

House Bill 701

By: Representatives Barr of the 103<sup>rd</sup>, Willard of the 51<sup>st</sup>, Oliver of the 82<sup>nd</sup>, Quick of the 117<sup>th</sup>, Mabra of the 63<sup>rd</sup>, and others

A BILL TO BE ENTITLED  
AN ACT

1 To amend Chapter 6 and Article 1 of Chapter 11 of Title 19 of the Official Code of Georgia  
2 Annotated, relating to alimony and child support and the "Child Support Recovery Act,"  
3 respectively, so as to enact provisions recommended by the Georgia Child Support  
4 Commission relating to child support and enforcement of child support orders; to revise  
5 definitions used in calculating child support; to clarify that worksheets and the calculator  
6 determine monthly child support figures; to clarify provisions relating to gross income; to  
7 change provisions relating to the duties of the Georgia Child Support Commission; to  
8 provide for definitions and correct cross-references relating to the Department of Human  
9 Services Bank Match Registry and child support orders; to provide for related matters; to  
10 repeal conflicting laws; and for other purposes.

11 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

12 style="text-align:center">**SECTION 1.**

13 Chapter 6 of Title 19 of the Official Code of Georgia Annotated, relating to alimony and  
14 child support, is amended by revising paragraphs (1), (3), (6), (18), and (25) of subsection  
15 (a) of Code Section 19-6-15, relating to child support in final verdict or decree, as follows:

16 "~~(1) 'Adjusted child support obligation' means the basic child support obligation adjusted~~  
17 ~~by health insurance and work related child care costs~~ Reserved."

18 "(3) 'Basic child support obligation' means the monthly amount of support displayed on  
19 the child support obligation table which corresponds to the combined adjusted income of  
20 ~~the custodial parent and the noncustodial parent~~ and the number of children for whom  
21 child support is being determined. ~~This amount is rebuttably presumed to be the~~  
22 ~~appropriate amount of child support to be provided by the custodial parent and the~~  
23 ~~noncustodial parent prior to consideration of percentage of income, health insurance,~~  
24 ~~work related child care costs, and deviations."~~

25 "(6) 'Child support obligation table' means the chart ~~which displays the dollar amount of~~  
26 ~~the basic child support obligation corresponding to various levels of combined adjusted~~

27 ~~income of the children's parents and the number of children for whom a child support~~  
 28 ~~order is being established or modified. The child support obligation table shall be used~~  
 29 ~~to calculate the basic child support obligation according to the provisions of this Code~~  
 30 ~~section. For further reference see subsections (n) and in subsection (o) of this Code~~  
 31 ~~section."~~

32 "(18) 'Preexisting order' means:

33 (A) An order in another case that requires a parent to make child support payments for  
 34 another child, which child support the parent is actually paying, as evidenced by  
 35 documentation as provided in division (f)(5)(B)(iii) of this Code section; and

36 (B) That the date and time of filing with the clerk of court of the initial order for each  
 37 such other case is earlier than the date and time of filing with the clerk of court of the  
 38 initial order in the case immediately before the court, regardless of the age of any child  
 39 in any of the cases."

40 "(25) 'Worksheet' or 'child support worksheet' means the ~~worksheet~~ document used to  
 41 record information necessary to determine and calculate monthly child support. ~~In child~~  
 42 ~~support services cases in which neither parent prepared a worksheet, the court may rely~~  
 43 ~~solely on the worksheet prepared by the child support services as a basis for its order. For~~  
 44 ~~further reference see subsection (m) of this Code section."~~

## 45 SECTION 2.

46 Said chapter is further amended by revising subsection (b) of Code Section 19-6-15, relating  
 47 to child support in final verdict or decree, as follows:

48 "(b) **Process of calculating child support.** Pursuant to this Code section, the  
 49 determination of monthly child support shall be calculated as follows:

50 (1) Determine the monthly gross income of both the custodial parent and the  
 51 noncustodial parent. Gross income may include imputed income, if applicable. ~~Gross~~  
 52 ~~income shall be calculated on a monthly basis.~~ The determination of monthly gross  
 53 income shall be entered on the Child Support Schedule A – Gross Income;

54 (2) Adjust each parent's monthly gross income by deducting the following from the  
 55 parents' monthly gross income and entering it on the Child Support Schedule B –  
 56 Adjusted Income if any of the following apply:

