicating a substantial change in circumstances of any party to the
1089 support order, (B) in [TANF] TFA cases, at the request of the Bureau of
1090 Child Support Enforcement, or (C) as necessary to comply with federal
1091 requirements for the child support enforcement program mandated by
1092 Title IV-D of the Social Security Act, and initiate an action before a
1093 family support magistrate to modify such support order if it is
1094 determined upon such review that the order substantially deviates
1095 from the child support guidelines established pursuant to section 46b-
1096 215a, [or 46b-215b] as amended by this act. A requesting party under
1097 subparagraph (A)(i) or (B) of this subdivision shall have a right to such
1098 review every three years without proving a substantial change in
1099 circumstances, but more frequent reviews shall be made only if such
1100 requesting party demonstrates a substantial change in circumstances.
1101 There shall be a rebuttable presumption that any deviation of less than

1102 fifteen per cent from the child support guidelines is not substantial and
1103 any deviation of fifteen per cent or more from the guidelines is
1104 substantial. Modification may be made of such support order without
1105 regard to whether the order was issued before, on or after May 9, 1991.
1106 In determining whether to modify a child support order based on a
1107 substantial deviation from such child support guidelines,
1108 consideration shall be given to the division of real and personal
1109 property between the parties set forth in any final decree entered
1110 pursuant to chapter 815j and the benefits accruing to the child as the
1111 result of such division. No order for periodic payment of support may
1112 be subject to retroactive modification, except that the family support
1113 magistrate may order modification with respect to any period during
1114 which there is a pending motion for modification of a support order
1115 from the date of service of notice of such pending motion to the
1116 opposing party pursuant to section 52-50.

1117 Sec. 35. Subsection (t) of section 46b-231 of the general statutes is
1118 repealed and the following is substituted in lieu thereof (*Effective*
1119 *October 1, 2010*):

1120 (t) The Attorney General shall:

1121 (1) Represent the interest of the state in all actions for child or
1122 spousal support in all cases in which the state is furnishing or has
1123 furnished aid or care to one of the parties to the action or a child of one
1124 of the parties;

1125 (2) In interstate support enforcement under sections 46b-212 to [46b-
1126 213v] 46b-213w, inclusive, as amended by this act, provide necessary
1127 legal services on behalf of the support enforcement agency in
1128 providing services to a petitioner;

1129 (3) Represent the IV-D agency in providing support enforcement
1130 services in non-TANF IV-D support cases pursuant to sections 17b-179,
1131 as amended by this act, 17b-745, as amended by this act, and 46b-215,
1132 as amended by this act.

1133 Sec. 36. Subsection (f) of section 52-57 of the general statutes is
1134 repealed and the following is substituted in lieu thereof (*Effective*
1135 *October 1, 2010*):

1136 (f) When the other methods of service of process provided under
1137 this section or otherwise provided by law cannot be effected, in actions
1138 concerning the establishment, enforcement or modification of child
1139 support orders other than actions for dissolution of marriage,
1140 including, but not limited to, such actions under sections 17b-122, 17b-
1141 124 to 17b-132, inclusive, 17b-136 to 17b-138, inclusive, 17b-194 to 17b-
1142 197, inclusive, 17b-222 to 17b-250, inclusive, 17b-256, 17b-263, 17b-340
1143 to 17b-350, inclusive, 17b-689b, 17b-743 to 17b-747, inclusive, and 46b-
1144 212 to [46b-213v] 46b-213w, inclusive, as amended by this act, and
1145 chapters 815, 815p, 815t, 815y and 816, and actions to implement
1146 garnishments for support under section 52-362, as amended by this act,
1147 service of process may be made upon a party to the action by one of
1148 the following methods, provided proof of receipt of such process by
1149 such party is presented to the court in accordance with rules
1150 promulgated by the judges of the Superior Court:

1151 (1) By certified mail to a party to the action addressed to the
1152 employer of such party. Any service of process so sent shall include on
1153 the outside envelope the words "To be delivered to the employee in
1154 accordance with subsection (f) of section 52-57". The employer shall
1155 accept any such service of process sent by certified mail and promptly
1156 deliver such certified mail to the employee; or

1157 (2) When a party to an action under this subsection is employed by
1158 an employer with fifteen or more employees, by personal service upon
1159 an official of the employer designated as an agent to accept service of
1160 process in actions brought under this subsection. Every employer with
1161 fifteen or more employees doing business in this state shall designate
1162 an official to accept service of process for employees who are parties to
1163 such actions. The person so served shall promptly deliver such process
1164 to the employee.

