



Substitute Senate Bill No. 109

Public Act No. 16-13

AN ACT RENAMING THE BUREAU OF CHILD SUPPORT ENFORCEMENT TO THE OFFICE OF CHILD SUPPORT SERVICES.

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

Section 1. Section 1-24 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

The following officers may administer oaths: (1) The clerks of the Senate, the clerks of the House of Representatives and the chairpersons of committees of the General Assembly or of either branch thereof, during its session; (2) state officers, as defined in subsection (t) of section 9-1, judges and clerks of any court, family support magistrates, judge trial referees, justices of the peace, commissioners of the Superior Court, notaries public, town clerks and assistant town clerks, in all cases where an oath may be administered, except in a case where the law otherwise requires; (3) commissioners on insolvent estates, auditors, arbitrators and committees, to parties and witnesses, in all cases tried before them; (4) assessors and boards of assessment appeals, in cases coming before them; (5) commissioners appointed by governors of other states to take the acknowledgment of deeds, in the discharge of their official duty; (6) the moderator of a school district meeting, in such meeting, to the clerk of such district, as required by law; (7) the chief elected official of a municipality, in any matter before

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the chief elected official of a municipality; (8) the Chief Medical Examiner, Deputy Medical Examiner and assistant medical examiners of the Office of the Medical Examiner, in any matter before them; (9) registrars of vital statistics, in any matter before them; (10) any chief inspector or inspector appointed pursuant to section 51-286; (11) registrars of voters, deputy registrars, assistant registrars, and moderators, in any matter before them; (12) special assistant registrars, in matters provided for in subsections (b) and (c) of section 9-19b and section 9-19c; (13) the Commissioner of Emergency Services and Public Protection and any sworn member of any local police department or the Division of State Police within the Department of Emergency Services and Public Protection, in all affidavits, statements, depositions, complaints or reports made to or by any member of any local police department or said Division of State Police or any constable who is under the supervision of said commissioner or any of such officers of said Division of State Police and who is certified under the provisions of sections 7-294a to 7-294e, inclusive, and performs criminal law enforcement duties; (14) judge advocates of the United States Army, Navy, Air Force and Marine Corps, law specialists of the United States Coast Guard, adjutants, assistant adjutants, acting adjutants and personnel adjutants, commanding officers, executive officers and officers whose rank is lieutenant commander or major, or above, of the armed forces, as defined in section 27-103, to persons serving with or in the armed forces, as defined in said section, or their spouses; (15) investigators, deputy investigators, investigative aides, secretaries, clerical assistants, social workers, social worker trainees, paralegals and certified legal interns employed by or assigned to the Public Defender Services Commission in the performance of their assigned duties; (16) bail commissioners, intake, assessment and referral specialists, family relations counselors, support enforcement officers, chief probation officers and supervisory judicial marshals employed by the Judicial Department in the performance of their assigned duties; (17) juvenile matter investigators employed by the

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Division of Criminal Justice in the performance of their assigned duties; (18) the chairperson of the Connecticut Siting Council or the chairperson's designee; (19) the presiding officer at an agency hearing under section 4-177b; (20) investigators employed by the Department of Social Services [Bureau of Child Support Enforcement] Office of Child Support Services, in the performance of their assigned duties; (21) the chairperson, vice-chairperson, members and employees of the Board of Pardons and Paroles, in the performance of their assigned duties; (22) the Commissioner of Correction or the commissioner's designee; (23) sworn law enforcement officers, appointed under section 26-5, within the Department of Energy and Environmental Protection, in all affidavits, statements, depositions, complaints or reports made to or by any such sworn law enforcement officer; and (24) sworn motor vehicle inspectors acting under the authority of section 14-8.

Sec. 2. Subsection (c) of section 4a-12 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(c) For purposes of this section, "liable relative" means the husband or wife of any person receiving public assistance or aided, cared for or treated in a state humane institution, as defined in said section 17b-222, and the father and mother of any such person under the age of eighteen years, but shall not include the parent or parents whose financial liability for a child is determined by the [Bureau of Child Support Enforcement] Office of Child Support Services under subsection (b) of section 17b-179, as amended by this act. The Commissioner of Administrative Services, in consultation with the Secretary of the Office of Policy and Management, shall adopt regulations in accordance with the provisions of chapter 54 establishing: (1) A uniform contribution scale for liable relatives based upon ability to pay and the administrative feasibility of collecting such

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contributions, provided no such liable relative shall contribute an amount in excess of twelve per cent of the remainder, if any, after the state median income, adjusted for family size, has been deducted from such liable relative's taxable income for federal income tax purposes, or if such federal income tax information is unavailable, from such relative's taxable income, as calculated from other sources, including, but not limited to, information pertaining to wages, salaries and commissions as provided by such relative's employer; (2) the manner in which the Department of Administrative Services shall determine and periodically reinvestigate the ability of such liable relatives to pay; and (3) the manner in which the department shall waive such contributions upon determination that such contribution would pose a significant financial hardship upon such liable relatives.

