



Senate

General Assembly

File No. 812

January Session, 2011

Substitute Senate Bill No. 1222

Senate, May 18, 2011

The Committee on Appropriations reported through SEN. HARP of the 10th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

***AN ACT ESTABLISHING A TASK FORCE TO STUDY
INCARCERATION OF CHILD SUPPORT OBLIGORS.***

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

1 Section 1. (*Effective from passage*) (a) There is established a task force
2 to study:

3 (1) (A) The frequency of incarceration of child support obligors
4 pursuant to contempt orders under subdivision (8) of subsection (a) of
5 section 17b-745 of the general statutes, subdivision (6) of subsection (a)
6 of section 46b-171 of the general statutes, subdivision (8) of subsection
7 (a) of section 46b-215 of the general statutes, and subdivision (7) of
8 subsection (m) of section 46b-231 of the general statutes, and (B) the
9 circumstances that result in such incarceration;

10 (2) Alternatives to incarceration of child support obligors that are
11 feasible and cost effective to the state;

12 (3) The feasibility and cost effectiveness of (A) referring

13 unemployed and underemployed child support obligors to job training
14 programs as an alternative to incarceration, and (B) establishing a tax
15 credit for employers who hire unemployed and underemployed child
16 support obligors upon referral from a judge or family support
17 magistrate;

18 (4) The effectiveness of job referral programs for child support
19 obligors that have been implemented in other jurisdictions; and

20 (5) The limitations that should be imposed, if any, on the duration of
21 incarceration for child support obligors who remain unable to meet
22 their support obligations after a period of incarceration.

23 (b) The task force may hold public hearings or seek input through
24 other means from members of the public regarding the matters
25 described in subdivisions (1) to (5), inclusive, of subsection (a) of this
26 section.

27 (c) Not later than January 15, 2012, the task force shall develop
28 recommendations regarding the matters described in subdivisions (1)
29 to (5), inclusive, of subsection (a) of this section. To the extent feasible,
30 such recommendations shall be developed to ensure that incarceration
31 of a child support obligor:

32 (1) Is more effective than other available remedies at ensuring that
33 the obligor meets his or her support obligation;

34 (2) Is reasonably cost effective, and that the cost of incarceration
35 does not exceed the amount of the support obligation at the time
36 incarceration is ordered plus the amount of additional support
37 obligations anticipated to accrue during such incarceration;

38 (3) Is ordered due to the obligor's wilful refusal to pay from
39 resources available to the obligor, or the obligor's wilful refusal to seek,
40 accept or maintain employment, and that any such wilful refusal is
41 determined on the basis of evidence and the burden of proof
42 recommended by the task force; and

43 (4) Is reasonable considering the obligor's health status at the time
44 such incarceration is ordered, and will not jeopardize the obligor's
45 health.

46 (d) The task force shall consist of the following members:

47 (1) The chairpersons, vice-chairpersons and ranking members of the
48 joint standing committee of the General Assembly having cognizance
49 of matters relating to the judiciary, or their designees;

50 (2) The Chief Court Administrator, or the Chief Court
51 Administrator's designee;

52 (3) The Attorney General, or the Attorney General's designee;

53 (4) The Secretary of the Office of Policy and Management, or the
54 secretary's designee;

55 (5) The Commissioner of Correction, or the commissioner's
56 designee; and

57 (6) The Labor Commissioner, or the commissioner's designee.

58 (e) Any member of the task force designated under subdivision (1)
59 of subsection (d) of this section may be a member of the General
60 Assembly.

61 (f) All appointments to the task force shall be made not later than
62 thirty days after the effective date of this section. Any vacancy shall be
63 filled by the appointing authority.

64 (g) The members of the task force shall select the chairpersons of the
65 task force from among the members of the task force. Such
66 chairpersons shall schedule the first meeting of the task force, which
67 shall be held not later than sixty days after the effective date of this
68 section.

69 (h) The administrative staff of the joint standing committee of the
70 General Assembly having cognizance of matters relating to the

71 judiciary shall serve as administrative staff of the task force.

72 (i) Not later than January 15, 2012, the task force shall submit a
73 report on its findings and recommendations to the joint standing
74 committee of the General Assembly having cognizance of matters
75 relating to the judiciary, in accordance with the provisions of section
76 11-4a of the general statutes. The task force shall terminate on the date
77 that it submits such report or January 15, 2012, whichever is later.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	New section

APP *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 12 \$
Various State Agencies	GF - Potential Cost	Less than 5,000

Note: GF=General Fund

Municipal Impact: None

Explanation

The bill establishes a task force to study incarceration of child support obligors. Agencies will incur minimal costs, estimated to be less than \$5,000, associated with mileage reimbursement of 51 cents per mile for legislators and agency staff (who seek such reimbursement) participating on the task force.

The Out Years

There is no out year impact, as the task force will terminate when it submits their report, or January 15, 2012, whichever is later.

OLR Bill Analysis

sSB 1222

***AN ACT ESTABLISHING A TASK FORCE TO STUDY
INCARCERATION OF CHILD SUPPORT OBLIGORS.***

SUMMARY:

The Office of Legislative Research does not analyze Special Acts.

COMMITTEE ACTION

Judiciary Committee

Joint Favorable

Yea 39 Nay 3 (04/06/2011)

Appropriations Committee

Joint Favorable Substitute

Yea 42 Nay 2 (05/10/2011)