1165 Sec. 37. Subsection (a) of section 52-251d of the general statutes is
1166 repealed and the following is substituted in lieu thereof (*Effective*
1167 *October 1, 2010*):

1168 (a) In any civil action to establish paternity or to establish, modify or
1169 enforce child support orders in [TANF] temporary family assistance
1170 cases pursuant to sections 17b-745, as amended by this act, 46b-86, as
1171 amended by this act, 46b-160, 46b-171, as amended by this act, 46b-172,
1172 as amended by this act, 46b-215, as amended by this act and 46b-231,
1173 as amended by this act, the court may allow the state, when it is the
1174 prevailing party, a reasonable attorney's fee.

1175 Sec. 38. Subsections (a) and (b) of section 52-362 of the general
1176 statutes are repealed and the following is substituted in lieu thereof
1177 (*Effective October 1, 2010*):

1178 (a) For the purposes of this section:

1179 (1) "Dependent" means a spouse, former spouse or child entitled to
1180 payments under a support order, provided Support Enforcement
1181 Services of the Superior Court or the state acting under an assignment
1182 of a dependent's support rights or under an application for child
1183 support enforcement services shall, through an officer of Support
1184 Enforcement Services or the Bureau of Child Support Enforcement
1185 within the Department of Social Services or an investigator of the
1186 Department of Administrative Services or the Attorney General, take
1187 any action which the dependent could take to enforce a support order;

1188 (2) "Disposable earnings" means that part of the earnings of an
1189 individual remaining after deduction from those earnings of amounts
1190 required to be withheld for the payment of federal, state and local
1191 income taxes, employment taxes, normal retirement contributions,
1192 union dues and initiation fees, and group life and health insurance
1193 premiums;

1194 (3) "Earnings" means any debt accruing to an obligor by reason of

1195 such obligor's personal services, including any compensation payable
1196 by an employer to an employee for such personal services whether
1197 denominated as wages, salary, commission, bonus or otherwise,
1198 including unemployment compensation if a purchase of service
1199 agreement between the Commissioner of Social Services and the Labor
1200 Commissioner is in effect pursuant to subsection (e) of section 17b-179;

1201 (4) "Employer" means any person, including the Labor
1202 Commissioner, who owes earnings to an obligor;

1203 (5) "Income" means any periodic form of payment due to an
1204 individual, regardless of source, including, but not limited to,
1205 disposable earnings, workers' compensation and disability benefits,
1206 payments pursuant to a pension or retirement program and interest;

1207 (6) "Issue" means: (A) Complete the withholding order form
1208 prescribed under subsection (q) of this section and serve such form on
1209 the employer or other payer of income, or (B) in the case of an income
1210 withholding order served electronically in accordance with subsection
1211 (h) of this section, transmit electronic data sufficient to implement the
1212 withholding to an employer that has agreed to receive electronic
1213 transmission of income withholding orders and notices;

1214 [(6)] (7) "Obligor" means a person required to make payments under
1215 a support order;

1216 [(7)] (8) "Support order" means a court order, or order of a family
1217 support magistrate including an agreement approved by a court or a
1218 family support magistrate, that requires the payment to a dependent of
1219 current support, cash medical support, a specific dollar amount of
1220 child care costs or arrearage payments;

1221 [(8)] (9) "Unemployment compensation" means any compensation
1222 payable under chapter 567, including amounts payable by the
1223 administrator of the unemployment compensation law pursuant to an
1224 agreement under any federal law providing for compensation,

1225 assistance or allowances with respect to unemployment.