Sec. 3. Subsection (d) of section 17b-93 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(d) Notwithstanding any provision of the general statutes, whenever funds are collected pursuant to this section or section 17b-94, and the person who otherwise would have been entitled to such funds is subject to a court-ordered current or arrearage child support payment obligation in a IV-D support case, such funds shall first be paid to the state for reimbursement of Medicaid funds granted to such person for medical expenses incurred for injuries related to a legal claim by such person which was the subject of the state's lien and such funds shall then be paid to the [Bureau of Child Support Enforcement] Office of Child Support Services for distribution pursuant to the federally mandated child support distribution system implemented pursuant to subsection (j) of section 17b-179. The remainder, if any, shall be paid to the state for payment of previously provided assistance through the state supplement program, medical assistance program, aid to families with dependent children program, temporary

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family assistance program or state-administered general assistance program.

Sec. 4. Subsections (a) to (h), inclusive, of section 17b-179 of the general statutes are repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) There is created within the Department of Social Services the [Bureau of Child Support Enforcement] Office of Child Support Services. The [bureau] office shall be administered by a director and shall act as the single and separate organizational unit to coordinate, plan and publish the state child support enforcement plan for the implementation of Title IV-D of the Social Security Act, as amended, as required by federal law and regulations. The [bureau] office shall provide for the development and implementation of all child support services, including the administration of withholding of earnings, in accordance with the provisions of Title IV-D of the Social Security Act, as amended.

(b) (1) The Commissioner of Social Services shall investigate the financial condition of the parent or parents of: (A) Any child applying for or receiving assistance under (i) the temporary family assistance program pursuant to section 17b-112, which may be referred to as "TFA" for the purposes of this section, or (ii) the Medicaid program pursuant to section 17b-261, (B) any child seeking IV-D child support enforcement services pursuant to subdivision (1) of subsection (h) of this section, and (C) any child committed to the care of the Commissioner of Children and Families who is receiving payments in the foster care program and for whom a referral to the [Bureau of Child Support Enforcement] Office of Child Support Services is made under section 46b-130, as amended by this act, and shall determine the financial liability of such parent or parents for the child.

(2) The [Bureau of Child Support Enforcement] Office of Child

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Support Services may, upon notice to the obligor and obligee, redirect payments for the support of all such children to either the state of Connecticut or the present custodial party, as their interests may appear, provided neither the obligor nor the obligee objects in writing within ten business days from the mailing date of such notice. Any such notice shall be sent by first class mail to the most recent address of such obligor and obligee, as recorded in the state case registry pursuant to section 46b-218, as amended by this act, and a copy of such notice shall be filed with the court or family support magistrate if both the obligor and obligee fail to object to the redirected payments within ten business days from the mailing date of such notice. All payments shall be distributed as required by Title IV-D of the Social Security Act.

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

(c) The [Bureau of Child Support Enforcement] Office of Child Support Services shall enter into cooperative agreements with appropriate officials of the Judicial Branch and law enforcement

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officials to assist in administering the child support enforcement plan and with respect to other matters of common concern in the area of child support enforcement. Officers of the Judicial Branch and law enforcement officials authorized and required to enter into cooperative agreements with the [Bureau of Child Support Enforcement] Office of Child Support Services include, but are not limited to, officials of the Superior Court and the office of the Attorney General. Such cooperative agreements shall contain performance standards to address the mandatory provisions of both state and federal laws and federal regulations concerning child support.

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

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

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Enforcement] Office of Child Support Services shall have authority to enter into such agreements with the Labor Commissioner and to withhold unemployment compensation pursuant to subsection (d) of this section and section 31-227.

