

Senate Bill 42

By: Senators Harp of the 29th, Thomas of the 54th and Tolleson of the 20th

AS PASSED

**A BILL TO BE ENTITLED
AN ACT**

To amend Article 1 of Chapter 11 of Title 19 of the Official Code of Georgia Annotated, relating to the "Child Support Recovery Act," so as to authorize the Department of Human Resources to impose and retain certain fees on obligees and obligors with respect to certain child support collections; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Article 1 of Chapter 11 of Title 19 of the Official Code of Georgia Annotated, relating to the "Child Support Recovery Act," is amended in Code Section 19-11-6, relating to enforcement of child support payments and alimony for public assistance recipients, by adding new subsections to read as follows:

"(f) The department shall be authorized to charge the obligee a federal Deficit Reduction Act of 2005 fee of \$12.00 to be paid at the rate of \$1.00 per month after the IV-D agency has collected \$500.00 of child support annually for each case. The department shall retain such fee and deduct such fee from child support collections before disbursement to the obligee. Such fee shall only apply to an obligee who has never received public assistance payments pursuant to Title IV-A or Title IV-E of the federal Social Security Act.

(g) The department shall be authorized to charge the obligor a federal Deficit Reduction Act of 2005 fee of \$13.00 to be paid in 12 monthly installments after the IV-D agency has collected \$500.00 of child support annually for each case. Such fee shall only apply to an obligor when the obligee has never received public assistance payments pursuant to Title IV-A or Title IV-E of the federal Social Security Act. The department shall retain such fee and collect such fee through income withholding, as well as by any other enforcement remedy available to the IV-D agency responsible for child support enforcement."

SECTION 2.

Said article is further amended in Code Section 19-11-8 of the Official Code of Georgia Annotated, relating to the duty of the Department of Human Resources to enforce child support of an abandoned minor public assistance recipient, by adding new subsections to read as follows:

"(e) The department shall be authorized to charge the obligee a federal Deficit Reduction Act of 2005 fee of \$12.00 to be paid at the rate of \$1.00 per month after the IV-D agency has collected \$500.00 of child support annually for each case. The department shall retain such fee and deduct such fee from child support collections before disbursement to the obligee. Such fee shall only apply to an obligee who has never received public assistance payments pursuant to Title IV-A or Title IV-E of the federal Social Security Act.

(f) The department shall be authorized to charge the obligor a federal Deficit Reduction Act of 2005 fee of \$13.00 to be paid in 12 monthly installments after the IV-D agency has collected \$500.00 of child support annually for each case. Such fee shall only apply to an obligor when the obligee has never received public assistance payments pursuant to Title IV-A or Title IV-E of the federal Social Security Act. The department shall retain such fee and collect such fee through income withholding, as well as by any other enforcement remedy available to the IV-D agency responsible for child support enforcement."

SECTION 3.

All laws and parts of laws in conflict with this Act are repealed.