

Minnesota Fathers & Families Network – Summary of Child Support Legislation Introduced in 2009\*



www.mnfathers.org

Description	House File #, Author(s), Status	Senate File #, Author(s), Status	More Information / Why MFFN is tracking
<p><b>Governor's Budget Bill, (changes re: 20% income withholding statute)</b></p>	<p>HF 1571, Abeler.  Introduced on 3/12/09 and referred by the chair of the Finance Committee to the Health and Human Services Division.  Then put into HF 1362, Huntley. Heard and passed on House Floor on 4/27/09.</p>	<p>SF 695, Berglin (companion to HF 1362) did not include 20% income withholding provision change. Heard and passed on Senate Floor on 4/27/09.  20% income withholding provision change was removed in Conference Committee.</p>	<p>Affects child support payments by obligors.  Would require DHS to change the child support program requirements to ensure that automatically the correct amount of arrears are withheld when an obligor has a court-ordered monthly payback amount. Currently, PRISM automatically calculates the additional 20% of child support that is owed if an obligor is in child support arrears. If a person is ordered to pay a certain amount per month towards arrears, these court ordered payments toward arrears are loaded on PRISM, and PRISM adds that amount plus calculates an additional 20% on the total (Current + Arrears + 20%).</p>
<p><b>Requires collection service fees to be paid by obligor in child support cases</b></p>	<p>HF887, Lesch, Morrow.  Heard in Civil Justice on 3/2 and bill laid over.</p>	<p>SF135, Anderson, M. Olson, Berglin, Foley.  1/22 Introduced and referred to Judiciary.</p>	<p>Would affect parents who pay or receive child support.  Current law requires the child support services <u>applicant</u> (whether the obligor or obligee) to pay a \$25 annual federal collections fee, a 1% cost recovery fee that is based on the amount of court ordered support (and maintenance, i.e. alimony), and fees for when state and federal taxes are intercepted for overdue support (current law requires the obligor to pay a specific \$25 fee when taxes are intercepted).  This law would change child support fees to now be paid exclusively by the <u>obligor</u> in all cases.</p>
<p><b>Relating to child support; changing certain provisions and deadlines; redirecting payment of child support and providing that child support judgments do not expire.</b></p>	<p>HF543, Scott, Drazkowski, Shimanski, Loon, Sterner, Jackson, Fritz.  2/5 Introduced and referred to Civil Justice.</p>	<p>SF521, Torres Ray, Moua, M. Olson, Limmer, Higgins.  2/9 Introduced and referred to Judiciary.</p>	<p>Would allow for administrative redirection of child support to a caregiver who is receiving public assistance, or who has legal responsibility of a child through a voluntary placement agreement under 260C.212, subd. 8, or who has custody of a child through a court-ordered placement that does not address redirection of child support.  <i>Supported by MFFN Policy Initiative #5, Identify and promote administrative resolutions for common and easily verifiable changes in family situations... such as changes in public assistance... change in child's residence.</i>  The bill also would provide that child support judgments do not expire. (current law requires judgments to be renewed every 10 years).</p>
<p><b>Providing for administrative redirection of child support in certain cases; providing that child support judgments do not expire</b></p>	<p>No House Companion bill at this time.</p>	<p>SF1292, Lynch, Torres Ray, Sheran, Lourey, Rosen.  3/9 Introduced and referred to Judiciary.  <u>Same language as SF 521.</u></p>	<p>Same as above</p>
<p><b>Changing certain provisions; redirecting payment of child support</b></p>	<p>HF1771, Scott, Jackson, Shimanski.  Introduced 3/16 and referred to Civil Justice. Committee report to pass as amended and refer to Finance. Referred by chair to Health Care and Human Services Finance Division, 4/7 pass and return to Finance.</p>	<p>SF1508, Torres Ray.  3/12 Introduced and referred to Judiciary.</p>	<p>Same language for redirection of support as above, but does not include provision that child support judgments do not expire</p>

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<b>Adding a requirement for full compliance with child support payment agreements</b>	HF1185, Masin, Hayden, Slocum.  3/2 Introduced and referred to Civil Justice.	SF1398, Carlson, Doll, M. Olson.  3/12 Introduced and referred to Judiciary.	Would amend child support enforcement remedies, such as driver's license suspension, occupational license suspension and administrative seek employment orders to require <i>full</i> compliance with written payment agreements in order to avoid the enforcement remedy
<b>Prohibiting withdrawal of denial of a passport restriction based on child support arrearages</b>	HF1911, Eastlund.  3/19 Introduced and referred to Civil Justice.	SF1553, Olseen.  3/16 Introduced and referred to Judiciary.	Would affect child support enforcement remedy of revocation or limitation of passports.  Would not allow the child support office to withdraw certification if a child support obligor's passport is revoked or limited or an application for a passport is denied because the public authority has certified that the obligor owes arrearages of child support in excess of the amount specified under United States Code, title 42, section 652(k), regardless of whether the obligor is in compliance with a written payment agreement under section 518A.69.
<b>Nonpublic assistance child support (IV-D) services provisions modified</b>	HF2384, Scott, Drazkowski, Scalze, Brod.  Introduced on 5/13 and referred to Health and Human Services Policy and Oversight.	SF2164, Hann.  Introduced on 5/18 and referred to Health, Housing and Family Security.	Redefines and limits non-public assistance cases eligible for government child support services to those cases where the applicant would be potentially eligible for public assistance if child support is not received. The bill does not define what is meant by potentially eligible.
<b>Appropriation for Parents' Fair Share Program</b>	HF 947, Thao, Abeler.	SF706, Moua, Metzen, Foley.	Would appropriate money for the parents' fair share program to assist unemployed, noncustodial parents with job search and parenting skills.  <i>Supported by MFFN 2009 Policy Agenda, Policy Initiative #8: Increase opportunities for noncustodial parents to access training programs, paid work experience, and other tangible assistance for those hardest to employ and Policy Initiative #10: Appropriate state funds to provide services for low-income fathers and noncustodial parents in order to: (1) overcome barriers to employment or education, (2) access health and mental health services, and (3) access family law, child access, or co-parenting services.</i>

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