

ADOPTED

Representative Beskin of the 54th offers the following amendment:

1 *Amend the House Committee on Judiciary substitute to SB 137 (LC 41 1146S) by replacing*
 2 *lines 1 through 4 with the following:*

3 To amend Title 19 of the Official Code of Georgia Annotated, relating to domestic relations,
 4 so as to enact provisions recommended by the Georgia Child Support Commission relating
 5 to child support and the enforcement of child support orders; to harmonize provisions
 6 relating to the information required to be in a final judgment involving the payment of child
 7 support; to clarify and correct definitions used with respect to the entity which collects child
 8 support and the collection of child support; to clarify provisions relating to child support; to
 9 provide for the use of separate worksheets to an order of child support under certain
 10 circumstances; to change provisions relating to parenting time; to change and clarify
 11 provisions relating to income deduction orders; to change provisions relating to the family
 12 support registry; to change provisions relating to the "Child Support Recovery Act"; to
 13 require the obligor to pay the full fee required by the federal Deficit Reduction Act of 2005;
 14 to amend Code Sections 7-4-12.1, 10-1-393.10, and 31-10-9.1, Title 19, Article 5 of
 15 Chapter 3 of Title 42, and Article 2 of Chapter 27 of Title 50 of the Official Code of Georgia
 16 Annotated, relating to interest on arrearage on child support, filing of contracts for
 17 collections, social security account information of parents, domestic relations diversion
 18 center and program for violation of alimony and child support orders, and setoff of debt
 19 collection against lottery prizes, respectively, so as to harmonize and correct cross-references
 20 and definitions; to amend Code Section 19-6-15 of the Official Code of Georgia Annotated,
 21 relating to child support in final verdict or decree, so as to enact a recommendation by the
 22 Georgia Child Support Commission relating to child support; to change provisions relating
 23 to work related child care costs; to provide for related matters; to provide for effective dates;
 24 to repeal conflicting laws; and for other purposes.

25 *By replacing lines 6 through 45 with the following:*

26 **PART I**

27 **SECTION 1-1.**

28 Title 19 of the Official Code of Georgia Annotated, relating to domestic relations, is
 29 amended by revising Code Section 19-5-12, relating to the form of judgment and decree, as
 30 follows:

31 "19-5-12.

32 (a) A final judgment of divorce shall be prepared so as to conform to the pleadings and the
33 evidence and may restore a maiden or prior name, if requested. It shall be prepared in form
34 substantially as follows:

35 FINAL JUDGMENT AND DECREE

36 Upon consideration of this case, upon evidence submitted as provided by law, it is the
37 judgment of the court that a total divorce be granted, that is to say, a divorce a vinculo
38 matrimonii, between the parties to the above stated case upon legal principles.

39 It is considered, ordered, and decreed by the court that the marriage contract heretofore
40 entered into between the parties to this case, from and after this date, be and is set aside
41 and dissolved as fully and effectually as if no such contract had ever been made or
42 entered into.

43 Petitioner and Respondent in the future shall be held and considered as separate and
44 distinct ~~persons~~ individuals altogether unconnected by any nuptial union or civil contract
45 whatsoever and both shall have the right to remarry.

46 Decree and order entered this _____ day of _____, _____.

47 _____
48 Judge, Superior Court'

49 (b) ~~When~~ Where applicable, any one or more of the following clauses shall be included
50 in the form of the judgment:

51 The court restores to (Petitioner/Respondent) his/her prior or maiden name, to wit:
52 _____.

53 The court awards custody of the children of the parties as follows:
54 _____.

55 The court fixes alimony as follows:
56 _____.

57 (c) In any case which involves the determination of child support, the form of the
58 judgment shall also include ~~provisions indicating both parents' income, the number of~~
59 ~~children for which support is being provided, the presumptive amount of child support~~
60 ~~award calculation, and, if the presumptive amount of child support is rebutted, the award~~
61 ~~amount and the basis for the rebuttal award~~ all of the information set forth in paragraph (2)
62 of subsection (c) of Code Section 19-6-15. The final judgment shall have attached to it the
63 child support worksheet containing the calculation of the final award of child support and
64 ~~Schedule E pertaining to deviations~~ any schedule that was prepared for the purpose of

65 calculating the amount of child support. The final judgment shall specify a sum certain
 66 amount of child support to be paid.

67 (d) ~~When~~ Where applicable, the court shall also include in the order the provisions of Code
 68 ~~Section 19-6-30 concerning continuing garnishment for support and language in~~
 69 ~~compliance with Code Section 19-6-32 concerning income deduction orders~~ final judgment
 70 the ability to use income deduction orders as set forth in Code Sections 19-6-30 and
 71 19-6-32."

72 SECTION 1-2.

73 Said title is further amended by revising Code Section 19-6-14, relating to child support and
 74 custody pending final divorce, as follows:

75 "19-6-14.

76 Pending a final judgment in an action for divorce, the judge presiding may grant as ~~alimony~~
 77 temporary child support a sum sufficient for the support of the children of the parties in
 78 accordance with Code Section 19-6-15. The judge may also hear and determine who shall
 79 be entitled to the care and custody of the children until the final judgment in the case. If
 80 a sum is awarded for the support of the children, the party who is required to pay the
 81 support shall not be liable to third persons for necessaries furnished to the children."

82 SECTION 1-3.

83 Said title is further amended by revising paragraph (6.1) of subsection (a) of Code Section
 84 19-6-15, relating to child support in final verdict or decree, as follows:

85 "(6.1) 'Child support services' means the ~~agency~~ entity within the Department of Human
 86 ~~Services which provides and administers child support services~~ and its contractors that
 87 are authorized to enforce a duty of support."

88 SECTION 1-4.

89 Said title is further amended in subsection (b) of Code Section 19-6-15, relating to child
 90 support in final verdict or decree, by deleting "and" at the end of paragraph (10), by replacing
 91 the period with "; and" at the end of paragraph (11), and by adding a new paragraph to read
 92 as follows:

93 "(12) When there is more than one child for whom support is being determined, the court
 94 shall establish the amount of support and the duration of such support in accordance with
 95 subsection (e) of this Code section. Separate worksheets shall be utilized for such
 96 determination and shall be attached to the final child support order. Such order shall
 97 contain findings as required by law."

98

SECTION 1-5.

99 Said title is further amended by revising subparagraphs (c)(2)(A), (c)(2)(B), and (c)(2)(C)
100 of Code Section 19-6-15, relating to child support in final verdict or decree, as follows:

101 "(A) Specify in what sum certain amount, the duration of such support, and from which
102 parent the child is entitled to permanent support as determined by use of the worksheet
103 or multiple worksheets when there is more than one minor child;

104 (B) Specify ~~as required by Code Section 19-5-12~~ in what manner, how often, to whom,
105 and until when the support shall be paid;

106 (C) Include a written finding of each ~~the~~ parent's gross income as determined by the
107 court or the jury;"

108

SECTION 1-6.

109 Said title is further amended by revising subparagraph (i)(2)(K) of Code Section 19-6-15,
110 relating to child support in final verdict or decree, as follows:

111 "(K) **Parenting time.**

112 (i) The child support obligation table is based upon expenditures for a child in intact
113 households. The court may order or the jury may find by special interrogatory a
114 deviation from the presumptive amount of child support when special circumstances
115 make the presumptive amount of child support excessive or inadequate due to
116 extended parenting time as set forth in the order of visitation, ~~or when the child~~
117 resides residing with both parents equally, or visitation rights not being utilized.

118 (ii) If the court or the jury determines that a parenting time deviation is applicable,
119 then such deviation shall be included with all other deviations ~~and be treated as a~~
120 deduction.

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

125

SECTION 1-7.

126 Said title is further amended by revising subsection (l) of Code Section 19-6-15, relating to
127 child support in final verdict or decree, as follows:

128 "(l) **Split parenting.** In cases of split parenting, a worksheet shall be prepared separately
129 for the by each custodial parent for each child for whom ~~the father~~ such parent is the
130 custodial parent ~~and for the child for whom the mother is the custodial parent~~, and that
131 worksheet shall be filed with the clerk of court. For each split parenting custodial situation,
132 the court shall determine:

- 133 (1) Which parent is the obligor;
 134 (2) The presumptive amount of child support;
 135 (3) The actual award of child support, if different from the presumptive amount of child
 136 support;
 137 (4) How and when the sum certain amount of child support owed shall be paid; and
 138 (5) Any other child support responsibilities for each parent."

139 **SECTION 1-8.**

140 Said title is further amended by revising paragraph (1) of subsection (m) of Code Section
 141 19-6-15, relating to child support in the final verdict or decree, as follows:

142 "(1) Schedules and worksheets shall be prepared by the parties for purposes of
 143 calculating the amount of child support. In child support services cases in which neither
 144 parent prepared a worksheet, the court may rely on the worksheet prepared by child
 145 support services as a basis for its order. Information from the schedules shall be entered
 146 on the child support worksheet. The child support ~~worksheet and, if there are any~~
 147 ~~deviations, Schedule E~~ worksheets and any schedule that was prepared for the purpose
 148 of calculating the amount of child support shall be attached to the final court order or
 149 judgment; provided, however, that any order entered pursuant to Code Section 19-13-4
 150 shall not be required to have such ~~worksheet and schedule~~ worksheets and schedules
 151 attached thereto."

152 **SECTION 1-9.**

153 Said title is further amended by revising Code Section 19-6-17, relating to application for
 154 child support following custody award, as follows:

155 "19-6-17.

156 (a) Whenever the custody of a minor child ~~or children~~ has been lawfully awarded by any
 157 court having jurisdiction thereof to:

158 (1) Any ~~person~~ individual other than a parent of ~~the children~~ such child at any time
 159 subsequent to the rendition of a final divorce decree between the ~~father and mother of the~~
 160 ~~children~~ parents of such child; or

161 (2) A parent as part of the final divorce decree ~~where~~ when the court awarding the decree
 162 was unable to obtain jurisdiction over the parent without custody for purposes of a
 163 determination as to whether the parent should be bound for support of ~~the child or~~
 164 ~~children~~ such child and the court's decree contains no specific provisions binding the
 165 parent without custody for the support of ~~the child or children~~ such child,
 166 the parent or other ~~person~~ individual to whom the custody of ~~the child or children~~ such
 167 child is awarded may apply by petition to the superior court in the county where the parent

168 without custody of ~~the child or children~~ such child resides for an order and judgment fixing
 169 the amount of support money that the parent without custody shall provide in order to
 170 fulfill the parent's natural duty to supply the necessities of life for ~~the child or children~~
 171 such child.