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

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

(h) (1) The [Bureau of Child Support Enforcement] Office of Child Support Services shall provide, or arrange to provide through one or more of the state officials, departments and agencies, the same services for obtaining and enforcing child support orders in cases in which children are not beneficiaries of TFA, Medicaid or foster care as in cases where children are the beneficiaries of TFA, Medicaid or foster care. Such services shall also be made available to residents of other states on the same terms as to residents of this state. Support services in cases other than TFA, Medicaid or foster care will be provided upon application to the [Bureau of Child Support Enforcement] Office of Child Support Services by the person seeking to enforce a child support obligation and the payment of an application fee, pursuant to the provisions of subsection (i) of this section.

(2) In addition to the application fee, the [Bureau of Child Support Enforcement] Office of Child Support Services may assess costs incurred for the establishment, enforcement or modification of a

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support order in cases other than TFA, Medicaid or foster care. Such assessment shall be based on a fee schedule adopted by the Department of Social Services pursuant to chapter 54. The fee schedule to be charged in such cases shall be made available to any individual upon request. The [Bureau of Child Support Enforcement] Office of Child Support Services shall adopt procedures for the notification of Superior Court judges and family support magistrates when a fee has been assessed upon an obligee for support services and a Superior Court judge or a family support magistrate shall order the obligor to pay any such assessment to the [Bureau of Child Support Enforcement] Office of Child Support Services. In cases where such order is not entered, the obligee shall pay an amount based on a sliding scale not to exceed the obligee's ability to pay. The Department of Social Services shall adopt such sliding scale pursuant to chapter 54.

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

Sec. 5. Subsection (l) of section 17b-179 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(l) The [Bureau of Child Support Enforcement] Office of Child Support Services shall arrange to provide a single centralized automated system for the reporting of collections on all accounts established for the collection of all IV-D support orders. Such reporting

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shall be made available to the Family Support Magistrate Division and to all state agencies which have a cooperative agreement with the IV-D agency. Such automated system shall include a state case registry which complies with federal law and regulations. The state case registry shall contain information on each support order established or modified in this state. The [Bureau of Child Support Enforcement] Office of Child Support Services, utilizing information contained in the state case registry, shall establish, maintain and periodically update a list of all delinquent child support obligors. The list shall, at a minimum, contain the name, residential address and amount of the delinquent child support owed by a child support obligor, exclusive of any amount of child support owed for which an appeal is pending. The [Bureau of Child Support Enforcement] Office of Child Support Services shall publish on the Department of Social Services' Internet web site, the names, residential addresses and amounts of delinquent child support owed by the one hundred individuals having the highest delinquent child support obligations. For purposes of this subsection, "delinquent child support obligor" means an obligor who (1) owes overdue child support, accruing after the entry of a court order, in an amount which exceeds ninety days of periodic payments on a current child support or arrearage payment order, or (2) has failed to make court ordered medical or dental insurance coverage available within ninety days of the issuance of a court order or fails to maintain such coverage pursuant to a court order for a period of ninety days.

Sec. 6. Section 29-1g of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

The Commissioner of Emergency Services and Public Protection may appoint not more than six persons nominated by the Commissioner of Social Services as special policemen in the [Bureau of Child Support Enforcement] Office of Child Support Services of the Department of Social Services for the service of any warrant or *capias*

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mittimus issued by the courts on child support matters. Such appointees, having been sworn, shall serve at the pleasure of the Commissioner of Emergency Services and Public Protection and, during such tenure, shall have all the powers conferred on state policemen and state marshals.

Sec. 7. Subdivision (1) of subsection (a) of section 46b-88 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(1) "Issuing agency" means an agency providing child support enforcement services, as defined in subsection (b) of section 46b-231, as amended by this act, and includes the [Bureau of Child Support Enforcement] Office of Child Support Services within the Department of Social Services and Support Enforcement Services within Judicial Branch Court Operations; and

Sec. 8. Section 46b-130 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

The parents of a minor child for whom care or support of any kind has been provided under the provisions of this chapter shall be liable to reimburse the state for such care or support to the same extent, and under the same terms and conditions, as are the parents of recipients of public assistance. Upon receipt of foster care maintenance payments under Title IV-E of the Social Security Act by a minor child, the right of support, past, present and future, from a parent of such child shall, by this section, be assigned to the Commissioner of Children and Families, and the parents shall assist the commissioner in pursuing such support. On and after October 1, 2008, such assignment shall apply only to such support rights as accrue during the period of assistance, not to exceed the total amount of assistance provided to the child under Title IV-E. Referral by the commissioner shall promptly be made to the [Bureau of Child Support Enforcement] Office of Child

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Support Services of the Department of Social Services for pursuit of support for such minor child in accordance with the provisions of section 17b-179, as amended by this act. Any child who reimburses the state under the provisions of subsection (l) of section 46b-129 for any care or support such child received shall have a right of action to recover such payments from such child's parents.