57 (A) One-half of the amount of self-employment taxes;

58 (B) Preexisting orders; and

59 (C) Theoretical child support order for qualified children, if allowed by the court;

60 (3) Add each parent's adjusted income together ~~to compute the combined adjusted~~  
 61 ~~income;~~

62 (4) Locate the basic child support obligation by referring to the child support obligation  
 63 table. Using the figure closest to the amount of the combined adjusted income, locate the  
 64 amount of the basic child support obligation ~~in the column underneath the number of~~  
 65 ~~children for whom support is being determined~~. If the combined adjusted income falls  
 66 between the amounts shown in the table, then the basic child support obligation shall be  
 67 based on the income bracket most closely matched to the combined adjusted income.  
 68 The basic child support obligation amount stated in subsection (o) of this Code section  
 69 shall be rebuttably presumed to be the appropriate amount of child support to be provided  
 70 by the custodial parent and the noncustodial parent prior to consideration of health  
 71 insurance, work related child care costs, and deviations;

72 (5) Calculate the pro rata share of the basic child support obligation for the custodial  
 73 parent and the noncustodial parent by dividing the combined adjusted income into each  
 74 parent's adjusted income to arrive at each parent's pro rata percentage of the basic child  
 75 support obligation;

76 (6) Find the adjusted child support obligation amount by adding the additional expenses  
 77 of the costs of health insurance and work related child care costs, prorating such expenses  
 78 in accordance with each parent's pro rata share of the obligation and adding such  
 79 expenses to the pro rata share of the basic child support obligation. The monthly cost of  
 80 health insurance premiums and work related child care costs shall be entered on the Child  
 81 Support Schedule D – Additional Expenses. The pro rata share of the monthly basic child  
 82 support obligation and the pro rata share of the combined additional expenses shall be  
 83 added together to create the monthly adjusted child support obligation;

84 (7) Determine the ~~presumptive~~ amount of child support for the custodial parent and the  
 85 noncustodial parent resulting in a monthly sum certain ~~single~~ payment due to the  
 86 custodial parent by assigning or deducting credit for actual payments for health insurance  
 87 and work related child care costs from the basic child support obligation;

88 (8) In accordance with subsection (i) of this Code section, deviations subtracted from or  
 89 ~~increased~~ added to the presumptive amount of child support ~~are~~ shall be applied, if  
 90 applicable, and if supported by the required findings of fact and application of the best  
 91 interest of the child standard. The proposed deviations shall be entered on the Child  
 92 Support Schedule E – Deviations. In the court's or the jury's discretion, deviations may  
 93 include, but ~~are~~ shall not be limited to, the following:

- 94 (A) High income;
- 95 (B) Low income;
- 96 (C) Other health related insurance;
- 97 (D) Life insurance;
- 98 (E) Child and dependent care tax credit;

- 99 (F) Travel expenses;  
 100 (G) Alimony;  
 101 (H) Mortgage;  
 102 (I) Permanency plan or foster care plan;  
 103 (J) Extraordinary expenses;  
 104 (K) Parenting time; and  
 105 (L) Nonspecific deviations;
- 106 (9) ~~Any~~ The final child support order shall be the presumptive amount of child support  
 107 as increased or decreased by deviations and any benefits which the child receives under  
 108 Title II of the federal Social Security Act shall be applied against the final child support  
 109 order. The final child support amount for each parent shall be entered on the child  
 110 support worksheet, together with the information from each of the utilized schedules;
- 111 (10) ~~The~~ In addition, the parents shall allocate the uninsured health care expenses which  
 112 shall be based on the pro rata responsibility of the parents or as otherwise ordered by the  
 113 court. Each parent's pro rata responsibility for uninsured health care expenses shall be  
 114 entered on the child support worksheet; and
- 115 (11) In a split parenting case, there shall be a separate calculation and final child support  
 116 order for each parent."