172 (b) The procedure provided for in this Code section shall be available in cases in which
 173 the parent with custody of ~~the children~~ such child is the petitioner, notwithstanding the fact
 174 that the divorce decree and judgment may have been rendered in favor of the parent
 175 without custody.

176 (c) The petition shall be served upon the respondent; ~~it.~~ The petition shall be heard by the
 177 court; unless a jury trial is demanded by either party to the case. The judgment shall be
 178 reviewable as in other cases. The order or judgment shall likewise be subject to
 179 modification in the event of changed circumstances, under the same terms and conditions
 180 as are provided for in other cases of ~~permanent alimony for the support of children~~ child
 181 support granted in connection with the rendition of a final decree in divorce cases.

182 (d) The order and judgment of the court shall remain in effect, except as limited by its own
 183 restrictions and subsection (c) of this Code section, so long as the petitioner remains in
 184 lawful custody of ~~the child or children~~ such child and until ~~they become~~ such child
 185 becomes 18 years of age. Execution may be granted to the petitioner for any sums past due
 186 under the order and judgment, in accordance with procedures in other cases of judgments
 187 for alimony.

188 (e) Any payment or installment of support under any child support order is, on and after
 189 the date due:

- 190 (1) A judgment by operation of law, with the full force and effect and attributes of a
 191 judgment of this state, including the ability to be enforced;
 192 (2) Entitled as a judgment to full faith and credit; and
 193 (3) Not subject to retroactive modification."

194 **SECTION 1-10.**

195 Said title is further amended by revising subsection (c) of Code Section 19-6-29, relating to
 196 inclusion of accident and sickness insurance coverage in order for child support and payroll
 197 deductions, as follows:

198 "(c) An order for payroll deduction entered pursuant to subsection (b) of this Code section
 199 shall be consistent with the provisions of Code Sections 19-6-30 through ~~19-6-33~~
 200 19-6-33.1."

201 **SECTION 1-11.**

202 Said title is further amended by revising Code Section 19-6-30, relating to provision for
203 collection by continuing garnishment for support, as follows:

204 "19-6-30.

205 (a) Any order of support of a child entered or modified on or after July 1, 1985, shall
206 contain the following provision:

207 'Whenever, in violation of the terms of this order there shall have been a failure to make
208 the support payments due hereunder so that the amount unpaid is equal to or greater than
209 the amount payable for one month, the payments required to be made may be collected
210 by the process of continuing garnishment for support.'

211 ~~(b) Any order of support entered or modified prior to July 1, 1985, shall be construed as
212 a matter of law to contain the provision set forth in subsection (a) of this Code section.~~

213 ~~(c)~~(b) All Title IV-D (child support recovery) cases involving orders of support of a child
214 or spouse entered or modified prior to July 1, 1989, or thereafter being enforced by the
215 entity within the Department of Human Services and its contractors that are authorized to
216 enforce support orders shall be subject to income deduction as defined in Code Sections
217 19-6-31, 19-6-32, and 19-6-33 orders as set forth in Code Sections 19-6-32 through
218 19-6-33.1."

219 **SECTION 1-12.**

220 Said title is further amended by revising Code Section 19-6-31, relating to definitions, as
221 follows:

222 "19-6-31.

223 ~~As used in Code Sections 19-6-32 and 19-6-33, the term:~~

224 (1) ~~'Accruing on a daily basis' means the amount of support computed by conversion of
225 the periodic amount to an annual sum, divided by 365.~~

226 (2) ~~'Court' includes proceedings conducted by an appointed court referee and
227 proceedings conducted pursuant to Chapter 13 of Title 50, the 'Georgia Administrative
228 Procedure Act,' as relates to the enforcement of the duty of support as defined in Chapter
229 11 of Title 19.~~

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

231 (4) ~~'Family member' means any minor child of the defendant or a spouse or former
232 spouse of the defendant.~~

233 (5) ~~'Income' or 'earnings' means any periodic form of payment due to an individual,
234 regardless of source, including without limitation wages, salary, commission, bonus,
235 workers' compensation, disability, payments pursuant to a pension or retirement program,
236 and interest.~~

- 237 ~~(6) 'IV-D' means Title IV-D of the federal Social Security Act.~~
- 238 ~~(7) 'IV-D agency' means the Child Support Enforcement Agency of the Department of~~
- 239 ~~Human Services and its contractors.~~
- 240 ~~(8) 'IV-D judgment' means any order or judgment of a court of this state, any order or~~
- 241 ~~judgment of a court of another state or any final administrative order issued by another~~
- 242 ~~state and transmitted to this state for the purpose of wage deduction pursuant to Code~~
- 243 ~~Section 19-6-33, any order of this state entered pursuant to a proceeding under Chapter~~
- 244 ~~10 of Title 19, or any final administrative order for support issued by the department~~
- 245 ~~under Chapter 13 of Title 50, the 'Georgia Administrative Procedure Act.'~~
- 246 ~~(8.1) 'National Medical Support Notice' means a notice as prescribed under 42 U.S.C.~~
- 247 ~~Section 666(a)(19), or a substantially similar notice, which is issued and forwarded by~~
- 248 ~~the IV-D agency to enforce the medical support provisions of a support order.~~
- 249 ~~(9) 'Periodic support' means support required by the terms of a court order or judgment~~
- 250 ~~or an administrative order to be paid regularly on a daily, weekly, monthly, or similar~~
- 251 ~~specified frequency Reserved.~~"

252 SECTION 1-13.

253 Said title is further amended by revising Code Section 19-6-32, relating to entering income
254 deduction order or medical support notice for award of child support, as follows:

255 "19-6-32.

256 (a) As used in this Code section, the term:

257 (1) 'Child support enforcement agency' means the entity within the Department of
258 Human Services and its contractors that are authorized to enforce a duty of support.

259 (2) 'Court' means judge of any court of record or an administrative law judge of the
260 Office of State Administrative Hearings.

261 (3) 'Earnings' means any form of payment due to an individual, regardless of source,
262 including without limitation wages, salary, commission, bonus, workers' compensation,
263 disability, payments pursuant to a pension or retirement program, and interest.

264 (4) 'IV-D' means Title IV-D of the federal Social Security Act.

265 (5) 'National Medical Support Notice' means a notice as prescribed under 42 U.S.C.
266 Section 666(a)(19) or a substantially similar notice.

267 (6) 'Obligee' means the individual to whom the payment of a support obligation is owed.

268 (7) 'Obligor' means the individual owing a duty of support.

269 (8) 'Payor' means the person that provides earnings to an obligor.

270 ~~(a)(b)~~(1) Except as provided for in paragraph (1) of subsection ~~(a.1)~~ (c) of this Code
271 section, upon the entry of a judgment or order establishing, enforcing, or modifying a
272 child support obligation or spousal support obligation through a court or an administrative

273 process, a separate income deduction order for ~~income deduction~~, if one has not been
 274 previously entered, shall be entered. If the obligee is an applicant for child support
 275 services under ~~Title IV-D of the federal Social Security Act, the court, referee, or~~
 276 ~~administrative law judge IV-D, the obligee~~ shall furnish copies of the support order and
 277 the income deduction order to the ~~IV-D~~ child support enforcement agency.

278 (2) For all child support orders, and spousal support orders enforced pursuant to
 279 subsection (d) of Code Section 19-11-6, the ~~IV-D~~ child support enforcement agency shall
 280 be authorized to issue an ~~order for~~ income deduction order without need for any
 281 amendment to the order involved or any further action by ~~the court or entity~~ a court that
 282 issued it, provided that an opportunity for a hearing before a court, ~~a referee of the court,~~
 283 ~~or an administrative law judge~~ is afforded. The ~~IV-D~~ child support enforcement agency
 284 shall also be authorized to issue a National Medical Support Notice to enforce the
 285 medical support provisions of such orders, provided that an opportunity for a hearing
 286 pursuant to Code Section 19-11-27 is afforded. Such orders or notices may be issued
 287 electronically by the ~~IV-D~~ child support enforcement agency. The ~~IV-D~~ child support
 288 enforcement agency shall issue an ~~order for~~ income deduction order or, when appropriate,
 289 a National Medical Support Notice within two business days after the information
 290 regarding a newly hired employee is entered into the centralized employee registry
 291 pursuant to Code Section 19-11-9.2 and matched with an obligor in a case being enforced
 292 by the ~~IV-D~~ child support enforcement agency.

293 ~~(3) All child support orders issued or modified before July 1, 1997, which are not~~
 294 ~~otherwise subject to income deduction shall become subject to income deduction upon~~
 295 ~~the accrual of the equivalent of a 30 day arrearage, without the need for an administrative~~
 296 ~~or judicial hearing or order.~~

297 ~~(a.1)(1)(c)(1)(A)~~ All child support orders which are initially issued in this state on or
 298 after January 1, 1994, and are not at the time of issuance being enforced by the ~~IV-D~~
 299 child support enforcement agency shall provide for the immediate withholding of such
 300 support from the ~~income and~~ earnings of the ~~person~~ individual required by that order
 301 to furnish support unless:

302 ~~(A)(i)~~ A The court issuing the order finds there is good cause not to require such
 303 immediate withholding; or

304 ~~(B)(ii)~~ A written agreement is reached between both parties which provides for an
 305 alternative arrangement.

306 (B) For purposes of this ~~paragraph~~ subsection, any finding that there is good cause not
 307 to require withholding ~~must~~ from earnings shall be based on at least a written
 308 determination that implementing ~~wage~~ such withholding would not be in the best

309 interest of the child and proof of timely payment of previously ordered support in cases
310 involving modification of support orders.

311 (2) All child support orders which are not described in subsection ~~(a)~~ (b) of this Code
312 section or in paragraph (1) of this subsection shall, upon petition of either party to revise
313 ~~that such~~ order under Code Section 19-6-19 or to enforce ~~that such~~ order under Code
314 Section 19-6-28, be revised to include provisions for withholding ~~of~~ such support from
315 the ~~wages~~ earnings of the ~~person~~ individual required by the order to furnish ~~that such~~
316 support if arrearages equal to one month's support accrue but without the necessity of
317 filing application for services under Code Section 19-11-6.

