



General Assembly

Amendment

February Session, 2014

LCO No. 5568

SB0025205568HDO

Offered by:

REP. ABERCROMBIE, 83rd Dist.

REP. HOYDICK, 120th Dist.

REP. WOOD, 141st Dist.

To: Senate Bill No. 252

File No. 175

Cal. No. 441

"AN ACT CONCERNING THE OFFICE OF CHILD SUPPORT SERVICES."

1 After the last section, add the following and renumber sections and
2 internal references accordingly:

3 "Sec. 501. Section 6-38b of the general statutes is repealed and the
4 following is substituted in lieu thereof (*Effective from passage*):

5 (a) There is established a State Marshal Commission which shall
6 consist of eight members appointed as follows: (1) The Chief Justice
7 shall appoint one member who shall be a judge of the Superior Court;
8 (2) the speaker of the House of Representatives, the president pro
9 tempore of the Senate, the majority and minority leaders of the House
10 of Representatives and the majority and minority leaders of the Senate
11 shall each appoint one member; and (3) the Governor shall appoint one
12 member who shall serve as chairperson. No member of the
13 commission shall be a state marshal, except that two state marshals
14 appointed by the State Marshals Advisory Board in accordance with

15 section 6-38c shall serve as ex-officio, nonvoting members of the
16 commission.

17 (b) The chairperson shall serve for a three-year term and all
18 appointments of members to replace those whose terms expire shall be
19 for terms of three years.

20 (c) No more than four of the members, other than the chairperson,
21 may be members of the same political party. Of the seven nonjudicial
22 members, other than the chairperson, at least three shall not be
23 members of the bar of any state.

24 (d) If any vacancy occurs on the commission, the appointing
25 authority having the power to make the initial appointment under the
26 provisions of this section shall appoint a person for the unexpired term
27 in accordance with the provisions of this section.

28 (e) Members shall serve without compensation but shall be
29 reimbursed for actual expenses incurred while engaged in the duties of
30 the commission.

31 (f) The commission, in consultation with the State Marshals
32 Advisory Board, shall (1) adopt regulations in accordance with the
33 provisions of chapter 54 to establish professional standards, including
34 training requirements and minimum fees for execution and service of
35 process, and (2) implement policies and procedures to increase state
36 marshal participation in the serving of capias mittimus orders. Such
37 policies and procedures may require that at all times a certain minimal
38 percentage of the overall number of state marshals shall be actively
39 engaged in the service of capias mittimus orders.

40 (g) The commission shall be responsible for the equitable
41 assignment of service of restraining orders to the state marshals in each
42 county and ensure that such restraining orders are served
43 expeditiously. Failure of any state marshal to accept for service any
44 restraining order assigned by the commission or to serve such
45 restraining order expeditiously without good cause shall be sufficient

46 for the convening of a hearing for removal under subsection (j) of this
47 section.

48 (h) Any vacancy in the position of state marshal in any county as
49 provided in section 6-38 shall be filled by the commission with an
50 applicant who shall be an elector in the county where such vacancy
51 occurs. Any applicant for such vacancy shall be subject to the
52 application and investigation requirements of the commission.

53 (i) Except as provided in section 6-38f, no person may be a state
54 marshal and a state employee at the same time. This subsection does
55 not apply to any person who was both a state employee and a deputy
56 sheriff or special deputy sheriff on April 27, 2000.

57 (j) No state marshal may be removed except by order of the
58 commission for cause after due notice and hearing.

59 (k) The commission may adopt such rules as it deems necessary for
60 conduct of its internal affairs and shall adopt regulations in accordance
61 with the provisions of chapter 54 for the application and investigation
62 requirements for filling vacancies in the position of state marshal.

63 (l) The commission shall be within the Department of
64 Administrative Services, provided the commission shall have
65 independent decision-making authority.

66 Sec. 502. Subsection (a) of section 3-119 of the general statutes is
67 repealed and the following is substituted in lieu thereof (*Effective July*
68 *1, 2014*):

69 (a) The Comptroller shall pay all salaries and wages not less than
70 ten calendar days or more than fifteen calendar days after the close of
71 the payroll period in which the services were rendered, except as
72 provided in subsections (b) and (c) of this section, but shall draw no
73 order in payment for any service of which the payroll officer of the
74 state has official knowledge without the signed statement of the latter
75 that all employees listed on the payroll of each agency have been duly

76 appointed to authorized positions and have rendered the services for
77 which payment is to be made. The Comptroller is authorized to
78 develop, install and operate a comprehensive fully documented
79 electronic system for effective personnel data, for payment of
80 compensation to all state employees and officers and for maintenance
81 of a chronological and permanent record of compensation paid to each
82 employee and officer for the state employees retirement system and
83 other purposes. Such electronic system shall also facilitate the
84 electronic processing of an income withholding order entered by a
85 state or federal court, including any such order transmitted to the
86 Comptroller by means of the federal electronic income withholding
87 order process. The Comptroller is authorized to establish an
88 accounting procedure to implement this section.

89 Sec. 503. Subsection (h) of section 31-227 of the general statutes is
90 repealed and the following is substituted in lieu thereof (*Effective July*
91 *1, 2014*):

92 (h) (1) An individual filing an initial claim for unemployment
93 compensation shall, at the time of filing such claim, disclose whether
94 or not the individual owes child support obligations as defined under
95 subdivision (6) of this subsection. If any such individual discloses that
96 he or she owes child support obligations and has been determined to
97 be eligible for unemployment compensation, the administrator shall
98 notify the state or local child support enforcement agency enforcing
99 such obligation that the individual is eligible for unemployment
100 compensation.