Sec. 9. Subdivision (3) of subsection (b) of section 46b-172 of the 2016 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(3) Payments under such agreement shall be made to the petitioner, except that in IV-D support cases, as defined in subsection (b) of section 46b-231, as amended by this act, payments shall be made to the [Bureau of Child Support Enforcement] Office of Child Support Services or its designated agency and distributed as required by Title IV-D of the Social Security Act. In IV-D support cases, the IV-D agency or a support enforcement agency under cooperative agreement with the IV-D agency may, upon notice to the obligor and obligee, redirect payments for the support of any child receiving child support enforcement services either to the state of Connecticut or to the present custodial party, as their interests may appear, provided neither the obligor nor the obligee objects in writing within ten business days from the mailing date of such notice. Any such notice shall be sent by first class mail to the most recent address of such obligor and obligee, as recorded in the state case registry pursuant to section 46b-218, and a copy of such notice shall be filed with the court or family support magistrate if both the obligor and obligee fail to object to the redirected payments within ten business days from the mailing date of such notice.

Sec. 10. Subsection (b) of section 46b-303 of the 2016 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

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(b) The [Bureau of Child Support Enforcement] Office of Child Support Services within the Department of Social Services and Support Enforcement Services of the Superior Court are the support enforcement agencies of this state.

Sec. 11. Subsection (a) of section 46b-334 of the 2016 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) If the Commissioner of Social Services determines that the [Bureau of Child Support Enforcement] Office of Child Support Services is neglecting or refusing to provide services to an individual, or if the Chief Court Administrator determines that Support Enforcement Services is neglecting or refusing to provide services to an individual, the commissioner or Chief Court Administrator may order their respective agencies to perform their duties under sections 46b-301 to 46b-425, inclusive, or may provide those services directly to the individual.

Sec. 12. Subdivision (3) of subsection (a) of section 46b-218 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(3) "State case registry" means the database included in the automated system established and maintained by the [Bureau of Child Support Enforcement] Office of Child Support Services under subsection (l) of section 17b-179, as amended by this act, which database shall contain information on each support order established or modified in the state.

Sec. 13. Subdivision (4) of subsection (b) of section 46b-231 of the 2016 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(4) ["Bureau of Child Support Enforcement"] "Office of Child

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Support Services" means a division within the Department of Social Services established pursuant to section 17b-179, as amended by this act;

Sec. 14. Subdivision (12) of subsection (b) of section 46b-231 of the 2016 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

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

Sec. 15. Subdivision (4) of subsection (s) of section 46b-231 of the 2016 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

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

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

Sec. 16. Subdivision (1) of subsection (a) of section 52-362 of the 2016 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

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

Sec. 17. Subsection (e) of section 52-362 of the 2016 supplement to the general statutes is repealed and the following is substituted in lieu

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thereof (*Effective from passage*):

(e) A withholding order shall issue in the amount necessary to enforce a support order against only such nonexempt income of the obligor as exceeds the greater of (1) eighty-five per cent of the first one hundred forty-five dollars per week of disposable income, or (2) the amount exempt under Section 1673 of Title 15 of the United States Code, or against any lesser amount which the court or family support magistrate deems equitable. Subject to subsection (d) of section 46b-88, the withholding order shall secure payment of past and future amounts due under the support order and an additional amount computed in accordance with the child support guidelines established in accordance with section 46b-215a, to be applied toward liquidation of any arrearage accrued under such order, unless contested by the obligor after a notice has been served pursuant to subsection (c) of this section, in which case the court or family support magistrate may determine the amount to be applied toward the liquidation of the arrearage found to have accrued under prior order of the court or family support magistrate. In no event shall such additional amount be applied if there is an existing arrearage order from the court or family support magistrate in a IV-D support case, as defined in subdivision (13) of subsection (b) of section 46b-231. Any investigator or other authorized employee of the [Bureau of Child Support Enforcement] Office of Child Support Services within the Department of Social Services, or any officer of Support Enforcement Services of the Superior Court, may issue a withholding order entered by the Superior Court or a family support magistrate pursuant to subsection (b) of this section, and shall issue a withholding order pursuant to this subsection when the obligor becomes subject to withholding under subsection (c) of this section. On service of the order of withholding on an existing or any future employer or other payer of income, and until the support order is fully satisfied or modified, the order of withholding is a continuing lien and levy on the obligor's income as it becomes due.