318 (3) Copies of income deduction orders issued under this subsection shall be ~~served on~~
319 ~~the obligee, obligor, and the child support IV-D agency~~ provided by the obligee to the
320 obligor, payor, and the family support registry established pursuant to Code Section
321 19-6-33.1.

322 ~~(b)~~(d) ~~An~~ The income deduction order shall:

323 (1) Direct a payor to deduct from all ~~income~~ earnings due and payable to an obligor the
324 amount required by the support order to meet the obligor's support obligation;

325 (2) State the amount of arrearage accrued, if any, under the support order and direct a
326 payor to withhold an additional amount until the arrearage is paid in full;

327 (3) Direct a payor not to deduct in excess of the amounts allowed under Section 303(b)
328 of the federal Consumer Credit Protection Act, 15 U.S.C. Section 1673(b), ~~as amended;~~
329 and

330 (4) Direct the payor to send income deduction ~~payment order payments,~~ including
331 administrative fees authorized by law, to the family support registry ~~as provided for in~~
332 established pursuant to Code Section 19-6-33.1.

333 ~~(c)~~(e) Income deduction orders shall be effective immediately unless ~~the~~ a court upon good
334 cause shown finds that the income deduction order shall be effective upon a delinquency
335 in an amount equal to one month's support or a written agreement is reached between both
336 parties which provides for an alternative arrangement.

337 ~~(d)~~(f) ~~An~~ The income deduction order shall be effective so long as the order of support
338 upon which it is based is effective or until further order of ~~the~~ a court.

339 ~~(e)~~(g) When ~~the court orders the~~ an income deduction ~~to~~ order shall be effective
340 immediately, the ~~court~~ obligee or child support enforcement agency, as applicable, shall
341 furnish to the obligor a statement of his or her rights, remedies, and duties in regard to the
342 income deduction order. The statement shall state:

343 (1) All fees or interest which shall be imposed;

344 (2) The total amount of ~~income~~ earnings to be deducted for each pay period until the
345 arrearage, if any, is paid in full and ~~state~~ the total amount of ~~income~~ earnings to be

346 deducted for each pay period thereafter. The amounts deducted ~~may~~ shall not be in
 347 excess of that allowed under Section 303(b) of the federal Consumer Credit Protection
 348 Act, 15 U.S.C. Section 1673(b), ~~as amended;~~

349 (3) When the withholding will commence:

350 ~~(3)~~(4) That the income deduction ~~applies~~ order shall apply to current and subsequent
 351 payors and periods of employment;

352 ~~(4)~~(5) That a copy of the income deduction order ~~will be served on the obligor's payor~~
 353 ~~or~~ shall be provided to the payors;

354 ~~(5)~~(6) That the enforcement of the income deduction order may only be contested on the
 355 ground of mistake of fact regarding the amount of support owed pursuant to a support
 356 order, the arrearages, or the identity of the obligor; ~~and~~

357 (7) How to contest the withholding; and

358 ~~(6)~~(8) That the obligor is required to notify the obligee and, when the obligee is receiving
 359 Title IV-D services, the ~~IV-D~~ child support enforcement agency, within seven days of
 360 changes in the obligor's address and payors and the addresses of his or her payors.

361 ~~(f)~~(h) When ~~the~~ an income deduction order is effective upon a delinquency in an amount
 362 equal to one month's support, or when an order for spousal or child support was in effect
 363 prior to July 1, 1989, the obligee or child support enforcement agency, as applicable, may
 364 enforce the income deduction order by ~~servicing~~ providing a notice of delinquency ~~on~~ to the
 365 obligor. ~~A~~ The notice of delinquency shall state:

366 (1) The terms of the support order;

367 (2) The period of delinquency and the total amount of the delinquency as of the date the
 368 notice is mailed;

369 (3) All fees or interest which may be imposed;

370 (4) The total amount of ~~income~~ earnings to be deducted for each pay period until the
 371 arrearage and all applicable fees and interest are paid in full and the total amount of
 372 ~~income~~ earnings to be deducted for each pay period thereafter. The amounts deducted
 373 ~~may~~ shall not be in excess of that allowed under Section 303(b) of the federal Consumer
 374 Credit Protection Act, 15 U.S.C. Section 1673(b), ~~as amended;~~

375 (5) That a copy of the notice of delinquency ~~will be served on the obligor's payor or~~ shall
 376 be provided to the payors, together with a copy of the income deduction order. The
 377 obligor may apply to ~~the~~ a court to contest enforcement of the order once the notice of
 378 delinquency has been ~~served~~ received. The application shall not affect the enforcement
 379 of the income deduction order until ~~the~~ a court enters an order granting relief to the
 380 obligor;

381 (6) That the enforcement of the income deduction order may only be contested on the
 382 ground of mistake of fact regarding the amount of support owed pursuant to a support
 383 order, the arrearages, or the identity of the obligor; and

384 (7) That the obligor is required to notify the obligee of the obligor's current address and
 385 current payors and the address of current payors. All changes shall be reported by the
 386 obligor within seven days of the change occurring. If the ~~IV-D~~ child support enforcement
 387 agency is enforcing ~~the~~ such order, the obligor shall make these notifications to the child
 388 support enforcement agency instead of to the obligee.

389 (i) The failure of the obligor to receive the notice of delinquency ~~does not preclude~~
 390 ~~subsequent service of~~ provided for in subsection (h) of this Code section shall not preclude
 391 the income deduction order ~~on the obligor's~~ being subsequently provided to the payor. A
 392 notice of delinquency which fails to state an arrearage ~~does~~ shall not mean that an arrearage
 393 is not owed.

394 (g)(j) At any time, any party, including the ~~IV-D~~ child support enforcement agency, may
 395 apply to ~~the court, referee of the court, or administrative law judge~~ a court to:

- 396 (1) Modify, suspend, or terminate the ~~order for~~ income deduction order because of a
 397 modification, suspension, or termination of the underlying order for support; or
 398 (2) Modify the amount of ~~income deducted~~ earnings being withheld when the arrearage
 399 has been paid."

400 SECTION 1-14.

401 Said title is further amended by revising Code Section 19-6-33, relating to the notice and
 402 service of income deduction order, as follows:

403 "19-6-33.

404 (a) As used in this Code section, the term:

405 (1) 'Child support enforcement agency' means the entity within the Department of
 406 Human Services and its contractors that are authorized to enforce a duty of support.

407 (2) 'Court' means judge of any court of record or an administrative law judge of the
 408 Office of State Administrative Hearings.

409 (3) 'Earnings' means any form of payment due to an individual, regardless of source,
 410 including without limitation wages, salary, commission, bonus, workers' compensation,
 411 disability, payments pursuant to a pension or retirement program, and interest.

412 (4) 'IV-D' means Title IV-D of the federal Social Security Act.

413 (5) 'Obligee' means the individual to whom the payment of a support obligation is owed.

414 (6) 'Obligor' means the individual owing a duty of support.

415 (7) 'Payor' means the person that provides earnings to an obligor.

416 ~~(a)(b)~~ The obligee ~~or his or her agent shall serve~~ shall provide an income deduction order
 417 ~~and the notice to the payor,~~ and in the case of a delinquency, a notice of delinquency, ~~on~~
 418 ~~the obligor's~~ to the payor. ~~The obligor must be notified that withholding has commenced~~
 419 ~~and how to contest the withholding.~~ The obligee or child support enforcement agency, as
 420 applicable, shall provide the notice to payor as set forth in subsection (f) of this Code
 421 section.

422 ~~(b)(c)~~ Service of the initial income deduction order by or upon any person who is a party
 423 to a proceeding under this Code section shall be by personal service, by certified mail ~~or~~
 424 ~~statutory overnight delivery, return receipt requested, or by regular mail~~ by statutory
 425 overnight delivery, or by first-class mail; such order may be served electronically if
 426 permitted under Code Section 9-11-5. Service upon ~~an obligor's~~ a payor or successor payor
 427 under this Code section shall be by regular first-class mail, or such order may be served
 428 electronically if permitted under Code Section 9-11-5.

429 ~~(c)(d)(1)~~ When ~~the~~ an income deduction order is effective upon a delinquency in an
 430 amount equal to one month's support, the obligor may apply to ~~the~~ a court to contest the
 431 enforcement of the income deduction order on the ground of mistake of fact regarding the
 432 amount of support owed pursuant to a support order, the amount of arrearage of support,
 433 or the identity of the obligor. The obligor shall send a copy of ~~the~~ his or her pleading to
 434 the obligee and, if the obligee is receiving IV-D services, to the ~~IV-D~~ child support
 435 enforcement agency. The filing of ~~the~~ such pleading ~~does~~ shall not affect the
 436 enforcement of an income deduction order unless ~~the~~ a court enters an order granting
 437 relief to the obligor. The payment of delinquent support by an obligor upon entry of an
 438 income deduction order shall not preclude ~~service of the income deduction on~~ order being
 439 provided to the obligor's payor.

440 (2) When an obligor requests a hearing to contest enforcement of an income deduction
 441 order, ~~the court, referee, or administrative law judge~~ a court, after due notice to all parties
 442 and the ~~IV-D~~ child support enforcement agency, if the obligee is receiving IV-D services,
 443 shall hear the matter within 30 days after the application is filed and shall not extend the
 444 time for hearing unless good cause for a later date is found by ~~the~~ a court, in which event
 445 the time for a hearing may be extended for up to 30 days. ~~A court~~ The court, referee, or
 446 ~~administrative law judge~~ shall enter an order resolving the matter within ten days after
 447 the hearing. ~~A copy of this order shall be served on~~ and provide such order to the parties
 448 and the ~~IV-D~~ agency child support enforcement agency, if the obligee is receiving IV-D
 449 services.

450 ~~(d)(e)~~ When a court, ~~court referee, or administrative law judge~~ determines that an income
 451 deduction order is proper pursuant to subsection ~~(c)~~ (d) of this Code section, the obligee
 452 ~~or his or her agent~~ shall cause a copy of the income deduction order ~~and a notice to payor,~~

453 and in the case of a delinquency, a notice of delinquency, to be served on the obligee's
 454 payors provided to the payor. The obligee or child support enforcement agency, as
 455 applicable, shall provide the notice to payor as set forth in subsection (f) of this Code
 456 section. A copy of the notice to the payor, and in the case of a delinquency, a notice of
 457 delinquency, shall also be furnished provided to the obligor by the obligee or child support
 458 enforcement agency, as applicable.