101 (2) The administrator shall deduct and withhold from any
102 unemployment compensation payable to an individual who owes
103 child support obligations (A) the amount specified by the individual to
104 the administrator to be deducted and withheld under this subsection,
105 if neither subparagraph (B) nor (C) is applicable, or (B) the amount
106 determined pursuant to an agreement submitted to the administrator
107 under Section 654(20)(B)(i) of the Social Security Act by the state or
108 local child support enforcement agency, unless subparagraph (C) is

109 applicable, or (C) any amount otherwise required to be so deducted
110 and withheld from such unemployment compensation pursuant to
111 legal process, as defined in Section 662(e) of the Social Security Act,
112 properly served upon the administrator. For purposes of this
113 subdivision, legal process shall be deemed properly served upon the
114 administrator if such legal process is transmitted to the administrator
115 by means of the federal electronic income withholding order process.

116 (3) Any amount deducted and withheld under subdivision (2) of
117 this subsection shall be paid by the administrator to the appropriate
118 state or local child support enforcement agency.

119 (4) Any amount deducted and withheld under subdivision (2) of
120 this subsection shall for all purposes be treated as if it were paid to the
121 individual as unemployment compensation and paid by such
122 individual to the state or local child support enforcement agency in
123 satisfaction of the individual's child support obligations.

124 (5) This subsection shall be applicable only if appropriate
125 arrangements have been made for reimbursement by the state or local
126 child support enforcement agency for the administrative costs incurred
127 by the administrator under this subsection which are attributable to
128 child support obligations being enforced by such state or local child
129 support enforcement agency.

130 (6) For purposes of this subsection, the term "unemployment
131 compensation" means any compensation payable under this chapter,
132 including amounts payable by the administrator pursuant to an
133 agreement under any federal law providing for compensation,
134 assistance, or allowances with respect to unemployment; "child
135 support obligations" includes only obligations which are being
136 enforced pursuant to a plan described in Section 654 of the Social
137 Security Act which has been approved by the Secretary of Health and
138 Human Services under Part D of Title IV of the Social Security Act; and
139 "state or local child support enforcement agency" means any agency of
140 this state or a political subdivision thereof operating pursuant to a plan

141 described in Section 654 of the Social Security Act which has been
142 approved by the Secretary of Health and Human Services under Part D
143 of Title IV of the Social Security Act.

144 Sec. 504. (NEW) (*Effective October 1, 2014*) Notwithstanding any
145 provision of the general statutes, absent a court order, no employee of
146 the Department of Social Services or Support Enforcement Services
147 may contact the employer of an individual, who has been named as the
148 putative father of the child in connection with a IV-D support case, as
149 defined in section 46b-231 of the general statutes, unless such
150 individual has been adjudicated the father of the child in accordance
151 with the laws of this state or any other state.

152 Sec. 505. (*Effective from passage*) (a) There is established a task force to
153 study technological and other initiatives that could be implemented by
154 the state to maximize the collection of child support due and owing to
155 state residents. Such study shall specifically identify technological
156 enhancements that are needed to ensure compliance with court orders
157 relating to the payment of child support.

158 (b) The task force shall consist of the following members:

159 (1) Two appointed by the speaker of the House of Representatives;

160 (2) Two appointed by the president pro tempore of the Senate;

161 (3) One appointed by the majority leader of the House of
162 Representatives;

163 (4) One appointed by the majority leader of the Senate;

164 (5) One appointed by the minority leader of the House of
165 Representatives;

166 (6) One appointed by the minority leader of the Senate;

167 (7) The Commissioner of Social Services, or the commissioner's
168 designee; and

169 (8) The Chief Court Administrator, or the Chief Court
 170 Administrator's designee.

171 (c) Any member of the task force appointed under subdivision (1),
 172 (2), (3), (4), (5) or (6) of subsection (b) of this section may be a member
 173 of the General Assembly.

174 (d) All appointments to the task force shall be made not later than
 175 ninety days after the effective date of this section. Any vacancy shall be
 176 filled by the appointing authority.

177 (e) The speaker of the House of Representatives and the president
 178 pro tempore of the Senate shall select the chairpersons of the task force
 179 from among the members of the task force. Such chairpersons shall
 180 schedule the first meeting of the task force, which shall be held not
 181 later than sixty days after the effective date of this section.

182 (f) The administrative staff of the joint standing committee of the
 183 General Assembly having cognizance of matters relating to the
 184 judiciary shall serve as administrative staff of the task force.

185 (g) Not later than January 1, 2016, the task force shall submit a
 186 report on its findings and recommendations to the joint standing
 187 committee of the General Assembly having cognizance of matters
 188 relating to the judiciary, in accordance with the provisions of section
 189 11-4a of the general statutes. The task force shall terminate on the date
 190 that it submits such report or January 1, 2016, whichever is later."

This act shall take effect as follows and shall amend the following sections:		
Sec. 501	<i>from passage</i>	6-38b
Sec. 502	<i>July 1, 2014</i>	3-119(a)
Sec. 503	<i>July 1, 2014</i>	31-227(h)
Sec. 504	<i>October 1, 2014</i>	New section
Sec. 505	<i>from passage</i>	New section