117 **SECTION 3.**

118 Said chapter is further amended by revising paragraph (4) of subsection (c) of Code Section  
 119 19-6-15, relating to child support in final verdict or decree, as follows:

120 "(4) In all cases, the parties shall submit to the court their worksheets and schedules and  
 121 the presence or absence of other factors to be considered by the court pursuant to the  
 122 provisions of this Code section. ~~The child support worksheet and, if there are any~~  
 123 ~~deviations, Schedule E shall be attached to the final court order or judgment; provided,~~  
 124 ~~however, that any order entered pursuant to Code Section 19-13-4 shall not be required~~  
 125 ~~to have such worksheet and schedule attached thereto."~~

126 **SECTION 4.**

127 Said chapter is further amended by revising subparagraphs (f)(1)(A) and (f)(4)(C), division  
 128 (f)(5)(A)(i), and subparagraphs (f)(5)(B) and (f)(5)(D) of Code Section 19-6-15, relating to  
 129 child support in final verdict or decree, as follows:

130 "(A) **Attributable income.** Gross income of each parent shall be determined in the  
 131 process of setting the presumptive amount of child support and shall include all income  
 132 from any source, before deductions for taxes and other deductions such as preexisting

133 orders for child support and credits for other qualified children, whether earned or  
 134 unearned, and includes, but is not limited to, the following:

- 135 (i) Salaries;
- 136 (ii) Commissions, fees, and tips;
- 137 (iii) Income from self-employment;
- 138 (iv) Bonuses;
- 139 (v) Overtime payments;
- 140 (vi) Severance pay;
- 141 (vii) Recurring income from pensions or retirement plans including, but not limited
- 142 to, United States Department of Veterans Affairs, Railroad Retirement Board,
- 143 Keoghs, and individual retirement accounts;
- 144 (viii) Interest income;
- 145 (ix) Dividend income;
- 146 (x) Trust income;
- 147 (xi) Income from annuities;
- 148 (xii) Capital gains;
- 149 (xiii) Disability or retirement benefits that are received from the Social Security
- 150 Administration pursuant to Title II of the federal Social Security Act;
- 151 (xiv) Disability benefits that are received pursuant to the federal Veterans' Benefits
- 152 Act of 2010, 38 U.S.C. Section 101, et seq.;
- 153 ~~(xiv)~~(xv) Workers' compensation benefits, whether temporary or permanent;
- 154 ~~(xv)~~(xvi) Unemployment insurance benefits;
- 155 ~~(xvi)~~(xvii) Judgments recovered for personal injuries and awards from other civil
- 156 actions;
- 157 ~~(xvii)~~(xviii) Gifts that consist of cash or other liquid instruments, or which can be
- 158 converted to cash;
- 159 ~~(xviii)~~(xix) Prizes;
- 160 ~~(xix)~~(xx) Lottery winnings;
- 161 ~~(xx)~~(xxi) Alimony or maintenance received from persons other than parties to the
- 162 proceeding before the court;
- 163 ~~(xxi)~~(xxii) Assets which are used for the support of the family; and
- 164 ~~(xxii)~~(xxiii) Other income."

165 "(C) **Rehearing.** If income is imputed pursuant to subparagraph (A) of this paragraph,  
 166 the party believing the income of the other party is higher than the amount imputed may  
 167 provide within 90 days, upon motion to the court, evidence necessary to determine the  
 168 appropriate amount of child support based upon reliable evidence. A hearing shall be  
 169 scheduled after the motion is filed. The court may increase, decrease, or leave

170 unchanged the amount of current child support from the date of filing of either parent's  
 171 initial filing or motion for reconsideration. While the motion for reconsideration is  
 172 pending, the obligor shall be responsible for the amount of child support originally  
 173 ordered. Arrearages entered in the original child support order based upon imputed  
 174 income shall not be forgiven. When there is reliable evidence to support a motion for  
 175 reconsideration of the amount of income imputed, the party seeking reconsideration  
 176 shall not be required to ~~demonstrate that there has been a substantial change in either~~  
 177 ~~parent's income, financial status, the needs of the child, or other such factors required~~  
 178 prove the existence of grounds for modification of an order pursuant to subsection (k)  
 179 of this Code section."

180 "(i) Six and ~~one-quarter~~ two-tenths percent of self-employment income up to the  
 181 maximum amount to which federal old age, survivors, and disability insurance  
 182 (OASDI) applies; plus"

183 "(B) **Preexisting orders.** An adjustment to the parent's monthly gross income shall be  
 184 made on the Child Support Schedule B – Adjusted Income for current preexisting  
 185 orders ~~actually being paid under an order of support~~ for a period of not less than 12  
 186 months immediately prior to the date of the hearing or such period that an order has  
 187 been in effect if less than 12 months prior to the date of the hearing before the court to  
 188 set, modify, or enforce child support.