459 ~~(e)~~(f) A The notice to payor shall contain only information necessary for the payor to
 460 comply with the income deduction order. The payor shall have the duties, penalties, and
 461 rights specified in the such notice. The notice to payor shall:

462 (1) Require the payor to deduct from the obligor's income earnings the amount specified
 463 in the income deduction order, and in the case of a delinquency the amount specified in
 464 the notice of delinquency, and to pay that such amount to the obligee or to a child support
 465 receiver, the IV-D agency, or other designee, as appropriate family support registry
 466 established pursuant to Code Section 19-6-33.1. The amount actually deducted plus all
 467 administrative charges shall not be in excess of the amount allowed under Section 303(b)
 468 of the federal Consumer Credit Protection Act, 15 U.S.C. Section 1673(b);

469 (2) Instruct the payor to implement the income deduction order no later than the first pay
 470 period that occurs after 14 days following the date the notice was mailed;

471 (3) Instruct the payor to forward, within two business days after each payment date, to
 472 the family support registry the amount deducted from the obligor's income earnings and
 473 a statement as to whether that such amount totally or partially satisfies the periodic
 474 amount specified in the income deduction order;

475 (4) Specify that if a payor willfully fails to deduct the proper amount from the obligor's
 476 income earnings, the payor is shall be liable for the amount the payor should have
 477 deducted, plus costs, interest, and reasonable attorney's fees;

478 (5) Provide that the payor may collect up to \$25.00 against the obligor's income earnings
 479 to reimburse the payor for administrative costs for the first income deduction pursuant
 480 to an payment of an income deduction order and up to \$3.00 for each deduction thereafter
 481 subsequent payment. The payor of income may shall not deduct a fee for complying with
 482 any order or notice for enrollment in a health benefit plan;

483 (6) State that the income deduction order and the notice to payor, and in the case of a
 484 delinquency, the notice of delinquency, are binding on the payor until further;

485 (A) Further notice by the obligee, ~~IV-D agency, or the court or until the~~ child support
 486 agency, or court; or

487 (B) The payor no longer provides income earnings to the obligor;

488 (7) Instruct the payor that, when the payor no longer provides income earnings to the
 489 obligor, the payor shall notify the obligee and shall also provide the obligor's last known

490 address and the name and address of the obligor's new payor, if known, and that, if the
 491 payor willfully violates this ~~provision~~ paragraph, the payor is ~~is~~ shall be subject to a civil
 492 penalty not to exceed \$250.00 for the first violation ~~or~~ and \$500.00 for any subsequent
 493 violation. If the ~~IV-D~~ child support enforcement agency is enforcing the income
 494 deduction order, the payor shall make ~~these~~ such notifications to the ~~IV-D~~ child support
 495 enforcement agency instead of to the obligee. Penalties shall be paid to the obligee or the
 496 ~~IV-D~~ child support enforcement agency, whichever is enforcing the income deduction
 497 order;

498 (8) State that no payor may discharge an obligor by reason of the fact that ~~income has~~
 499 earnings have been subjected to an income deduction order under Code Section 19-6-32
 500 and that a violation of this ~~provision~~ subjects ~~paragraph~~ shall subject the payor to a civil
 501 penalty not to exceed \$250.00 for the first violation ~~or~~ and \$500.00 for a any subsequent
 502 violation. Penalties shall be paid to the obligee or the ~~IV-D~~ child support enforcement
 503 agency, whichever is enforcing the income deduction order, if any support is owing. If
 504 no support is owing, the penalty shall be paid to the obligor;

505 (9) Inform the payor that the income deduction order has priority over all other legal
 506 processes under state law pertaining to the same ~~income~~ earnings and that payment, as
 507 required by the income deduction order, is a complete defense by the payor against any
 508 claims of the obligor or his or her creditors as to the sum paid;

509 (10) Inform the payor that if the payor receives income deduction orders requiring that
 510 the ~~income~~ earnings of two or more obligors be deducted and sent to the same depository,
 511 ~~he~~ the payor may combine the amounts paid to the depository in a single payment as so
 512 long as ~~he~~ the payor identifies that portion of the payment attributable to each obligor;
 513 and

514 (11) Inform the payor that if the payor ~~receives~~ may receive more than one income
 515 deduction order against the same obligor, ~~he shall contact the court for further~~
 516 ~~instructions. Upon being so contacted, the court shall allocate amounts available for~~
 517 ~~income deduction giving~~ and shall give priority to current child support obligations up
 518 to the limits imposed under Section 303(b) of the federal Consumer Credit Protection
 519 Act, 15 U.S.C. Section 1673(b).

520 ~~(f)~~(g) At any time an income deduction order is being enforced, the obligor may apply to
 521 ~~the~~ a court for a hearing to contest the continued enforcement of the income deduction
 522 order on the same grounds set out in subsection ~~(e)~~ (d) of this Code section, ~~with a~~ and
 523 provide a copy of the pleading requesting such hearing to the obligee and, in IV-D cases,
 524 to the ~~IV-D~~ child support enforcement agency. ~~Such~~ The application ~~does~~ shall not affect
 525 the continued enforcement of the income deduction order until ~~the~~ a court enters an order
 526 granting relief to the obligor. The obligee ~~of the IV-D agency is released from liability~~

527 may be liable for improper receipt of moneys pursuant to an income deduction order ~~upon~~
 528 ~~return to the appropriate party of any moneys received.~~

529 ~~(g)~~(h) An obligee, or his an obligee's agent, shall enforce income deduction orders against
 530 an obligor's successor payor who is located in this state in the same manner prescribed in
 531 this Code section for the enforcement of an income deduction order against a payor.

532 ~~(h)~~(i) The provisions of Article 3 of Chapter 11 of this title, the 'Uniform Interstate Family
 533 Support Act,' shall apply to all to:

534 (1) All income deduction orders originating in this state and directed to another state:
 535 ~~In addition, the provisions of Article 3 of Chapter 11 of this title, the 'Uniform Interstate~~
 536 ~~Family Support Act,' apply to all income withholding; and~~

537 (2) All income-withholding orders originating in another state and directed to this state.

538 ~~(i)~~(j) Certified copies of payment records maintained by a child support receiver or the
 539 ~~IV-D~~ child support enforcement agency shall, without further proof, be admitted into
 540 evidence in any legal proceeding in this state.

541 ~~(j)~~(k) No payor shall discharge an obligor by reason of the fact that ~~income has~~ his or her
 542 earnings have been subjected to an income deduction order under Code Section 19-6-32.

543 A payor who violates this ~~paragraph is~~ subsection shall be subject to a civil penalty not to
 544 exceed \$250.00 for the first violation ~~or~~ and \$500.00 for any subsequent violation.
 545 Penalties shall be paid to the obligee or the ~~IV-D~~ child support enforcement agency,
 546 whichever is enforcing the income deduction order, if any support is owing. If no support
 547 is owing, the penalty shall be paid to the obligor.

548 ~~(k)~~(l) ~~When~~ If a payor is not providing earnings to an obligor or when a payor no longer
 549 provides income earnings to an obligor, ~~he~~ the payor shall notify the obligee and, if the
 550 ~~obligee is an IV-D applicant, the IV-D agency and~~ support order is being enforced by the
 551 child support enforcement agency, the child support enforcement agency shall provide the
 552 obligor's last known address and the name and address of the obligor's new payor, if
 553 known. A payor who willfully violates this subsection ~~is~~ shall be subject to a civil penalty
 554 not to exceed \$250.00 for the first violation ~~or~~ and \$500.00 for a any subsequent violation.
 555 Penalties shall be paid to the obligee or the ~~IV-D~~ child support enforcement agency,
 556 whichever is enforcing the income deduction order."

557 SECTION 1-15.

558 Said title is further amended by revising Code Section 19-6-33.1, relating to the family
 559 support registry, as follows:

560 "19-6-33.1.

561 (a) As used in this Code section, the term:

562 (1) 'Child support enforcement agency' means ~~the Child Support Enforcement Agency~~
 563 ~~of the entity within~~ the Department of Human Services and its contractors that are
 564 authorized to enforce a duty of support.

565 (2) 'Family support registry' means ~~a central registry maintained and operated pursuant~~
 566 ~~to subsection (c) of this Code section, which receives, processes, disburses, and maintains~~
 567 ~~a record of the payment of child support, child support when combined with spousal~~
 568 ~~support, child support arrears, or child support debt made pursuant to court or~~
 569 ~~administrative order.~~

570 (2) 'Earnings' means any form of payment due to an individual, regardless of source,
 571 including without limitation wages, salary, commission, bonus, workers' compensation,
 572 disability, payments pursuant to a pension or retirement program, and interest.

573 (3) 'Income deduction order' means ~~any income deduction~~ an order which is made
 574 pursuant to Code Section 19-6-32 and which becomes effective upon a delinquency
 575 which occurred on or after January 1, 1994, or which became effective immediately
 576 without a delinquency on or after January 1, 1994.

577 (4) 'IV-D' means Title IV-D of the federal Social Security Act.

578 (5) 'Obligee' means the individual to whom the payment of a support obligation is owed.

579 (6) 'Obligor' means the individual owing a duty of support.

580 (7) 'Payor' means the person that provides earnings to an obligor.

581 ~~(b) Any term used in this Code section and defined in Code Section 19-6-31 shall have the~~
 582 ~~meaning provided for such term in Code Section 19-6-31.~~

583 ~~(c)(b) There~~ As required by federal law, ~~there~~ shall be established and operated a family
 584 support registry pursuant to IV-D regulations, and authority and funding shall be provided
 585 to the child support enforcement agency for the operation of such registry. The child
 586 support enforcement agency ~~is~~ shall be authorized to establish and maintain or contract for
 587 the establishment and maintenance of the family support registry. The family support ~~This~~
 588 registry shall be used for the collection and processing of payments for support orders in
 589 all cases which are enforced by the child support enforcement agency and for all other
 590 support orders not being enforced by the child support enforcement agency which are
 591 subject to an income deduction order as ~~defined by paragraph (3) of subsection (a) of this~~
 592 ~~Code section.~~

593 ~~(d)(c)~~ The child support enforcement agency shall, as required by federal law, redirect
 594 payments for support orders in all cases being enforced by the child support enforcement
 595 agency and for all other support orders not being enforced by the child support enforcement
 596 agency which are subject to an income deduction order as ~~defined by paragraph (3) of~~
 597 ~~subsection (a) of this Code section.~~ These support. Such payments for support orders

598 being paid to a court ~~or, child support~~ receiver, or private party by ~~an employer a payor~~
 599 shall be redirected to the family support registry.

