

By the Committee on Children and Families; and Senator Peaden

300-2036-02

1 A bill to be entitled
2 An act relating to the determination and
3 enforcement of obligations for child support;
4 amending s. 61.046, F.S.; defining the term
5 "national medical support notice"; amending s.
6 61.13, F.S.; requiring that the court issue an
7 order for health care coverage for a minor
8 child in a proceeding for dissolution of
9 marriage rather than an order for health
10 insurance; providing for enforcement of such an
11 order through use of the national medical
12 support notice; requiring the Department of
13 Revenue to notify the obligor of withholding
14 premium payments under the notice; providing a
15 procedure under which the obligor may contest
16 the withholding; providing procedures for
17 enrolling a child in a group health plan;
18 providing certain limitations on the amount of
19 withholding allowed under a support order;
20 repealing s. 61.1826(5), F.S., relating to
21 performance reviews; amending ss. 61.14, 61.30,
22 F.S.; requiring that the Department of Revenue
23 seek modification of certain awards of child
24 support; requiring that such modification be
25 made without proof or showing of a change in
26 circumstances; amending s. 409.2563, F.S.;
27 defining term "financial affidavit"; providing
28 for the administrative support order to
29 withhold support from unemployment compensation
30 benefits not to exceed 40 percent; authorizing
31 the suspension or termination of an

1 administrative support order; providing that
2 the financial affidavit form is prescribed by
3 the Department of Revenue; amending s.
4 409.25656, F.S.; providing a procedure for
5 liquidating securities that are levied to
6 satisfy an obligation for past due or overdue
7 support; amending s. 409.25658, F.S.; providing
8 for the use of unclaimed property to satisfy an
9 obligation for past due support; amending s.
10 409.2576, F.S.; requiring that the Department
11 of Revenue transmit a national medical support
12 notice to an employee's employer under certain
13 circumstances; providing an effective date.

14
15 Be It Enacted by the Legislature of the State of Florida:

16
17 Section 1. Effective July 1, 2002, present subsections
18 (10), (11), (12), (13), (14), (15), (16), (17), (18), and (19)
19 of section 61.046, Florida Statutes, are redesignated as
20 subsections (11), (12), (13), (14), (15), (16), (17), (18),
21 (19), and (20), respectively, and a new subsection (10) is
22 added to that section to read:

23 61.046 Definitions.--As used in this chapter:

24 (10) "National medical support notice" means the
25 notice required under 42 U.S.C. s. 666(a)(19).

26 Section 2. Effective July 1, 2002, paragraph (b) of
27 subsection (1) of section 61.13, Florida Statutes, is amended
28 to read:

29 61.13 Custody and support of children; visitation
30 rights; power of court in making orders.--

31 (1)

1 (b) Each order for ~~child~~ support shall contain a
2 provision for health care coverage insurance for the minor
3 child when the coverage insurance is reasonably available.
4 Coverage insurance is reasonably available if either the
5 obligor or obligee has access at a reasonable rate to a group
6 health plan group insurance. The court may require the
7 obligor either to provide health care insurance coverage or to
8 reimburse the obligee for the cost of health care insurance
9 coverage for the minor child when coverage is provided by the
10 obligee. In either event, the court shall apportion the cost
11 of coverage, and any noncovered medical, dental, and
12 prescription medication expenses of the child, to both parties
13 by adding the cost to the basic obligation determined pursuant
14 to s. 61.30(6). The court may order that payment of uncovered
15 medical, dental, and prescription medication expenses of the
16 minor child be made directly to the obligee payee on a
17 percentage basis.

18 1. In a non-Title IV-D case, a copy of the court order
19 for health care insurance coverage shall be served on the
20 obligor's ~~payor or union or employer~~ by the obligee ~~or the~~
21 ~~IV-D agency~~ when the following conditions are met:

22 a. The obligor fails to provide written proof to the
23 obligee ~~or the IV-D agency~~ within 30 days after ~~of~~ receiving
24 effective notice of the court order, that the health care
25 coverage insurance has been obtained or that application for
26 coverage insurability has been made;

27 b. The obligee ~~or IV-D agency~~ serves written notice of
28 ~~its~~ intent to enforce an order for health care coverage
29 ~~medical support~~ on the obligor by mail at the obligor's last
30 known address; and

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1 c. The obligor fails within 15 days after the mailing
2 of the notice to provide written proof to the obligee ~~or the~~
3 ~~IV-D agency~~ that the health care insurance coverage existed as
4 of the date of mailing.