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Sec. 18. Subsection (h) of section 52-362 of the 2016 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(h) Service of any process under this section, including any notice, may be made in accordance with section 52-57, or by certified mail, return receipt requested. If service is made on behalf of the state, it may be made by an authorized employee of Support Enforcement Services, by an investigator or other officer of the [Bureau of Child Support Enforcement] Office of Child Support Services within the Department of Social Services, by an investigator of the Department of Administrative Services or by the Attorney General. Service of income withholding orders by Support Enforcement Services or by an investigator or other officer of said [bureau] office upon an employer under this section may be made in accordance with section 52-57, by certified mail, return receipt requested, by first class mail or electronically, provided the employer agrees to accept service made electronically.

Sec. 19. Subsection (n) of section 52-362 of the 2016 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(n) When a support order is issued in another state and the obligor has income subject to withholding derived in this state, such income shall be subject to withholding in accordance with the provisions of this section, upon registration of the support order in accordance with subdivision (1) of this subsection or as provided in subdivision (2) of this subsection.

(1) An income withholding order issued in another state and registered in this state shall be subject to the procedures for registration, choice of law, notice to the nonregistering party, contest and confirmation of such order in sections 46b-370 to 46b-380,

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inclusive.

(2) An income withholding order issued in another state and received directly by an employer in this state shall be subject to the procedures in sections 46b-358 to 46b-364, inclusive. Such employer shall, in addition to following the procedures in said sections, immediately provide to the obligor a copy of the notice and claim form provided by the Department of Social Services pursuant to subparagraph (A) of this subdivision.

(A) The Department of Social Services shall make available to all employers in this state a standard notice and claim form, written in clear and simple language, which shall include (i) notice that money will be withheld from the employee's wages for child support and health insurance; (ii) notice of the amount of disposable earnings that are exempt from the income withholding order; (iii) notice that the amount of the income withholding order may not exceed the maximum permitted by federal law under 15 USC 1673, together with a statement of the obligor's right to claim any other applicable state or federal exemptions; (iv) notice of the right to object to the validity or enforcement of such income withholding order in a court in this state and of the right to seek modification of the underlying support order in the court of continuing exclusive jurisdiction; (v) notice of the right to seek the assistance of the [Bureau of Child Support Enforcement] Office of Child Support Services of the Department of Social Services and the toll-free telephone number at which the bureau can be contacted; and (vi) a claim form which shall include (I) a list of the most common defenses and exemptions to such income withholding order in a manner which allows the obligor to check any of the defenses and exemptions which apply; (II) a space where the obligor may briefly explain the obligor's claim or defense; (III) a space where the obligor may initiate a request for services to modify the support order, and the address of the [Bureau of Child Support Enforcement]

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Office of Child Support Services of the Department of Social Services to which such request may be sent; (IV) a space for the obligor to provide the obligor's address and the name of the town in which the obligor principally conducts the obligor's work for the employer; (V) a space for the obligor to sign the obligor's name; (VI) the address of Support Enforcement Services to which the claim form is to be sent in order to contest the validity or enforcement of the income withholding order; and (VII) space for the employer to state the date upon which the form was actually delivered to the obligor.

(B) An obligor may contest the validity or enforcement of an income withholding order issued in another state and received directly by an employer in this state by following the procedures in section 46b-363 or by mailing to Support Enforcement Services the claim form delivered to the obligor pursuant to this subdivision. Such form shall be signed by the obligor and contain the obligor's address. A copy of the income withholding order shall be included.

(C) Upon receipt of a claim form contesting the validity or enforcement of an income withholding order, Support Enforcement Services shall: (i) Give notice of the contest to (I) the support enforcement agency providing services to the obligee; (II) each employer that has directly received an income withholding order relating to the obligor; (III) the person designated to receive payments in the income withholding order; and (IV) if the obligee's address is known, the obligee; (ii) file the claim form and a copy of the income withholding order on behalf of the obligor with the Family Support Magistrate Division; and (iii) notify the person or agency that sent the income withholding order to file not less than ten days before the scheduled hearing (I) two copies, including one certified copy of the underlying support order, including any modification of such order; and (II) a sworn statement showing the amount of any arrearage together with the last court determination of an arrearage and an

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accounting of the arrearage since such determination.