600 ~~(e)(d)~~ In implementing the family support registry, the child support enforcement agency
 601 is shall be authorized to:

602 (1) Receive, process, and disburse payments for child support, child support when
 603 combined with spousal support, child support arrears, or child support debt for any court
 604 or administrative order;

605 (2) Maintain records of any payments collected, processed, and disbursed through the
 606 family support registry;

607 (3) Establish and maintain a separate record for payments made through the family
 608 support registry as a result of a judgment remedy;

609 (4) Answer inquiries from any parent concerning payments processed through the family
 610 support registry; and

611 (5) Collect a fee for the processing of insufficient funds checks and issue a notice to the
 612 originator of any insufficient funds check that no further checks ~~will~~ shall be accepted
 613 from such person and that future payments shall be required to be paid by cash or
 614 certified funds.

615 ~~(f) On or after April 1, 1999, the child support enforcement agency shall begin~~
 616 ~~implementing the family support registry. The commissioner of the department or the~~
 617 ~~commissioner's designee shall notify the court administrator and the chief judge of each~~
 618 ~~judicial circuit when new income deduction orders are to be directed to the family support~~
 619 ~~registry.~~

620 ~~(g)(e) The~~ Upon implementation of the family support registry in any county or judicial
 621 circuit, the following procedures shall be followed in such county or circuit:

622 (1) All administrative orders and all court orders entered or modified which provide for
 623 income deduction orders for support payments for child support, child support when
 624 combined with spousal support, child support arrears, or child support debt shall require
 625 that such payments be made through the family support registry; and

626 (2) The child support enforcement agency shall send or cause to be sent a notice by
 627 first-class mail directing that all income deduction order payments shall be made to the
 628 family support registry. Orders subject to this redirection include: all support orders
 629 being enforced by the child support enforcement agency and all other orders not being
 630 enforced by the child support enforcement agency which are subject to an income
 631 deduction order ~~as defined in paragraph (3) of subsection (a) of this Code section.~~ The
 632 notice shall be sent to the following persons:

633 (A) Any obligor who is obligated to make payments for support, child support when
 634 combined with spousal support, child support arrears; or child support debt under court

635 order or administrative order in a IV-D case ~~where~~ when the order does not already
 636 specify paying through the family support registry; and

637 (B) Any ~~employer or other payor of funds who~~ payor that has been deducting income
 638 under Code Section 19-6-32.

639 ~~(h)(f)~~ Any obligor or ~~employer who~~ payor that receives a notice to redirect payments as
 640 specified in subsection ~~(g)~~ (e) of this Code section ~~who~~ that fails to make the payments to
 641 the family support registry and ~~who~~ continues to make payments to the court or to the ~~IV-D~~
 642 ~~agency obligee~~ shall be sent a second notice to redirect payments. The second notice shall
 643 be sent by certified mail ~~or statutory overnight delivery~~, return receipt requested ~~or by~~
 644 ~~statutory overnight delivery~~. Such notice shall contain all the information required to be
 645 included in the first notice to redirect payments and shall further state that the obligor or
 646 ~~employer payor~~ has failed to make the payments to the ~~correct~~ child support enforcement
 647 agency and that the ~~payor or~~ obligor or payor shall redirect the payments to the family
 648 support registry at the address indicated in the notice. Failure to make payments to the
 649 family support registry after a second notice shall be grounds for contempt.

650 ~~(i)(g)~~(1) Any payment required to be made to the family support registry which is
 651 received by the court, child support receiver, obligee, or child support enforcement
 652 agency shall be forwarded to the family support registry within two business days after
 653 receipt. All income deduction order payments from ~~employers payors~~ or such payments
 654 forwarded by the court, child support receiver, obligee, or child support enforcement
 655 agency shall be identified with the information specified by the family support registry,
 656 including but not limited to the court case number, social security number of the obligor,
 657 ~~the~~ county where the case originated, and ~~the~~ name of the obligor. ~~A copy of the notice~~
 658 ~~to redirect payments described in subsection (g) of this Code section shall be mailed to~~
 659 ~~the obligee and the court.~~

660 (2) Except as provided by federal law, the family support registry shall distribute all
 661 support amounts payable within two business days after receipt from the ~~employer or~~
 662 ~~other payment source~~ payor.

663 ~~(j)(h)~~ The ~~department~~ Department of Human Services shall coordinate the operation of the
 664 family support registry with the state case registry created under Code Section 19-11-39
 665 so as to reduce if not eliminate the need for duplicate reporting and information recording.
 666 ~~The department is authorized to enter into cooperative agreements with the courts of the~~
 667 ~~judicial circuits in order to implement the family support registry.~~ The department
 668 Department of Human Services shall be authorized to establish and collect an
 669 administrative fee from the ~~income deduction order obligor or other obligor paying~~
 670 individual owing a duty of support through the family support registry ~~an administrative~~
 671 ~~fee. The fee shall not exceed \$2.00. Such administrative fee shall be the lesser of:~~

- 672 (1) Two dollars per payment ~~or 5;~~
 673 (2) Five percent of the amount of each payment; or
 674 (3) The ~~the~~ actual cost of processing and distributing the child support from the source
 675 to the obligee, ~~whichever is the lesser.~~
 676 ~~(k)(i)~~ (i) Nothing in this Code section shall allow or require any reduction of child support
 677 payments paid owed to any parent or guardian of a minor child."

678 **SECTION 1-16.**

679 Said title is further amended by revising Code Section 19-11-3, relating to definitions relative
 680 to the "Child Support Recovery Act," as follows:

681 "19-11-3.

682 As used in this article, the term:

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

686 (2) 'Child support enforcement agency' means the entity within the department and its
 687 contractors that are authorized to enforce a duty of support.

688 ~~(2)(3)~~ (3) 'Court order for child support' means any order for child support issued by a court
 689 or administrative or quasi-judicial entity of this state or another state, including an order
 690 in a criminal proceeding which results in the payment of child support as a condition of
 691 probation or otherwise. Such order shall be deemed to be a IV-D order for purposes of
 692 this article when either party to the order submits a copy of the order for support and a
 693 signed application to the department for IV-D services, when the right to child support
 694 has been assigned to the department pursuant to subsection (a) of Code Section 19-11-6,
 695 or upon registration of a foreign order pursuant to Article 3 of this chapter.

696 ~~(3)(4)~~ (4) 'Department' means the Department of Human Services.

697 ~~(4)(5)~~ (5) 'Dependent child' means any ~~person~~ individual under the age of 18 who is not
 698 otherwise emancipated, self-supporting, married, or a member of the armed forces of the
 699 United States.

700 ~~(5)(6)~~ (6) 'Duty of support' means any duty of support imposed or imposable by law or by
 701 court order, decree, or judgment.

702 ~~(6)(7)~~ (7) 'Financial institution' means every federal or state chartered commercial or savings
 703 bank, including savings and loan associations and cooperative banks, federal or state
 704 chartered credit unions, benefit associations, insurance companies, safe-deposit
 705 companies, trust companies, and any money market mutual fund.

706 ~~(7)(8)~~ (8) 'IV-D' means Title IV-D of the federal Social Security Act.

- 707 ~~(8) 'IV-D agency' means the Child Support Enforcement Agency of the Department of~~
 708 ~~Human Services and its contractors.~~
- 709 (9) 'Medical insurance obligee' means any person to whom a duty of medical support is
 710 owed.
- 711 (10) 'Medical insurance obligor' means any person owing a duty of medical support.
- 712 (11) 'Money market mutual fund' means every regulated investment company within the
 713 meaning of Section 851(a) of the Internal Revenue Code which seeks to maintain a
 714 constant net asset value of \$1.00 in accordance with 17 C.F.R. Section 270.2A-7.
- 715 (12) 'Obligee' means the individual to whom the payment of a support obligation is
 716 owed.
- 717 (13) 'Obligor' means the individual owing a duty of support.
- 718 ~~(12)~~(14) 'Parent' means the natural or adoptive parents of a child and includes the father
 719 of a child born out of wedlock if his paternity has been established in a judicial
 720 proceeding or if he has acknowledged paternity under oath either in open court, in an
 721 administrative hearing, or by verified writing.
- 722 ~~(13)~~(15) 'TANF' means temporary assistance for needy families."

723 **SECTION 1-17.**

724 Said title is further amended by revising subsections (f) and (g) of Code Section 19-11-6,
 725 relating to enforcement of child support payments and alimony for public assistance
 726 recipients, as follows:

- 727 "(f) The department shall be authorized to charge the ~~obligee a federal Deficit Reduction~~
 728 ~~Act of 2005 fee of \$12.00 to be paid at the rate of \$1.00 per month after the IV-D agency~~
 729 ~~has collected \$500.00 of child support annually for each case. The department shall retain~~
 730 ~~such fee and deduct such fee from child support collections before disbursement to the~~
 731 ~~obligee. Such fee shall only apply to an obligee who has never received public assistance~~
 732 ~~payments pursuant to Title IV-A or Title IV-E of the federal Social Security Act.~~
- 733 ~~(g) The department shall be authorized to charge the obligor a federal Deficit Reduction~~
 734 ~~Act of 2005 fee of \$13.00 \$25.00 to be paid in 12 monthly installments after the IV-D~~
 735 ~~agency has collected \$500.00 of child support annually for each case. Such fee shall only~~
 736 ~~apply to an obligor when the obligee has never received public assistance payments~~
 737 ~~pursuant to Title IV-A or Title IV-E of the federal Social Security Act. The department~~
 738 ~~shall retain such fee and collect such fee through income withholding, as well as by any~~
 739 ~~other enforcement remedy available to the IV-D agency responsible for child entity within~~
 740 ~~the department authorized to enforce a duty of support enforcement.~~"

741 **SECTION 1-18.**

742 Said title is further amended by revising subsections (e) and (f) of Code Section 19-11-8,
743 relating to the department's duty to enforce support of abandoned minor public assistance
744 recipient, as follows:

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

751 ~~(f) The department shall be authorized to charge the obligor a federal Deficit Reduction~~
752 ~~Act of 2005 fee of \$13.00 \$25.00 to be paid in 12 monthly installments after the IV-D~~
753 ~~agency has collected \$500.00 of child support annually for each case. Such fee shall only~~
754 ~~apply to an obligor when the obligee has never received public assistance payments~~
755 ~~pursuant to Title IV-A or Title IV-E of the federal Social Security Act. The department~~
756 ~~shall retain such fee and collect such fee through income withholding, as well as by any~~
757 ~~other enforcement remedy available to the IV-D agency responsible for child entity within~~
758 ~~the department authorized to enforce a duty of support enforcement."~~

759 **SECTION 1-19.**

760 Said title is further amended by revising Code Section 19-11-9.3, relating to suspension or
761 denial of license for noncompliance with child support order, as follows:

762 "19-11-9.3.