5 2.a. A support order enforced under Title IV-D of the
6 Social Security Act which requires that the obligor provide
7 health care coverage is enforceable by the department through
8 the use of the national medical support notice and an
9 amendment to the support order is not required. The department
10 shall transfer the national medical support notice to the
11 obligor's union or employer. The department shall notify the
12 obligor in writing that the notice has been sent to the
13 obligor's union or employer and the written notification must
14 include the obligor's rights and duties under the national
15 medical support notice. The obligor may contest the
16 withholding required by the national medical support notice
17 based on a mistake of fact. To contest the withholding, the
18 obligor must file a written notice of contest with the
19 department within 15 business days after the date the obligor
20 receives written notification of the national medical support
21 notice from the department. Filing with the department is
22 complete when the notice is received by the person designated
23 by the department in the written notification. The notice of
24 contest must be in the form prescribed by the department. Upon
25 the timely filing of a notice of contest, the department
26 shall, within 5 business days, schedule an informal conference
27 with the obligor to discuss the obligor's factual dispute. If
28 the informal conference resolves the dispute to the obligor's
29 satisfaction or if the obligor fails to attend the informal
30 conference, the notice of contest is deemed withdrawn. If the
31 informal conference does not resolve the dispute, the obligor

1 may request an administrative hearing under chapter 120 within
2 5 business days after the termination of the informal
3 conference, in a form and manner prescribed by the department.
4 However, the filing of a notice of contest by the obligor does
5 not delay the withholding of premium payments by the union,
6 employer, or health plan administrator. The union, employer,
7 or health plan administrator must implement the withholding as
8 directed by the national medical support notice unless
9 notified by the department that the national medical support
10 notice is terminated.

11 b. In a Title IV-D case, the department shall notify
12 an obligor's union or employer if the obligation to provide
13 health care coverage through that union or employer is
14 terminated.~~In cases in which the noncustodial parent provides~~
15 ~~health care coverage and the noncustodial parent changes~~
16 ~~employment and the new employer provides health care coverage,~~
17 ~~the IV-D agency shall transfer notice of the provision to the~~
18 ~~employer, which notice shall operate to enroll the child in~~
19 ~~the noncustodial parent's health plan, unless the noncustodial~~
20 ~~parent contests the notice. Notice to enforce medical~~
21 ~~coverage under this section shall be served by the IV-D agency~~
22 ~~upon the obligor by mail at the obligor's last known address.~~
23 ~~The obligor shall have 15 days from the date of mailing of the~~
24 ~~notice to contest the notice with the IV-D agency.~~

25 3. In a non-Title IV-D case, upon receipt of the order
26 pursuant to subparagraph 1. or the notice pursuant to
27 subparagraph 2., or upon application of the obligor pursuant
28 to the order, the payor, union, or employer shall enroll the
29 minor child as a beneficiary in the group health insurance
30 plan regardless of any restrictions on the enrollment period
31 and withhold any required premium from the obligor's income.

1 If more than one plan is offered by the ~~payor, union, or~~
2 employer, the child shall be enrolled in the group health
3 insurance plan in which the obligor is enrolled.

4 4.a. Upon receipt of the national medical support
5 notice under subparagraph 2. in a Title IV-D case, the union
6 or employer shall transfer the notice to the appropriate group
7 health plan administrator within 20 business days after the
8 date on the notice. The plan administrator must enroll the
9 child as a beneficiary in the group health plan regardless of
10 any restrictions on the enrollment period, and the union or
11 employer must withhold any required premium from the obligor's
12 income upon notification by the plan administrator that the
13 child is enrolled. The child shall be enrolled in the group
14 health plan in which the obligor is enrolled. If the group
15 health plan in which the obligor is enrolled is not available
16 where the child resides or if the obligor is not enrolled in
17 group coverage, the child shall be enrolled in the lowest cost
18 group health plan that is available where the child resides.

19 b. If health care coverage or the obligor's employment
20 is terminated in a Title IV-D case, the union or employer that
21 is withholding premiums for health care coverage under a
22 national medical support notice must notify the department
23 within 20 days after the termination and provide the obligor's
24 last known address and the name and address of the obligor's
25 new employer, if known.

