



General Assembly

Amendment

February Session, 2014

LCO No. 5525

SB0025205525HDO

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 Section 46b-225 of the general statutes is repealed and the
4 following is substituted in lieu thereof (*Effective July 1, 2014*):

5 Any judicial marshal may serve a capias mittimus or a copy thereof
6 made by any photographic, micrographic, electronic imaging or other
7 process, which clearly and accurately copies such original document,
8 on any person who is in the custody of the marshal or is in a
9 courthouse where the marshal provides courthouse security if such
10 capias mittimus was issued in a child support matter by (1) a court or a
11 family support magistrate pursuant to subdivision (8) of subsection (a)
12 of section 17b-745 or subparagraph (C) of subdivision (8) of subsection
13 (a) of section 46b-215; or (2) a family support magistrate pursuant to

14 subdivision (1) of subsection (m) of section 46b-231.

15 Sec. 502. Section 6-38b of the general statutes is repealed and the
16 following is substituted in lieu thereof (*Effective from passage*):

17 (a) There is established a State Marshal Commission which shall
18 consist of eight members appointed as follows: (1) The Chief Justice
19 shall appoint one member who shall be a judge of the Superior Court;
20 (2) the speaker of the House of Representatives, the president pro
21 tempore of the Senate, the majority and minority leaders of the House
22 of Representatives and the majority and minority leaders of the Senate
23 shall each appoint one member; and (3) the Governor shall appoint one
24 member who shall serve as chairperson. No member of the
25 commission shall be a state marshal, except that two state marshals
26 appointed by the State Marshals Advisory Board in accordance with
27 section 6-38c shall serve as ex-officio, nonvoting members of the
28 commission.

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

32 (c) No more than four of the members, other than the chairperson,
33 may be members of the same political party. Of the seven nonjudicial
34 members, other than the chairperson, at least three shall not be
35 members of the bar of any state.

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

40 (e) Members shall serve without compensation but shall be
41 reimbursed for actual expenses incurred while engaged in the duties of
42 the commission.

43 (f) The commission, in consultation with the State Marshals

44 Advisory Board, shall (1) adopt regulations in accordance with the
45 provisions of chapter 54 to establish professional standards, including
46 training requirements and minimum fees for execution and service of
47 process, and (2) implement policies and procedures to increase state
48 marshal participation in the serving of capias mittimus orders. Such
49 policies and procedures may require that at all times a certain minimal
50 percentage of the overall number of state marshals shall be actively
51 engaged in the service of capias mittimus orders.

52 (g) The commission shall be responsible for the equitable
53 assignment of service of restraining orders to the state marshals in each
54 county and ensure that such restraining orders are served
55 expeditiously. Failure of any state marshal to accept for service any
56 restraining order assigned by the commission or to serve such
57 restraining order expeditiously without good cause shall be sufficient
58 for the convening of a hearing for removal under subsection (j) of this
59 section.

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

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

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

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

75 (l) The commission shall be within the Department of
76 Administrative Services, provided the commission shall have
77 independent decision-making authority.

78 Sec. 503. Subsection (a) of section 3-119 of the general statutes is
79 repealed and the following is substituted in lieu thereof (*Effective July*
80 *1, 2014*):

81 (a) The Comptroller shall pay all salaries and wages not less than
82 ten calendar days or more than fifteen calendar days after the close of
83 the payroll period in which the services were rendered, except as
84 provided in subsections (b) and (c) of this section, but shall draw no
85 order in payment for any service of which the payroll officer of the
86 state has official knowledge without the signed statement of the latter
87 that all employees listed on the payroll of each agency have been duly
88 appointed to authorized positions and have rendered the services for
89 which payment is to be made. The Comptroller is authorized to
90 develop, install and operate a comprehensive fully documented
91 electronic system for effective personnel data, for payment of
92 compensation to all state employees and officers and for maintenance
93 of a chronological and permanent record of compensation paid to each
94 employee and officer for the state employees retirement system and
95 other purposes. Such electronic system shall also facilitate the
96 electronic processing of an income withholding order entered by a
97 state or federal court, including any such order transmitted to the
98 Comptroller by means of the federal electronic income withholding
99 order process. The Comptroller is authorized to establish an
100 accounting procedure to implement this section.

101 Sec. 504. Subsection (h) of section 31-227 of the general statutes is
102 repealed and the following is substituted in lieu thereof (*Effective July*
103 *1, 2014*):

104 (h) (1) An individual filing an initial claim for unemployment
105 compensation shall, at the time of filing such claim, disclose whether
106 or not the individual owes child support obligations as defined under

107 subdivision (6) of this subsection. If any such individual discloses that
108 he or she owes child support obligations and has been determined to
109 be eligible for unemployment compensation, the administrator shall
110 notify the state or local child support enforcement agency enforcing
111 such obligation that the individual is eligible for unemployment
112 compensation.