763 (a) As used in this Code section, the term:

764 (1) 'Agency' means the ~~agency~~ entity within the Department of Human Services which
765 is responsible for enforcing orders for child support pursuant to this article.

766 (2) 'Applicant' means any ~~person~~ individual applying for issuance or renewal of a license.

767 (3) 'Certified list' means a list ~~provided by the agency~~ of the names of ~~support delinquent~~
768 ~~obligors found to be not in compliance with an order for child support~~ in a case being
769 enforced under this article.

770 (4) 'Compliance with an order for child support' means, as set forth in a court order,
771 administrative order, or contempt order for child support, the obligor is not more than 60
772 calendar days in arrears in making payments in full for current support, periodic
773 payments on a support arrearage, or periodic payments on a reimbursement for public
774 assistance.

775 (5) 'Delinquent obligor' means any ~~obligor~~ individual owing a duty of support who is not
 776 in compliance with an order for child support ~~and who appears on the agency's certified~~
 777 ~~list.~~

778 (6) 'Department' means the Department of Human Services.

779 (7) 'License' means a certificate, permit, registration, or any other authorization issued
 780 by any licensing entity that allows a ~~person~~ an individual to operate a motor vehicle or
 781 to engage in a profession, business, or occupation.

782 (8) 'Licensee' means any ~~person~~ individual holding a license.

783 (9) 'Licensing entity' means any ~~state~~ agency, department, or board of this state which
 784 issues or renews any license, ~~certificate, permit, or registration to authorize a person to~~
 785 ~~drive a motor vehicle, or to engage in a profession, business, or occupation including~~
 786 ~~those under Article 3 of Chapter 7 of Title 2, the 'Georgia Pesticide Use and Application~~
 787 ~~Act of 1976'; Article 13 of Chapter 1 of Title 7, relating to mortgage lenders and~~
 788 ~~mortgage brokers; Chapter 5 of Title 10, the 'Georgia Uniform Securities Act of 2008,'~~
 789 ~~relating to securities salespersons and investment adviser representatives; Part 2 of~~
 790 ~~Article 1 of Chapter 6 of Title 12, relating to foresters; Chapter 4 of Title 26, relating to~~
 791 ~~pharmacists; Chapter 23 of Title 33, relating to insurance agents, counselors, and other~~
 792 ~~personnel; Chapter 1 of Title 43, relating to professions and businesses; Chapter 39A of~~
 793 ~~Title 43, relating to real estate appraisers; or Chapter 40 of Title 43, relating to real estate~~
 794 ~~brokers and salespersons.~~

795 (b) The agency shall maintain a state-wide certified list ~~of those persons included in any~~
 796 ~~case enforced under this article~~ for whom an order for child support has been rendered and
 797 who are not in compliance with ~~that~~ such order. ~~Such~~ The certified list must be updated
 798 ~~on a monthly basis~~ shall be regularly updated. The agency shall submit to each licensing
 799 entity a certified list with the name, social security number, if known, date of birth, and last
 800 known address of each ~~person~~ individual on the list.

801 (c) ~~On or before January 1, 1997, all~~ All licensing entities shall implement procedures to
 802 accept and process the certified list ~~provided by the agency in accordance with this Code~~
 803 ~~section.~~

804 (d) Promptly after receiving the certified list from the agency, all licensing entities shall
 805 determine whether an applicant or licensee is on the most recent certified list. If an
 806 applicant or licensee is on the certified list, the licensing entity shall immediately notify the
 807 agency. ~~Such~~ That notification shall include the applicant's or licensee's last known
 808 mailing address ~~on file with the licensing entity.~~

809 (e) After receiving notice from a licensing entity of applicants or licensees who are on the
 810 certified list, the agency shall immediately notify those individuals as specified in

811 subsection (f) of this Code section of the agency's intent to request that all pertinent
812 licensing entities suspend all licenses or withhold issuance or renewal of any license.

813 (f) Notice for purposes of this Code section shall be initiated by the department. Notice
814 to the delinquent obligor shall include the address and telephone number of the agency and
815 shall inform the delinquent obligor of the agency's intent to submit the delinquent obligor's
816 name to relevant licensing entities and to request that the licensing entities withhold
817 issuance or renewal of the license, or suspend the license. Notice shall be sent by
818 first-class mail and receipt by the delinquent obligor may be presumed if the mailing is not
819 returned to the department within 30 days from the date of mailing. The notice ~~must~~ shall
820 also inform the delinquent obligor ~~of the following that~~:

821 (1) The delinquent obligor has 20 days from the date of mailing to come into compliance
822 with the order or to reach an agreement to pay the delinquency with the agency. If an
823 agreement cannot be reached within that time or if the delinquent obligor does not
824 respond within that time, the agency ~~will~~ shall send notice to the licensing entities
825 requesting that the licenses be suspended or the licensure applications be denied;

826 (2) The delinquent obligor may request an administrative hearing and judicial review of
827 that hearing under subsection (g) of this Code section. A request for a hearing ~~must~~ shall
828 be made in writing and ~~must~~ shall be received by the agency within 20 days of service
829 of notice; and

830 (3) If the delinquent obligor requests a hearing within 20 days of service, the department
831 shall stay all action pending the hearing and any appeals.

832 (g) If no response is received from the delinquent obligor by the department within 30
833 days from the date of mailing of the notice and the delinquent obligor is still shown as
834 delinquent on the next month's certified list ~~prepared pursuant to subsection (b) of this~~
835 ~~Code section~~, the department shall request one or more licensing entities to deny or
836 suspend a license of the delinquent obligor. Each licensing entity shall notify the
837 delinquent obligor by certified mail or statutory overnight delivery of the date that the
838 license has been denied or suspended.

839 (h)(1) All delinquent obligors subject to the sanctions imposed in this Code section shall
840 have the right to a hearing before an administrative law judge of the Office of State
841 Administrative Hearings pursuant to Article 2 of Chapter 13 of Title 50. A delinquent
842 obligor who requests a hearing within the time prescribed in subsection (f) of this Code
843 section shall have the right to a hearing. The hearing shall be conducted as provided in
844 Article 2 of Chapter 13 of Title 50 within 45 days after such demand is received. The
845 only issues at the hearing ~~will be the following~~ shall be:

846 (H)(A) Whether there is an order for child support being enforced pursuant to this
847 article;

- 848 ~~(2)(B)~~ Whether the licensee or applicant is the obligor covered by that order;
- 849 ~~(3)(C)~~ Whether the ~~support~~ obligor is or is not in compliance with the order for child
850 support;
- 851 ~~(4)(D)~~ Whether the ~~support~~ obligor shall be entitled to pay past due child support in
852 periodic payments; and
- 853 ~~(5)(E)~~ Whether the ~~support~~ obligor has been able and willing to comply with such
854 order for support.
- 855 (2) With respect to the issues listed in paragraph (1) of this subsection, evidence relating
856 to the ability and willingness of an obligor to comply with such order for support shall
857 be considered in making the decision to either suspend a license or deny the issuance or
858 renewal of a license under this Code section. The administrative law judge shall be
859 authorized to enter into an agreement or enter an order requiring such periodic payments
860 and, in each event, the administrative law judge shall be authorized to issue a release for
861 the obligor to obtain each license or licenses. Such an agreement ~~will~~ shall not act to
862 modify an existing child support order, but rather shall affect only ~~affects~~ the payment
863 of the arrearage.
- 864 (i) The decision at the hearing shall be subject to appeal and judicial review pursuant to
865 Article 2 of Chapter 13 of Title 50 but only as to those issues referred to in subsection (h)
866 of this Code section. Notwithstanding any hearing requirements for suspension and denials
867 within each licensing entity, the hearing and appeal procedures outlined in this Code
868 section shall be the only hearing required to suspend a license or deny the issuance or
869 renewal of a license under this Code section.
- 870 (j) The department shall prescribe release forms for use by the agency. When the obligor
871 is determined to be in compliance with an order for child support or is determined to be not
872 in compliance with such order but has been determined in a hearing pursuant to subsection
873 (h) of this Code section to be unable to comply with the order or to be not willfully out of
874 compliance with such order, the agency shall mail to the delinquent obligor and the
875 appropriate licensing entity a notice of release stating such determination. The receipt of
876 a notice of release shall serve to notify the delinquent obligor and the licensing entity that,
877 for the purpose of this Code section, he or she is in compliance with an order for child
878 support, and the licensing entity shall promptly thereafter issue or reinstate the license,
879 unless the agency, pursuant to subsection (b) of this Code section, certifies subsequent to
880 the issuance of a notice of release that the ~~delinquent~~ obligor is once again not in
881 compliance with an order for child support.
- 882 (k) Any payments received by the department on behalf of a child support recipient under
883 this Code section shall be forwarded to such recipient within 15 days after any such
884 payment is received by the department.

885 (l) The department may enter into interagency agreements with state agencies that have
 886 responsibility for the administration of licensing entities as necessary to implement this
 887 Code section. Those agreements shall provide for the receipt by other state agencies and
 888 boards of federal funds to cover that portion of costs allowable under federal law and
 889 regulation and incurred by state agencies and boards in implementing this Code section.