(D) Upon receipt of a claim form filed by Support Enforcement Services on behalf of the obligor in accordance with subparagraph (C) of this subdivision, the clerk shall promptly enter the appearance of the obligor, schedule a hearing, and give notice of the hearing to the obligor, Support Enforcement Services, the party initiating the income withholding order, and, if the obligee's address is known, the obligee. The family support magistrate shall promptly hear and determine the claim and enter the family support magistrate's determination within forty-five days from the date of the filing of the claim form. The family support magistrate shall utilize the procedures set forth in sections 46b-342 to 46b-344, inclusive, to obtain additional evidence and information as needed for a prompt determination on the claim. If the person or agency that sent the income withholding order fails to file the documents described in subparagraph (C) (iii) of this subdivision or fails to comply with a reasonable request for information or documents made under section 46b-343 or 46b-344, the family support magistrate may (i) continue the hearing for a period of not more than an additional forty-five days and direct Support Enforcement Services to provide such notice as may be appropriate; (ii) order a temporary or partial stay of income withholding for a period not to exceed forty-five days; or (iii) sustain the obligor's objection to the validity or enforcement of the income withholding order and enjoin the employer from complying with such order. In addition to any notice given by the clerk, upon entry of the decision of the family support magistrate on the claim, Support Enforcement Services shall give notice of the decision to each employer that has directly received an income withholding order related to the obligor, the party initiating the income withholding order, the obligor and, if the obligee's address is known, the obligee.

(E) If the claim form requests services to modify the support order,

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the [Bureau of Child Support Enforcement] Office of Child Support Services shall assist the obligor to file a motion for modification with the appropriate tribunal of the state of continuing, exclusive jurisdiction in accordance with the law of that jurisdiction. The receipt of the request for modification shall constitute a request for Title IV-D services, but the bureau may require the making of a formal application. Such assistance shall include, but is not limited to, providing the obligor with information about how such a motion is filed, contacting the state of continuing, exclusive jurisdiction on behalf of the obligor to obtain appropriate forms, and transmitting such forms and applicable information to the appropriate tribunal in such state.

(F) Venue for contested claims under this section shall be the Family Support Magistrate Division of the Superior Court in the judicial district in which the obligor resides, provided (i) if the obligor does not reside in this state, venue shall be in the judicial district of the employer who is subject to the income withholding order, and (ii) if there is an existing action concerning support of the child or children who are the subject of the income withholding order, the claim shall be filed in that action.

Sec. 20. Subsection (p) of section 52-362 of the 2016 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(p) All withholding orders issued under this section shall be payable to the state disbursement unit established and maintained by the Commissioner of Social Services in accordance with subsection (j) of section 17b-179. The state disbursement unit shall insure distribution of all money collected under this section to the dependent, the state and the support enforcement agencies of other states, as their interests may appear, within two business days. Each dependent who is not receiving child support enforcement services, as defined in subsection (b) of section 46b-231, as amended by this act, shall be notified upon

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the issuance of a withholding order pursuant to this section, that such services are offered free of charge by the State of Connecticut upon application to the [Bureau of Child Support Enforcement] Office of Child Support Services within the Department of Social Services.

Sec. 21. Subdivision (1) of subsection (a) of section 52-362f of the 2016 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(1) "Agency" means the [Bureau of Child Support Enforcement] Office of Child Support Services within the Department of Social Services of this state and, when the context requires, means either the court or agency of any other jurisdiction with functions similar to those defined in this section, including the issuance and enforcement of support orders.

Sec. 22. Subsection (g) of section 52-362f of the 2016 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(g) An income withholding order under this section shall direct payment to the [Bureau of Child Support Enforcement] Office of Child Support Services or its designated collection agent. The [bureau] office or its designated agent shall promptly distribute payments received pursuant to an income withholding order or garnishment based on a support order of another jurisdiction entered under this section to the agency or person designated pursuant to subdivision (5) of subsection (a) of section 46b-371. A support order entered pursuant to subsection (d) of this section does not nullify and is not nullified by a support order made by a court of this state pursuant to any other section of the general statutes or a support order made by a court of any other state. Amounts collected by any withholding of income shall be credited against the amounts accruing or accrued for any period under any support orders issued either by this state or by another jurisdiction.

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Sec. 23. Section 52-362i of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

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

Approved May 6, 2016