113 (2) The administrator shall deduct and withhold from any
114 unemployment compensation payable to an individual who owes
115 child support obligations (A) the amount specified by the individual to
116 the administrator to be deducted and withheld under this subsection,
117 if neither subparagraph (B) nor (C) is applicable, or (B) the amount
118 determined pursuant to an agreement submitted to the administrator
119 under Section 654(20)(B)(i) of the Social Security Act by the state or
120 local child support enforcement agency, unless subparagraph (C) is
121 applicable, or (C) any amount otherwise required to be so deducted
122 and withheld from such unemployment compensation pursuant to
123 legal process, as defined in Section 662(e) of the Social Security Act,
124 properly served upon the administrator. For purposes of this
125 subdivision, legal process shall be deemed properly served upon the
126 administrator if such legal process is transmitted to the administrator
127 by means of the federal electronic income withholding order process.

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

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

136 (5) This subsection shall be applicable only if appropriate
137 arrangements have been made for reimbursement by the state or local
138 child support enforcement agency for the administrative costs incurred

139 by the administrator under this subsection which are attributable to
140 child support obligations being enforced by such state or local child
141 support enforcement agency.

142 (6) For purposes of this subsection, the term "unemployment
143 compensation" means any compensation payable under this chapter,
144 including amounts payable by the administrator pursuant to an
145 agreement under any federal law providing for compensation,
146 assistance, or allowances with respect to unemployment; "child
147 support obligations" includes only obligations which are being
148 enforced pursuant to a plan described in Section 654 of the Social
149 Security Act which has been approved by the Secretary of Health and
150 Human Services under Part D of Title IV of the Social Security Act; and
151 "state or local child support enforcement agency" means any agency of
152 this state or a political subdivision thereof operating pursuant to a plan
153 described in Section 654 of the Social Security Act which has been
154 approved by the Secretary of Health and Human Services under Part D
155 of Title IV of the Social Security Act.

156 Sec. 505. (NEW) (*Effective October 1, 2014*) Notwithstanding any
157 provision of the general statutes, absent a court order, no employee of
158 the Department of Social Services or Support Enforcement Services
159 may contact the employer of an individual, who has been named as the
160 putative father of the child in connection with a IV-D support case, as
161 defined in section 46b-231 of the general statutes, unless such
162 individual has been adjudicated the father of the child in accordance
163 with the laws of this state or any other state.

164 Sec. 506. (*Effective from passage*) (a) There is established a task force to
165 study technological and other initiatives that could be implemented by
166 the state to maximize the collection of child support due and owing to
167 state residents. Such study shall specifically identify technological
168 enhancements that are needed to ensure compliance with court orders
169 relating to the payment of child support.

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

- 171 (1) Two appointed by the speaker of the House of Representatives;
- 172 (2) Two appointed by the president pro tempore of the Senate;
- 173 (3) One appointed by the majority leader of the House of
174 Representatives;
- 175 (4) One appointed by the majority leader of the Senate;
- 176 (5) One appointed by the minority leader of the House of
177 Representatives;
- 178 (6) One appointed by the minority leader of the Senate;
- 179 (7) The Commissioner of Social Services, or the commissioner's
180 designee; and
- 181 (8) The Chief Court Administrator, or the Chief Court
182 Administrator's designee.
- 183 (c) Any member of the task force appointed under subdivision (1),
184 (2), (3), (4), (5) or (6) of subsection (b) of this section may be a member
185 of the General Assembly.
- 186 (d) All appointments to the task force shall be made not later than
187 ninety days after the effective date of this section. Any vacancy shall be
188 filled by the appointing authority.
- 189 (e) The speaker of the House of Representatives and the president
190 pro tempore of the Senate shall select the chairpersons of the task force
191 from among the members of the task force. Such chairpersons shall
192 schedule the first meeting of the task force, which shall be held not
193 later than sixty days after the effective date of this section.
- 194 (f) The administrative staff of the joint standing committee of the
195 General Assembly having cognizance of matters relating to the
196 judiciary shall serve as administrative staff of the task force.
- 197 (g) Not later than January 1, 2016, the task force shall submit a

198 report on its findings and recommendations to the joint standing
199 committee of the General Assembly having cognizance of matters
200 relating to the judiciary, in accordance with the provisions of section
201 11-4a of the general statutes. The task force shall terminate on the date
202 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>July 1, 2014</i>	46b-225
Sec. 502	<i>from passage</i>	6-38b
Sec. 503	<i>July 1, 2014</i>	3-119(a)
Sec. 504	<i>July 1, 2014</i>	31-227(h)
Sec. 505	<i>October 1, 2014</i>	New section
Sec. 506	<i>from passage</i>	New section