189 (i) In calculating the adjustment for preexisting orders, the court shall include only  
 190 those preexisting orders ~~where the date of filing with the clerk of court of the initial~~  
 191 ~~support order precedes the date of filing with the clerk of court of the initial order in~~  
 192 ~~the case immediately under consideration~~ meeting the criteria set forth in  
 193 subparagraph (a)(18)(B);

194 (ii) The priority for preexisting orders shall be determined by the date and time of  
 195 filing with the clerk of court of the initial order in each case. Subsequent  
 196 modifications of the initial support order shall not affect the priority position  
 197 established by the date and time of the initial order. In any modification proceeding,  
 198 the court rendering the decision shall make a specific finding of the date, and time if  
 199 known, of the initial order of the case;

200 (iii) Adjustments shall be allowed for current preexisting support only to the extent  
 201 that the payments are actually being paid as evidenced by documentation including,  
 202 but not limited to, payment history from a court clerk, ~~a IV-D agency, as defined in~~  
 203 ~~Code Section 19-6-31~~, the child support services' computer data base, the child  
 204 support payment history, or canceled checks or other written proof of payments paid  
 205 directly to the other parent. The maximum credit allowed for a preexisting order is

206 an average of the amount of current support actually paid under the preexisting order  
207 over the past 12 months prior to the hearing date;

208 (iv) All preexisting orders shall be entered on the Child Support Schedule B –  
209 Adjusted Income for the purpose of calculating the total amount of the credit to be  
210 included on the child support worksheet; and

211 (v) Payments being made by a parent on any arrearages shall not be considered  
212 payments on preexisting orders or subsequent orders and shall not be used as a basis  
213 for reducing gross income."

214 "(D) **Multiple family situations. Priority of adjustments.** In multiple family  
215 situations, the priority of adjustments to a parent's monthly gross income shall be  
216 calculated in the following order:

217 (i) Preexisting orders according to the date and time of the initial order as set forth  
218 in subparagraph (B) of this paragraph; and

219 (ii) Application of ~~After applying the deductions on the Child Support Schedule B~~  
220 ~~= Adjusted Income for preexisting orders, if any, in subparagraph (B) of paragraph~~  
221 ~~(5) of this subsection~~; any credit for a parent's other qualified children ~~may be~~  
222 ~~considered~~ using the procedure set forth in subparagraph (C) of this paragraph."

## 223 SECTION 5.

224 Said chapter is further amended by revising division (h)(3)(B)(ii) of Code Section 19-6-15,  
225 relating to child support in final verdict or decree, as follows:

226 "(ii) Child ~~The child~~ support services shall pursue enforcement of payment of such  
227 unpaid expenses only if the unpaid expenses have been reduced to a judgment in a  
228 sum certain amount."

## 229 SECTION 6.

230 Said chapter is further amended by revising subparagraph (i)(2)(B) and division (i)(2)(K)(iii)  
231 of Code Section 19-6-15, relating to child support in final verdict or decree, as follows:

232 "(B) **Low income.**

233 (i) If the noncustodial parent ~~requests a low-income deviation, such parent shall can~~  
234 provide evidence sufficient to demonstrate no earning capacity or that his or her pro  
235 rata share of the presumptive amount of child support would create an extreme  
236 economic hardship for such parent, the court may consider a low-income deviation.

237 (ii) A noncustodial parent whose sole source of income is supplemental security  
238 income received under Title XVI of the federal Social Security Act shall be  
239 considered to have no earning capacity.

240 ~~(ii)(iii)~~ ~~The~~ ~~In~~ ~~considering~~ ~~a~~ ~~noncustodial~~ ~~parent's~~ ~~request~~ ~~for~~ ~~a~~ ~~low-income~~  
 241 ~~deviation,~~ the court or the jury shall examine all attributable and excluded sources of  
 242 income, assets, and benefits available to the noncustodial parent and may consider all  
 243 reasonable expenses of the noncustodial parent, ensuring that such expenses are  
 244 actually paid by the noncustodial parent and are clearly justified expenses.