1226 (b) The Superior Court and any family support magistrate shall
1227 [issue] enter an order for withholding pursuant to this section against
1228 the income of an obligor to enforce a support order when the support
1229 order is entered or modified or when the obligor is before the court in
1230 an enforcement proceeding. The court shall order the withholding to
1231 be effective immediately or may, for cause or pursuant to an
1232 agreement by the parties, order a contingent withholding to be
1233 effective only on accrual of a delinquency in an amount greater than or
1234 equal to thirty days' obligation. Any finding that there is cause not to
1235 order withholding to be effective immediately shall be based on at
1236 least (1) a written determination that, and explanation by the court or
1237 family support magistrate of why, implementing immediate income
1238 withholding would not be in the best interests of the child, and (2)
1239 proof of timely payment of previously ordered support in cases
1240 involving the modification of such support. Before the court or family
1241 support magistrate [issues] enters an order for withholding which is
1242 effective immediately against an obligor who is before the court or a
1243 family support magistrate, it shall inform the obligor of the minimum
1244 amount of income which is exempt from withholding under state and
1245 federal law, of such obligor's right to claim any applicable state or
1246 federal exemptions with respect thereto and of such obligor's right to
1247 offer any evidence as to why a withholding order effective
1248 immediately should not [issue] enter. If the court or family support
1249 magistrate [issues] enters an order for withholding to be effective
1250 immediately against a nonappearing obligor, notice shall be served
1251 subsequently upon the obligor in accordance with section 52-57, as
1252 amended by this act, or sent by certified mail, return receipt requested,
1253 to the obligor's last known address, informing such obligor: (A) That a
1254 support order has been [issued] entered to be enforced by an income
1255 withholding order, (B) that an income withholding order has been
1256 [issued] entered effective immediately as part of the support order, (C)
1257 of the minimum amount of income exempt from withholding under
1258 state and federal law and of such obligor's right at the hearing on the

1259 support order to claim any other applicable state or federal exemptions
1260 with respect thereto, (D) of such obligor's right to a hearing, upon
1261 motion to the court, to offer any evidence as to why the withholding
1262 order effective immediately should not continue in effect, (E) of the
1263 amount of income received by such obligor which formed the basis for
1264 the support order against such obligor, and (F) of such obligor's right
1265 to move to modify the support order if such obligor's income has
1266 changed substantially or if the support order substantially deviates
1267 from the child support guidelines established pursuant to section
1268 46b-215a, as amended by this act.

1269 Sec. 39. Subsection (h) of section 52-362 of the general statutes is
1270 repealed and the following is substituted in lieu thereof (*Effective*
1271 *October 1, 2010*):

1272 (h) Service of any process under this section, including any notice,
1273 may be made in accordance with section 52-57, as amended by this act,
1274 or by certified mail, return receipt requested. If service is made on
1275 behalf of the state, it may be made by an authorized employee of
1276 Support Enforcement Services, [or] by an investigator or other officer
1277 of the Bureau of Child Support Enforcement within the Department of
1278 Social Services, [or] by an investigator of the Department of
1279 Administrative Services or by the Attorney General. Service of income
1280 withholding orders by Support Enforcement Services or by an
1281 investigator or other officer of said bureau upon an employer under
1282 this section may be made in accordance with section 52-57, as
1283 amended by this act, by certified mail, return receipt requested, [or] by
1284 first class mail or electronically, provided the employer agrees to
1285 accept service made electronically.

1286 Sec. 40. Subsection (n) of section 52-362 of the general statutes is
1287 repealed and the following is substituted in lieu thereof (*Effective*
1288 *October 1, 2010*):

1289 (n) When a support order is issued in another state and the obligor
1290 has income subject to withholding derived in this state, such income

1291 shall be subject to withholding in accordance with the provisions of
1292 this section, upon the registration of the support order in accordance
1293 with sections 46b-213g to 46b-213j, inclusive. Notice of rights to the
1294 obligor and the obligor's right to contest such order are governed by
1295 sections 46b-213k to [46b-213m] 46b-213n, inclusive.

