



General Assembly

Amendment

February Session, 2014

LCO No. 5618

SB0025205618HDO

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 Section 6-38b of the general statutes is repealed and the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, (1) shall 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) may make recommendations to the task force
36 established pursuant to section 504 of this act regarding methods to
37 increase participation by state marshals in the service of capias
38 mittimus orders.

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

46 section.

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

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

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

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

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

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66 repealed and the following is substituted in lieu thereof (*Effective July*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

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

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

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

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

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

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

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

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

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

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

141 approved by the Secretary of Health and Human Services under Part D
142 of Title IV of the Social Security Act.

143 Sec. 504. (*Effective from passage*) (a) There is established a task force to
144 study technological and other initiatives that could be implemented by
145 the state to maximize the collection of child support due and owing to
146 state residents. Such study shall specifically identify technological
147 enhancements that are needed to ensure compliance with court orders
148 relating to the payment of child support.

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

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

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

152 (3) One appointed by the majority leader of the House of
153 Representatives;

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

155 (5) One appointed by the minority leader of the House of
156 Representatives;

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

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

160 (8) The Chief Court Administrator, or the Chief Court
161 Administrator's designee.

162 (c) Any member of the task force appointed under subdivision (1),
163 (2), (3), (4), (5) or (6) of subsection (b) of this section may be a member
164 of the General Assembly.

165 (d) All appointments to the task force shall be made not later than
166 ninety days after the effective date of this section. Any vacancy shall be

167 filled by the appointing authority.

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

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

176 (g) Not later than January 1, 2016, the task force shall submit a
177 report on its findings and recommendations to the joint standing
178 committee of the General Assembly having cognizance of matters
179 relating to the judiciary, in accordance with the provisions of section
180 11-4a of the general statutes. The task force shall terminate on the date
181 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>from passage</i>	New section