245 ~~(iii)(iv)~~ In considering a ~~noncustodial~~ parent's request for a low-income deviation, the  
 246 court or the jury shall then weigh the income and all attributable and excluded sources  
 247 of income, assets, and benefits and all reasonable expenses of each parent, the relative  
 248 hardship that a reduction in the amount of child support paid to the custodial parent  
 249 would have on the custodial parent's household, the needs of each parent, the needs  
 250 of the child for whom child support is being determined, and the ability of the  
 251 noncustodial parent to pay child support.

252 ~~(iv)(v)~~ Following a review of ~~such~~ the noncustodial parent's gross income and  
 253 expenses, and taking into account each parent's ~~adjusted~~ basic child support obligation  
 254 adjusted by health insurance and work related child care costs and the relative  
 255 hardships on the parents and the child, the court or the jury, upon request by either  
 256 party or upon the court's initiative, may consider a downward deviation to attain an  
 257 appropriate award of child support which is consistent with the best interest of the  
 258 child.

259 ~~(v)(vi)~~ For the purpose of calculating a low-income deviation, the noncustodial  
 260 parent's minimum child support for one child shall be not less than \$100.00 per  
 261 month, and such amount shall be increased by at least \$50.00 for each additional child  
 262 for the same case for which child support is being ordered.

263 ~~(vi)(vii)~~ A low-income deviation granted pursuant to this subparagraph shall apply  
 264 only to the current child support amount and shall not prohibit an additional amount  
 265 being ordered to reduce a noncustodial parent's arrears.

266 ~~(vii)(viii)~~ If a low-income deviation is granted pursuant to this subparagraph, such  
 267 deviation shall not prohibit the court or jury from granting an increase or decrease to  
 268 the presumptive amount of child support by the use of any other specific or  
 269 nonspecific deviation."

270 "(iii) In accordance with subsection (d) of Code Section 19-11-8, if any action or  
 271 claim for parenting time or a parenting time deviation is brought under this  
 272 subparagraph, it shall be an action or claim solely between the custodial parent and  
 273 the noncustodial parent, and not any third parties, including ~~the~~ child support  
 274 services."



275 **SECTION 7.**

276 Said chapter is further amended by revising subparagraph (k)(3)(C) of Code Section 19-6-15,  
 277 relating to child support in final verdict or decree, as follows:

278 "(C) All ~~IV-D~~ child support service's case reviews and modifications shall proceed and  
 279 be governed by Code Section 19-11-12. Subsequent changes to the child support  
 280 obligation table shall be a reason to request a review for modification from ~~the IV-D~~  
 281 agency child support services to the extent that such changes are consistent with the  
 282 requirements of Code Section 19-11-12."

283 **SECTION 8.**

284 Said chapter is further amended by revising subsection (m) of Code Section 19-6-15, relating  
 285 to child support in final verdict or decree, as follows:

286 "(m) **Worksheets.**

287 (1) ~~The child support worksheet shall be used to record information necessary to~~  
 288 ~~determine and calculate child support.~~ Schedules and worksheets shall be prepared by  
 289 the parties for purposes of calculating the amount of child support. In child support  
 290 services cases in which neither parent prepared a worksheet, the court may rely solely on  
 291 the worksheet prepared by child support services as a basis for its order. Information  
 292 from the schedules shall be entered on the child support worksheet. The child support  
 293 worksheet and, if there are any deviations, Schedule E shall be attached to the final court  
 294 order or judgment; provided, however, that any order entered pursuant to Code Section  
 295 19-13-4 shall not be required to have such worksheet and schedule attached thereto.

296 (2) The child support worksheet and schedules shall be promulgated by the Georgia  
 297 Child Support Commission."

298 **SECTION 9.**

299 Said chapter is further amended by revising subsection (a) of Code Section 19-6-53, relating  
 300 to the duties, powers, and authorization of the Georgia Child Support Commission to retain  
 301 professional services, as follows:

302 "(a) The commission shall have the following duties:

303 (1) To study and evaluate the effectiveness and efficiency of Georgia's child support  
 304 guidelines;

305 (2) To evaluate and consider the experiences and results in other states which utilize  
 306 child support guidelines;

307 (3)~~(A)~~ To create and recommend to the General Assembly a child support obligation  
 308 table consistent with Code Section 19-6-15. ~~Prior to January 1, 2006, the commission~~  
 309 ~~shall produce the child support obligation table and provide an explanation of the~~