1296 Sec. 41. Subsections (d) and (e) of section 52-362f of the general
1297 statutes are repealed and the following is substituted in lieu thereof
1298 (*Effective October 1, 2010*):

1299 (d) When a support order is issued in another jurisdiction and the
1300 obligor has income subject to withholding in accordance with the
1301 provisions of section 52-362, as amended by this act, Support
1302 Enforcement Services shall, upon receiving a support order of another
1303 jurisdiction with the documentation specified in this subsection from
1304 an agency of another jurisdiction, or from an obligee, an obligor or an
1305 attorney for either the obligee or obligor, file such support order and
1306 documents in the registry maintained by Support Enforcement
1307 Services. Documentation required for the entry of a support order for
1308 another jurisdiction for the purpose of withholding of income shall
1309 comply with the requirements of section [46b-213i] 46b-213h. If the
1310 documentation received by Support Enforcement Services does not
1311 conform to those requirements, Support Enforcement Services shall
1312 remedy any defect which it can without the assistance of the obligee or
1313 requesting agency or person. If Support Enforcement Services is
1314 unable to make such corrections, the requesting agency or person shall
1315 immediately be notified of the necessary additions or corrections.
1316 Support Enforcement Services shall accept the documentation required
1317 by this subsection as long as the substantive requirements of this
1318 subsection are met.

1319 (e) A support order registered under subsection (d) of this section
1320 shall be enforceable by withholding in the manner and with the effect
1321 as set forth for registered support orders of another jurisdiction
1322 pursuant to section 52-362, as amended by this act. A support order

1323 from another jurisdiction filed under this section shall not be subject to
1324 modification by a court or other agency of this state except as provided
1325 in sections 46b-213o to [46b-213q] 46b-213r, inclusive. Entry of the
1326 order shall not confer jurisdiction on any court of this state for any
1327 purpose other than withholding of income.

1328 Sec. 42. Section 52-362i of the general statutes is repealed and the
1329 following is substituted in lieu thereof (*Effective October 1, 2010*):

1330 If the court or family support magistrate finds that (1) an obligor is
1331 delinquent on payment of child support, and (2) future support
1332 payments are in jeopardy, or (3) the obligor has exhibited or expressed
1333 an intention not to pay any such support, the court or family support
1334 magistrate may order the obligor to provide a cash deposit not to
1335 exceed the amount of four times the current monthly support and
1336 arrearage obligation, to be held in escrow by the [Connecticut] Bureau
1337 of Child Support Enforcement [Bureau] or Support Enforcement
1338 Services. Any funds from such cash deposit may be disbursed by the
1339 [Connecticut] Bureau of Child Support Enforcement [Bureau] or
1340 Support Enforcement Services to the custodial parent upon a
1341 determination by said [support enforcement] bureau or Support
1342 Enforcement Services that the obligor has failed to pay the full amount
1343 of the monthly support obligation. Payment shall be in an amount that,
1344 when combined with the obligor's payment, would not exceed the
1345 monthly support obligation. Payment from such cash deposit shall not
1346 preclude a finding of delinquency during the period of time in which
1347 the obligor failed to pay current support.

1348 Sec. 43. (NEW) (*Effective October 1, 2010*) Any judicial marshal may
1349 serve a *caipias mittimus* on any person who is in the custody of the
1350 marshal or is in a courthouse where the marshal provides courthouse
1351 security if such *caipias mittimus* was issued in a child support matter
1352 by (1) a court or a family support magistrate pursuant to subdivision
1353 (8) of subsection (a) of section 17b-745 of the general statutes, as
1354 amended by this act, or subparagraph (C) of subdivision (8) of

1355 subsection (a) of section 46b-215 of the general statutes, as amended by
1356 this act; or (2) a family support magistrate pursuant to subdivision (1)
1357 of subsection (m) of section 46b-231 of the general statutes, as amended
1358 by this act.