890 ~~(m) In furtherance of the public policy of increasing child support enforcement and~~
 891 ~~collections, on or before January 1, 1998, the department shall make a report to the General~~
 892 ~~Assembly and the Governor based on data collected by the boards and the department in~~
 893 ~~a format prescribed by the department. The report shall contain all of the following:~~

894 ~~(1) The number of delinquent obligors certified by the agency under this Code section;~~

895 ~~(2) The number of delinquent obligors who also were applicants for issuance or renewal~~
 896 ~~of a license or licensees subject to this Code section;~~

897 ~~(3) The number of new licenses and renewals that were denied subject to this Code~~
 898 ~~section and the number of new licenses issued and renewals granted following a licensing~~
 899 ~~entity's receipt of releases;~~

900 ~~(4) The number of licenses suspended subject to this Code section, and the number of~~
 901 ~~licenses reissued following the licensing entity's receipt of releases; and~~

902 ~~(5) The amount of revenue collected by the department after sending notices pursuant~~
 903 ~~to this Code section.~~

904 ~~(n)(m)~~ Any licensing entity receiving an inquiry as to the license status of an applicant
 905 who has had an application for issuance or renewal of a license denied under this Code
 906 section shall respond only that the license was suspended or the licensure application was
 907 denied pursuant to this Code section.

908 ~~(o) The department shall, and the licensing entities as appropriate may, adopt regulations~~
 909 ~~necessary to implement this Code section.~~

910 ~~(p)(n)~~ The department shall inform delinquent obligors of resources available which may
 911 remedy such delinquent obligor's license suspension.

912 ~~(o) The department shall, and the licensing entities as appropriate may, adopt regulations~~
 913 ~~necessary to implement this Code section."~~

914 SECTION 1-20.

915 Said title is further amended by revising paragraph (4) of subsection (d) of Code Section
 916 19-11-12, relating to review of orders for child support, as follows:

917 "(4)(A) In the case of an administrative order, the child support enforcement agency
 918 shall request the administrative law judge to increase or decrease the amount in the
 919 existing order in accordance with ~~the~~ such agency recommendation. If either the
 920 obligor or the obligee files with the child support enforcement agency written

921 objections to ~~the~~ such agency's proposed child support order adjustment or
 922 determination of no change to the child support order within 33 days of the mailed
 923 notice, the matter shall be scheduled for an administrative hearing within the Office of
 924 State Administrative Hearings. The administrative order adjusting the child support
 925 award amount which results from a hearing or the failure to object to the child support
 926 enforcement agency's proposed adjustment or determination of no change shall, upon
 927 filing with the local clerk of the court, have the full effect of a modification of the
 928 original order or decree of support. As part of the order adjusting the child support
 929 award the administrative law judge shall issue an income ~~and earnings~~ deduction order
 930 which shall also be filed with the court pursuant to Code Sections 19-6-30 through
 931 ~~19-6-33~~ 19-6-33.1.

932 (B) In the case of a judicial order, the child support enforcement agency shall file a
 933 petition asking the court to adopt ~~the~~ such agency's proposed adjustment or
 934 determination of no change to the child support order which shall be filed
 935 contemporaneously with ~~the~~ such agency's mailed notice and shall serve such petition
 936 upon the obligor and obligee in the manner provided in subsection (e) of Code Section
 937 9-11-4. Upon the filing of a written objection to the child support enforcement agency's
 938 proposed adjustment or determination of no change with the clerk of the superior court
 939 and with ~~the~~ such agency, a de novo proceeding shall be scheduled with the court on
 940 the matter. If neither party files an objection within 30 days from the service of the
 941 petition, the court shall issue an order adopting the recommendation of the ~~IV-D~~ child
 942 support enforcement agency. As part of the order adjusting the child support award, the
 943 court shall issue an income ~~and earnings~~ deduction order pursuant to Code Sections
 944 19-6-30 through ~~19-6-33~~ 19-6-33.1."

945 **SECTION 1-21.**

946 Said title is further amended by revising subsections (a) and (c) of Code Section 19-11-15,
 947 relating to voluntary support agreement, notice, and hearing, as follows:

948 "(a) When the department has completed its investigation, has determined the ability of the
 949 absent parent to support his or her child or children in accordance with guidelines
 950 prescribed in Code Section 19-6-15, and believes that the absent parent is able to furnish
 951 a certain amount of support, the department may, as an exception to Code Section 9-12-18,
 952 request the absent parent to enter into a proposed consent order and income deduction order
 953 to provide the support amount and accident and sickness insurance coverage consistent
 954 with Code Section 19-11-26 prior to the filing of an action with the superior court. The
 955 orders may not be set aside on the grounds that the parties consented thereto prior to the
 956 filing of the action. An income deduction order shall issue consistent with Code Sections

957 19-6-30 through ~~19-6-34~~ 19-6-33.1. If the department is unable to secure a proposed
 958 consent order from the parent, the department may file an action in superior court or may
 959 initiate an administrative action pursuant to Chapter 13 of Title 50, the 'Georgia
 960 Administrative Procedure Act.'"

961 "(c) The determination of the administrative law judge regarding the ability to provide
 962 support and the ability to provide accident and sickness insurance coverage shall be
 963 delivered to the absent parent personally or shall be sent by ~~regular~~ first-class mail. The
 964 final order shall include an ~~order for income deduction~~ order consistent with Code Sections
 965 19-6-30 through ~~19-6-34~~ 19-6-33.1, and shall inform the absent parent in plain language:

966 (1) That failure to support may result in the foreclosure of liens on his or her personal or
 967 real property, in garnishment of his or her ~~wages~~ earnings or other personalty, or in other
 968 collection actions; and

969 (2) That the absent parent has the right to appeal the determination within 30 days."

970 SECTION 1-22.

971 Said title is further amended by revising subsections (a) and (f) of Code Section 19-11-18,
 972 relating to collection procedures, as follows:

973 "(a) The ~~IV-D~~ child support enforcement agency, in accordance with ~~Title IV, Part D of~~
 974 ~~the federal Social Security Act, is~~ IV-D, shall be authorized to institute collection
 975 procedures for all arrearages which have accrued against child support payments owed
 976 pursuant to a judgment or support order of a court ~~or an order from a IV-D agency of~~
 977 competent jurisdiction. ~~Such~~ These collection procedures shall include, but shall not be
 978 limited to, notification of employers that a wage assignment is in effect and not suspended;
 979 notification of obligors; demand letters; use of state and federal income tax refund intercept
 980 programs; initiation of contempt proceedings; the use of liens, levies, and seizures as
 981 provided in subsections (b) and (c) of this Code section; the use of the services of any
 982 person providing collection services to the department; seeking warrants in appropriate
 983 situations; attachment or lien against property; civil actions to reach and apply; and any
 984 other civil or administrative remedy available for the enforcement of judgments or for the
 985 enforcement of support or custody orders."

986 "(f) Unless otherwise provided by federal law, and notwithstanding ~~Notwithstanding~~ any
 987 other provision of this title to the contrary, any child support being held by the ~~Child~~
 988 ~~Support Enforcement Agency of the department~~ child support enforcement agency shall
 989 be paid to the custodial parent, legal guardian, or caretaker ~~relative~~ having custody of or
 990 responsibility for a child within two days from receipt ~~of same by the enforcement agency~~
 991 by the child support enforcement agency of such child support."

SECTION 1-23.

992
 993 Said title is further amended by revising paragraph (2) of subsection (a) of Code Section
 994 19-11-30, relating to confidentiality of information and records, as follows:

995 “(2) The department shall provide to an attorney representing an obligor, to an attorney
 996 representing an obligee, or to a private child support collector, as defined in Code Section
 997 10-1-392, and hired by an obligee and acting pursuant to a power of attorney signed by
 998 such obligee, any documents which such obligor or obligee would be entitled to request
 999 and receive from the ~~Child Support Enforcement Agency of the department~~ child support
 1000 enforcement agency.”

SECTION 1-24.

1001
 1002 Said title is further amended by revising subsections (a) and (b) of Code Section 19-11-32,
 1003 relating to the process to collect delinquent support accounts, as follows:

1004 “(a) Notwithstanding other statutory provisions which provide for the execution,
 1005 attachment, or levy against accounts, the ~~IV-D~~ agency, ~~including its authorized contractors,~~
 1006 child support enforcement agency may utilize the process established in this Code section
 1007 and Code Sections 19-11-33 through 19-11-39 to collect delinquent support payments,
 1008 provided that any exemptions or exceptions which specifically apply to enforcement of
 1009 support obligations pursuant to ~~other statutory provisions~~ Code Section 18-4-6 shall also
 1010 apply.

1011 (b) An obligor is subject to the provisions of this Code section and Code Sections
 1012 19-11-33 through 19-11-39 if the obligor's support obligation is being enforced by the ~~IV-D~~
 1013 child support enforcement agency and if the support payments ordered pursuant to Georgia
 1014 law or under a comparable statute of a foreign jurisdiction, as certified to the ~~IV-D~~ child
 1015 support enforcement agency, are delinquent in an amount equal to the support payment for
 1016 one month.”

SECTION 1-25.

1017
 1018 Said title is further amended by revising paragraph (1) of subsection (d) and subsections (k)
 1019 and (l) of Code Section 19-11-37, relating to challenges to levy and procedure, as follows:

1020 “(1) If a mistake in identity has occurred or the obligor is not delinquent in an amount
 1021 equal to the payment for one month, the ~~IV-D~~ child support enforcement agency shall
 1022 notify the financial institution that the administrative levy has been released. The ~~IV-D~~
 1023 child support enforcement agency shall provide a copy of the notice of release to the
 1024 support obligor by regular first-class mail; or”

1025 "(k) An order entered under this Code section for a levy against an account of a ~~support~~
 1026 an obligor has priority over a levy for a purpose other than the support of the dependents
 1027 in the order being enforced.

1028 (l) The ~~support~~ obligor may withdraw the request for challenge by submitting a written
 1029 withdrawal to the ~~person~~ individual identified as the contact for the ~~IV-D~~ child support
 1030 enforcement agency in the notice, or the ~~IV-D~~ child support enforcement agency may
 1031 withdraw the administrative levy at any time prior to the court hearing and provide notice
 1032 of the withdrawal to the obligor and any account holder of interest and to the financial
 1033 institution by ~~regular~~ first-class mail."