310 ~~underlying data and assumptions to the General Assembly by delivering copies to the~~  
 311 ~~President Pro Tempore of the Senate and the Speaker of the House of Representatives.~~

312 ~~(B)(i) The child support obligation table shall include deductions from a parent's~~  
 313 ~~gross income for the employee's share of the contributions for the first 6.2 percent in~~  
 314 ~~Federal Insurance Contributions Act (FICA) and 1.45 percent in medicare taxes.~~

315 ~~(ii) FICA tax withholding for high-income persons may vary during the year. Six~~  
 316 ~~and two-tenths percent is withheld on the first \$90,000.00 of gross earnings. After the~~  
 317 ~~maximum \$5,580.00 is withheld, no additional FICA taxes shall be withheld.~~

318 ~~(iii) Self-employed persons are required by law to pay the full FICA tax of 12.4~~  
 319 ~~percent up to the \$90,000.00 gross earnings limit and the full medicare tax rate of 2.9~~  
 320 ~~percent on all earned income.~~

321 ~~(iv) The percentages and dollar amounts established or referenced in this~~  
 322 ~~subparagraph with respect to the payment of self-employment taxes shall be adjusted~~  
 323 ~~by the commission, as necessary, as relevant changes occur in the federal tax laws;~~

324 (4) To determine periodically, and at least every ~~two~~ four years, if the child support  
 325 obligation table results in appropriate presumptive awards;

326 (5) To identify and recommend whether and when the child support obligation table or  
 327 child support guidelines should be modified;

328 (6) To develop, publish in print or electronically, and update the child support obligation  
 329 table and worksheets and schedules associated with the use of such table;

330 (7) To develop or cause to be developed software and a calculator associated with the use  
 331 of the child support obligation table and child support guidelines and adjust the formula  
 332 for the calculations of self-employed persons' income pursuant to applicable federal law,  
 333 if the commission determines that the calculation affects persons paying or receiving  
 334 child support in this state;

335 (8) To develop training manuals and information to educate judges, attorneys, and  
 336 litigants on the use of the child support obligation table and child support guidelines;

337 (9) To collaborate with the Institute for Continuing Judicial Education, the Institute of  
 338 Continuing Legal Education, and other agencies for the purpose of training persons who  
 339 will be utilizing the child support obligation table and child support guidelines;

340 (10) To make recommendations for proposed legislation;

341 (11) To study the appellate courts' acceptance of discretionary appeals in domestic  
 342 relations cases and the formulation of case law in the area of domestic relations;

343 (12) To study alternative programs, such as mediation, collaborative practice, and pro  
 344 se assistance programs, in order to reduce litigation in child support and child custody  
 345 cases; and

346 (13) To study the impact of having parenting time serve as a deviation to the presumptive  
 347 amount of child support and make recommendations concerning the utilization of the  
 348 parenting time adjustment."

349

### SECTION 10.

350 Article 1 of Chapter 11 of Title 19 of the Official Code of Georgia Annotated, relating to the  
 351 "Child Support Recovery Act," is amended by revising Code Section 19-11-3, relating to  
 352 definitions for the Child Support Recovery Act, as follows:

353 "19-11-3.

354 As used in this article, the term:

355 (1) 'Account' means a demand deposit account, checking or negotiable order of  
 356 withdrawal account, savings account, time deposit account, or a money market mutual  
 357 fund account.

358 ~~(1)~~(2) 'Court order for child support' means any order for child support issued by a court  
 359 or administrative or quasi-judicial entity of this state or another state, including an order  
 360 in a criminal proceeding which results in the payment of child support as a condition of  
 361 probation or otherwise. Such order shall be deemed to be a IV-D order for purposes of  
 362 this article when either party to the order submits a copy of the order for support and a  
 363 signed application to the department for IV-D services, when the right to child support  
 364 has been assigned to the department pursuant to subsection (a) of Code Section 19-11-6,  
 365 or upon registration of a foreign order pursuant to Article 3 of this chapter.

366 ~~(2)~~(3) 'Department' means the Department of Human Services.

367 ~~(3)~~(4) 'Dependent child' means any person under the age of 18 who is not otherwise  
 368 emancipated, self-supporting, married, or a member of the armed forces of the United  
 369 States.