1359 Sec. 44. Section 17b-77 of the 2010 supplement to the general statutes
1360 is repealed and the following is substituted in lieu thereof (*Effective*
1361 *October 1, 2010*):

1362 Application for aid under the state supplement program, medical
1363 assistance program, temporary family assistance program and
1364 supplemental nutrition assistance program, shall be made to the
1365 Commissioner of Social Services. The name and address of each such
1366 applicant shall be recorded with the commissioner. Such application,
1367 in the case of temporary family assistance, shall be made by the
1368 supervising relative, his authorized representative, or, in the case of an
1369 individual who is incapacitated, someone acting responsibly for him
1370 and shall contain the name and the exact residence of such applicant,
1371 the name, place and date of birth of each dependent child, the Social
1372 Security number of the supervising relative and of each dependent
1373 child, and such other information as is required by the commissioner.
1374 If such supervising relative or any such child does not have a Social
1375 Security number, the commissioner shall assist in obtaining a Social
1376 Security number for each such person seeking public assistance and
1377 during the time required to obtain such Social Security numbers the
1378 supervising relative and children shall not be precluded from
1379 eligibility under this section. By such application, the applicant shall
1380 assign to the commissioner the right of support, [~~present,~~] past, present
1381 and future, due all persons seeking assistance and shall assist the
1382 commissioner in pursuing support obligations due from the
1383 noncustodial parent. On and after October 1, 2008, such assignment
1384 under the temporary family assistance program shall apply only to
1385 such support rights as accrue during the period of assistance, not to
1386 exceed the total amount of assistance provided to the family under
1387 said program. Notice of such assignment shall be conspicuously placed

1388 on said application and shall be explained to the applicant at the time
1389 of application. All information required to be provided to the
1390 commissioner as a condition of such eligibility under federal law shall
1391 be so provided by the applicant, provided, no person shall be
1392 determined to be ineligible if the applicant has good cause for the
1393 refusal to provide information concerning the noncustodial parent or if
1394 the provision of such information would be against the best interests of
1395 the dependent child or children, or any of them. The Commissioner of
1396 Social Services shall adopt by regulation, in accordance with chapter
1397 54, standards as to good cause and best interests of the child. Any
1398 person aggrieved by a decision of the commissioner as to the
1399 determination of good cause or the best interests of such child or
1400 children may request a fair hearing in accordance with the provisions
1401 of sections 17b-60 and 17b-61. All statements made by the applicant
1402 concerning income, resources and any other matters pertaining to
1403 eligibility shall be certified to by the applicant as true and correct
1404 under penalty of false statement, and for any such certified statement
1405 which is untrue or incorrect such applicant shall be subject to the
1406 penalties provided for false statement under section 17b-97.

1407 Sec. 45. Subsection (b) of section 14-45 of the 2010 supplement to the
1408 general statutes is repealed and the following is substituted in lieu
1409 thereof (*Effective October 1, 2010*):

1410 (b) In IV-D support cases, as defined in subdivision [(14)] (13) of
1411 subsection (b) of section 46b-231, as amended by this act, upon written
1412 notification by the Department of Social Services that the address listed
1413 for the holder of a motor vehicle operator's license, or the holder of an
1414 identity card is incorrect, the Commissioner of Motor Vehicles shall
1415 notify the operator that the correct address must be furnished to the
1416 department. The commissioner shall refuse to issue or renew a motor
1417 vehicle operator's license if the address furnished by the applicant is
1418 determined to be incorrect. The department shall notify the
1419 Department of Social Services of the current address of holders of
1420 motor vehicle operator's licenses when a change of address is reported.