1034 **SECTION 1-26.**

1035 Said title is further amended by revising subsection (a) of Code Section 19-11-39, relating
 1036 to computerized central case registry for support orders, as follows:

1037 "(a) The department shall create by contract, cooperative agreement, or otherwise a
 1038 computerized central case registry for all support orders entered by any court or
 1039 administrative tribunal of this state. All ~~IV-D~~ agency orders support orders obtained by the
 1040 child support enforcement agency as well as those support orders not within the ~~IV-D~~ child
 1041 support enforcement agency shall be registered in ~~this~~ such data base. The department may
 1042 enter into a cooperative agreement with the Administrative Office of the Courts so as to
 1043 obtain information needed to create and maintain the state registry of support orders as
 1044 required by federal law."

1045 **SECTION 1-27.**

1046 Said title is further amended by revising paragraph (10) of Code Section 19-11-101, relating
 1047 to definitions for the "Uniform Interstate Family Support Act," as follows:

1048 "(10) 'Income-withholding order' means an order or other legal process directed to an
 1049 obligor's employer or other debtor, pursuant to Code Sections ~~19-6-31 through~~ 19-6-32
 1050 and 19-6-33, to withhold support from the income of the obligor."

1051 **SECTION 1-28.**

1052 Said title is further amended by revising Code Section 19-11-150, relating to issuance of
 1053 income-withholding orders, as follows:

1054 "19-11-150.

1055 An income-withholding order issued in another state may be sent by or on behalf of the
 1056 obligee, or by the support enforcement agency, to the person defined as the obligor's
 1057 employer pursuant to Code Sections ~~19-6-31~~ 19-6-32 through ~~19-6-33~~ 19-6-33.1 without

1058 first filing a petition or comparable pleading or registering the order with a tribunal of this
1059 state."

1060 **SECTION 1-29.**

1061 Said title is further amended by revising subsection (d) of Code Section 19-11-164, relating
1062 to notification to nonregistering party and obligor's employer, as follows:

1063 "(d) Upon registration of an income-withholding order for enforcement, the child support
1064 enforcement agency or the registering tribunal shall notify the obligor's employer pursuant
1065 to Code Sections ~~19-6-31~~ 19-6-32 through ~~19-6-33~~ 19-6-33.1."

1066 **PART II**

1067 **SECTION 2-1.**

1068 Code Section 7-4-12.1 of the Official Code of Georgia Annotated, relating to interest on
1069 arrearage on child support, is amended by revising subsection (b) as follows:

1070 "(b) Subsection (a) of this Code section shall not be construed to abrogate the authority of
1071 ~~a IV-D agency~~ the Department of Human Services to waive, reduce, or negotiate a
1072 settlement of unreimbursed public assistance in accordance with subsection (b) of Code
1073 Section 19-11-5."

1074 **SECTION 2-2.**

1075 Code Section 10-1-393.10 of the Official Code of Georgia Annotated, relating to filing of
1076 contracts for collections, as follows:

1077 "(f) Upon the request of an obligee, the ~~Child Support Enforcement Agency of~~ entity
1078 within the department authorized to enforce support orders shall forward child support
1079 payments made payable to the obligee to any private child support collector that is in
1080 compliance with the provisions of this Code section and Code Section 10-1-393.9."

1081 **SECTION 2-3.**

1082 Said title is further amended by replacing "IV-D agency" with "child support enforcement
1083 agency" wherever such term appears in:

1084 (1) Code Section 19-11-9.1, relating to duty to furnish information about obligor to
1085 department, use of information obtained, and penalty for noncompliance;

1086 (2) Code Section 19-11-12, relating to review of orders for child support, review procedures,
1087 order adjusting support award amount, and no release from liability due to subsequent
1088 financial obligation;

- 1089 (3) Code Section 19-11-15.1, relating to information required to be given to individuals
 1090 receiving services;
- 1091 (4) Code Section 19-11-18, relating to collection procedures, notice, and judicial review;
- 1092 (5) Code Section 19-11-27, relating to accident and sickness insurance coverage for
 1093 children, National Medical Support Notice or other notice of enrollment, and establishment
 1094 of coverage;
- 1095 (6) Code Section 19-11-30.1, relating to computer based registry;
- 1096 (7) Code Section 19-11-30.2, relating to information from financial institutions;
- 1097 (8) Code Section 19-11-30.3, relating to responsibility of Department of Human Services
 1098 Bank Match Registry;
- 1099 (9) Code Section 19-11-30.6, relating to reciprocal agreements with other states;
- 1100 (10) Code Section 19-11-30.10, relating to authority to levy and seize deposit;
- 1101 (11) Code Section 19-11-33, relating to notice;
- 1102 (12) Code Section 19-11-34, relating to verification and immunity from liability;
- 1103 (13) Code Section 19-11-35, relating to initiation of administrative action for levy and
 1104 required information in notice to financial institution;
- 1105 (14) Code Section 19-11-36, relating to required information in notice to obligor;
- 1106 (15) Code Section 19-11-37, relating to challenges to levy, mistakes, procedures, and
 1107 reimbursement;
- 1108 (16) Code Section 19-11-38, relating to required financial institution action; and
- 1109 (17) Code Section 19-11-39, relating to computerized central case registry for support
 1110 orders.

1111 **SECTION 2-4.**

1112 Code Section 31-10-9.1 of the Official Code of Georgia Annotated, relating to social security
 1113 account information of parents, is amended by revising subsections (b) and (c) as follows:

1114 "(b) The state registrar shall make available the records of ~~parent an individual's~~ name and
 1115 social security number to the ~~Child Support Enforcement Agency of~~ entity within the
 1116 Department of Human Services authorized to enforce support orders for its use in the
 1117 establishment of paternity or the enforcement of child support orders.

1118 (c) Information obtained pursuant to this Code section by the ~~Child Support Enforcement~~
 1119 ~~Agency of~~ entity within the Department of Human Services ~~pursuant to this Code section~~
 1120 authorized to enforce support orders may be used in an action or proceeding before any
 1121 court, administrative tribunal, or other body for the purpose of establishing a child support
 1122 obligation, collecting child support, or locating individuals owing the obligation."

1123

SECTION 2-5.

1124 Article 5 of Chapter 3 of Title 42 of the Official Code of Georgia Annotated, relating to
 1125 diversion center and program for violation of alimony and child support orders, is amended
 1126 by revising Code Section 42-3-90, relating to establishment of diversion center, as follows:

1127 "42-3-90.

1128 A county shall be authorized to establish a diversion center under the direction of the
 1129 sheriff of the county in which the diversion center is located and a diversion program for
 1130 the confinement of certain ~~persons~~ individuals who have been found in contempt of court
 1131 for violation of orders granting temporary or permanent alimony or child support and
 1132 sentenced pursuant to subsection (c) of Code Section 15-1-4. While in such diversion
 1133 program, the respondent shall be authorized to travel to and from his or her place of
 1134 employment and to continue his or her occupation. The official in charge of the diversion
 1135 program or his or her designee shall prescribe the routes, manner of travel, and periods of
 1136 travel to be used by the respondent in attending to his or her occupation. If the respondent's
 1137 occupation requires the respondent to travel away from his or her place of employment, the
 1138 amount and conditions of such travel shall be approved by the official in charge of the
 1139 diversion center or his or her designee. When the respondent is not traveling to or from his
 1140 or her place of employment or engaging in his or her occupation, such ~~person~~ respondent
 1141 shall be confined in the diversion center during the term of the sentence. With the approval
 1142 of the sheriff or his or her designee, the respondent may participate in educational or
 1143 counseling programs offered at the diversion center. While participating in the diversion
 1144 program, ~~the~~ such respondent shall be liable for alimony or child support as previously
 1145 ordered, including arrears, and his or her income shall be subject to the provisions of Code
 1146 Sections 19-6-30 through ~~19-6-33~~ 19-6-33.1 and Chapter 11 of Title 19. In addition,
 1147 should any funds remain after payment of child support or alimony, ~~the~~ such respondent
 1148 may be charged ~~and~~ a fee payable to the county operating the diversion program to cover
 1149 the costs of his or her incarceration and the administration of the diversion program which
 1150 fee shall be not more than \$30.00 per day or the actual per diem cost of maintaining the
 1151 respondent, whichever is less, for the entire period of time ~~the person~~ such respondent is
 1152 confined to the diversion center and participating in the diversion program. If ~~the~~ such
 1153 respondent fails to comply with any of the requirements imposed upon him or her in
 1154 accordance with this Code section, nothing shall prevent the sentencing judge from
 1155 revoking such assignment to a such diversion program and providing for alternative
 1156 methods of incarceration."

1157 **SECTION 2-6.**

1158 Article 2 of Chapter 27 of Title 50 of the Official Code of Georgia Annotated, relating to
 1159 setoff of debt collection against lottery prizes, is amended by revising Code Section
 1160 50-27-55, relating to the article's applicability to prizes of \$5,000.00 or more, as follows:

1161 "50-27-55.

1162 The provisions of this article shall only apply to prizes of \$5,000.00 or more and shall not
 1163 apply to any retailers authorized by the board to pay prizes of up to \$5,000.00 after
 1164 deducting the price of the ticket or share; excepting that a claim for delinquent child
 1165 support filed by the ~~Child Support Enforcement Agency of~~ entity within the Department
 1166 of Human Services authorized to enforce support orders shall apply to all prizes of
 1167 \$2,500.00 or more."

1168 **PART III**1169 **SECTION 3-1.**

1170 Code Section 19-6-15, relating to child support in final verdict or decree, is amended by
 1171 revising subparagraph (h)(1)(F) of as follows:

1172 "(F)(i) The total amount of work related child care costs shall be divided between the
 1173 parents pro rata to determine the presumptive amount of child support and shall be
 1174 included in the worksheet and ~~written order of the court~~ the final child support order.

1175 (ii) In situations in which work related child care costs may be variable, the court or
 1176 jury may, in its discretion, remove work related child care costs from the calculation
 1177 of support, and divide the work related child care costs pro rata, to be paid within a
 1178 time specified in the final child support order. If a parent or nonparent custodian fails
 1179 to comply with the final child support order:

1180 (I) The other parent or nonparent custodian may enforce payment of the work
 1181 related child care costs by any means permitted by law; or

1182 (II) Child support services shall pursue enforcement when such unpaid costs have
 1183 been reduced to a judgment in a sum certain."

1184 **PART IV**1185 **SECTION 4-1.**

1186 Sections 1-17 and 1-18 of this Act shall become effective on October 1, 2017. All other
 1187 Sections of this Act shall become effective on July 1, 2017.

1188 **SECTION 4-2.**