370 ~~(4)~~(5) 'Duty of support' means any duty of support imposed or imposable by law or by  
 371 court order, decree, or judgment.

372 (6) 'Financial institution' means every federal or state chartered commercial or savings  
 373 bank, including savings and loan associations and cooperative banks, federal or state  
 374 chartered credit unions, benefit associations, insurance companies, safe-deposit  
 375 companies, trust companies, and any money market mutual fund.

376 ~~(5)~~(7) 'IV-D' means Title IV-D of the federal Social Security Act.

377 ~~(6)~~(8) 'IV-D agency' means the Child Support Enforcement Agency of the Department  
 378 of Human Services and its contractors.

379 ~~(7)~~(9) 'Medical insurance obligee' means any person to whom a duty of medical support  
 380 is owed.

381 ~~(8)~~(10) 'Medical insurance obligor' means any person owing a duty of medical support.

382 (11) 'Money market mutual fund' means every regulated investment company within the  
 383 meaning of Section 851(a) of the Internal Revenue Code which seeks to maintain a  
 384 constant net asset value of \$1.00 in accordance with 17 C.F.R. Section 270.2A-7.

385 ~~(9)~~(12) 'Parent' means the natural or adoptive parents of a child and includes the father  
 386 of a child born out of wedlock if his paternity has been established in a judicial  
 387 proceeding or if he has acknowledged paternity under oath either in open court, in an  
 388 administrative hearing, or by verified writing.

389 (13) 'TANF' means temporary assistance for needy families."

### 390 **SECTION 11.**

391 Said article is further amended by revising subsection (a) of Code Section 19-11-30.2,  
 392 relating to definitions and information from financial institutions, as follows:

393 ~~"(a) As used in Code Section 19-11-30.1, this Code section, and Code Sections 19-11-30.3~~  
 394 ~~through 19-11-30.11, the term:~~

395 ~~(1) 'Account' means a demand deposit account, checking or negotiable order of~~  
 396 ~~withdrawal account, savings account, time deposit account, or a money market mutual~~  
 397 ~~fund account.~~

398 ~~(2) 'Financial institution' means every federal or state chartered commercial or savings~~  
 399 ~~bank, including savings and loan associations and cooperative banks, federal or state~~  
 400 ~~chartered credit unions, benefit associations, insurance companies, safe-deposit~~  
 401 ~~companies, trust companies, and any money market mutual fund.~~

402 ~~(3) 'For cause' means that the department has reason to believe that an individual has~~  
 403 ~~opened an account at a financial institution listed in paragraph (3) of this subsection.~~

404 ~~(4) 'Money market mutual fund' means every regulated investment company within the~~  
 405 ~~meaning of Section 851(a) of the Internal Revenue Code which seeks to maintain a~~  
 406 ~~constant net asset value of \$1.00 in accordance with 17 CFR 270.2A-7."~~

### 407 **SECTION 12.**

408 Said article is further amended by revising subsection (c) of Code Section 19-11-32, relating  
 409 to the process to collect delinquent support accounts and limitations, as follows:

410 ~~"(c) Any amount forwarded by a financial institution under this Code section and Code~~  
 411 ~~Sections 19-11-33 through 19-11-39 shall not exceed the delinquent or accrued amount of~~  
 412 ~~support owed by the obligor. Financial institutions subject to administrative levy are~~  
 413 ~~defined in paragraph (3) of subsection (a) of Code Section 19-11-30.2."~~

414

**SECTION 13.**

415 Said article is further amended by revising subsection (c) of Code Section 19-11-39, relating  
416 to computerized central case registry for support orders, as follows:

417 "(c) In any case handled by the IV-D agency, the registry shall include payment records  
418 as well as the amount of child support liens. The payment record shall include:

419 (1) The ~~the~~ amount of monthly or other periodic support owed under the order and other  
420 amounts including arrearages, interest or late payment penalties, and fees due or overdue  
421 under the order;

422 (2) Any ~~any~~ amount described in ~~item~~ paragraph (1) of this subsection that has been  
423 collected;

424 (3) The ~~the~~ distribution of such collected ~~accounts~~ amounts;

425 (4) The ~~the~~ birth date of any child for whom the order requires the provision of support;  
426 and

427 (5) The ~~the~~ amount of any lien imposed with respect to a child support order."

428

**SECTION 14.**

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