1421 Sec. 46. Subsection (a) of section 17b-179a of the general statutes is
 1422 repealed and the following is substituted in lieu thereof (*Effective*
 1423 *October 1, 2010*):

1424 (a) On a quarterly basis, in IV-D support cases, as defined in
 1425 subdivision [(14)] (13) of subsection (b) of section 46b-231, as amended
 1426 by this act, the Department of Social Services shall compile a list of
 1427 child support obligors who have no visible earnings and shall transmit
 1428 such list to the Department of Revenue Services. The Commissioner of
 1429 Revenue Services shall promptly identify any such individuals who
 1430 have any reported assets or income and transmit to the Department of
 1431 Social Services the name, address and Social Security number of such
 1432 individuals together with information on reported assets or income
 1433 available for such individuals.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2010</i>	17b-179(b) to (i)
Sec. 2	<i>October 1, 2010</i>	17b-179(l)
Sec. 3	<i>October 1, 2010</i>	17b-745(a)(5)(A) and (B)
Sec. 4	<i>October 1, 2010</i>	17b-745(a)(8)
Sec. 5	<i>October 1, 2010</i>	17b-745(b)
Sec. 6	<i>October 1, 2010</i>	19a-42(d)
Sec. 7	<i>October 1, 2010</i>	19a-42a
Sec. 8	<i>October 1, 2010</i>	46b-56c(b)(4)
Sec. 9	<i>October 1, 2010</i>	46b-62
Sec. 10	<i>October 1, 2010</i>	46b-86(c)
Sec. 11	<i>October 1, 2010</i>	46b-130
Sec. 12	<i>October 1, 2010</i>	46b-168a(a)
Sec. 13	<i>October 1, 2010</i>	46b-170
Sec. 14	<i>October 1, 2010</i>	46b-171(a)(3)
Sec. 15	<i>October 1, 2010</i>	46b-172(b)(1)
Sec. 16	<i>October 1, 2010</i>	46b-172(c)(1)
Sec. 17	<i>October 1, 2010</i>	46b-207
Sec. 18	<i>October 1, 2010</i>	46b-208
Sec. 19	<i>October 1, 2010</i>	46b-213d(a)
Sec. 20	<i>October 1, 2010</i>	46b-213w

Sec. 21	<i>October 1, 2010</i>	46b-215(a)(1)
Sec. 22	<i>October 1, 2010</i>	46b-215(a)(7)(A)
Sec. 23	<i>October 1, 2010</i>	46b-215(a)(8)(C)
Sec. 24	<i>October 1, 2010</i>	46b-215(b)
Sec. 25	<i>October 1, 2010</i>	46b-215(e)
Sec. 26	<i>October 1, 2010</i>	46b-215a
Sec. 27	<i>October 1, 2010</i>	46b-215b
Sec. 28	<i>October 1, 2010</i>	46b-215c
Sec. 29	<i>October 1, 2010</i>	46b-231(b)
Sec. 30	<i>October 1, 2010</i>	46b-231(f)
Sec. 31	<i>October 1, 2010</i>	46b-231(l)
Sec. 32	<i>October 1, 2010</i>	46b-231(m)(1) to (3)
Sec. 33	<i>October 1, 2010</i>	46b-231(m)(6)
Sec. 34	<i>October 1, 2010</i>	46b-231(s)
Sec. 35	<i>October 1, 2010</i>	46b-231(t)
Sec. 36	<i>October 1, 2010</i>	52-57(f)
Sec. 37	<i>October 1, 2010</i>	52-251d(a)
Sec. 38	<i>October 1, 2010</i>	52-362(a) and (b)
Sec. 39	<i>October 1, 2010</i>	52-362(h)
Sec. 40	<i>October 1, 2010</i>	52-362(n)
Sec. 41	<i>October 1, 2010</i>	52-362f(d) and (e)
Sec. 42	<i>October 1, 2010</i>	52-362i
Sec. 43	<i>October 1, 2010</i>	New section
Sec. 44	<i>October 1, 2010</i>	17b-77
Sec. 45	<i>October 1, 2010</i>	14-45(b)
Sec. 46	<i>October 1, 2010</i>	17b-179a(a)

Statement of Purpose:

To revise procedures for the establishment, modification and enforcement of child support orders in Title IV-D child support cases, and make technical changes to update, clarify and improve the consistency of child support statutes.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]