26 5.a. The amount withheld by a union or employer in
27 compliance with a support order may not exceed the amount
28 allowed under s. 303(b) of the Consumer Credit Protection Act,
29 15 U.S.C. s. 1673(b), as amended. The union or employer shall
30 withhold the maximum allowed by the Consumer Credit Protection
31 Act in the following order:

1 (I) Current support, as ordered.
2 (II) Premium payments for health care coverage, as
3 ordered.
4 (III) Past due support, as ordered.
5 (IV) Other medical support or coverage, as ordered.
6 b. If the combined amount to be withheld for current
7 support plus the premium payment for health care coverage
8 exceed the amount allowed under the Consumer Credit Protection
9 Act, and the health care coverage cannot be obtained unless
10 the full amount of the premium is paid, the union or employer
11 may not withhold the premium payment. However, the union or
12 employer shall withhold the maximum allowed in the following
13 order:
14 (I) Current support, as ordered.
15 (II) Past due support, as ordered.
16 (III) Other medical support or coverage, as ordered.
17 6.4. The Department of Revenue may ~~shall have the~~
18 authority to adopt rules to administer ~~implement~~ the child
19 support enforcement provisions of this section which affect
20 Title IV-D cases.
21 Section 3. Paragraph (b) of subsection (1) of section
22 61.14, Florida Statutes, is amended to read:
23 61.14 Enforcement and modification of support,
24 maintenance, or alimony agreements or orders.--
25 (1)
26 (b) For each support order reviewed by the department
27 as required by s. 409.2564(12), if the amount of the child
28 support award under the order differs by at least 10 percent
29 but not less than \$25 from the amount that would be awarded
30 under s. 61.30, the department shall seek to have the order
31 modified and any modification shall be made without a

1 requirement for proof or showing of a change in circumstances.
2 ~~In Title IV-D cases reviewed pursuant to the 3-year review and~~
3 ~~adjustment cycle, no substantial change of circumstance need~~
4 ~~be proven to warrant a modification.~~

5 Section 4. Subsection (5) of section 61.1826, Florida
6 Statutes, is repealed.

7 Section 5. Paragraph (c) of subsection (1) of section
8 61.30, Florida Statutes, is amended to read:

9 61.30 Child support guidelines; retroactive child
10 support.--

11 (1)

12 (c) For each support order reviewed by the department
13 as required by s. 409.2564(12), if the amount of the child
14 support award under the order differs by at least 10 percent
15 but not less than \$25 from the amount that would be awarded
16 under s. 61.30, the department shall seek to have the order
17 modified and any modification shall be made without a
18 requirement for proof or showing of a change in circumstances.
19 ~~In Title IV-D cases reviewed pursuant to the 3-year review and~~
20 ~~adjustment cycle, no change of circumstance need be proven to~~
21 ~~warrant a modification.~~

22 Section 6. Subsections (1), (4), (6), (8), and (12),
23 paragraph (c) of subsection (5), paragraphs (a) and (e) of
24 subsection (7), paragraph (c) of subsection (10), and
25 paragraph (a) of subsection (13) of section 409.2563, Florida
26 Statutes, are amended to read:

27 409.2563 Pilot program for administrative
28 establishment of child support obligations.--

29 (1) DEFINITIONS.--As used in this section, the term:

30 (a) "Administrative support order" means a final order
31 rendered by or on behalf of the department pursuant to this

1 section establishing or modifying the obligation of a
2 noncustodial parent to contribute to the support and
3 maintenance of his or her child or children, which may include
4 provisions for monetary support, retroactive support, health
5 care, and other elements of support pursuant to chapter 61.

6 (b) "Caretaker relative" has the same meaning ascribed
7 in s. 414.0252(11).

8 (c) "Filed" means a document has been received and
9 accepted for filing at the offices of the department by the
10 clerk or any authorized deputy clerk of the department. The
11 date of filing must be indicated on the face of the document
12 by the clerk or deputy clerk.

13 (d) "Financial affidavit" means an affidavit or
14 written declaration as provided by s. 92.525(2), which shows
15 an individual's income, allowable deductions, net income, and
16 other information needed to calculate the
17 child-support-guideline amount under s. 61.30.

18 (e)(d) "Rendered" means that a signed written order is
19 filed with the clerk or any deputy clerk of the department.
20 The date of filing must be indicated on the face of the order
21 at the time of rendition.

22 (f)(e) "Title IV-D case" means a case or proceeding in
23 which the department is providing child support services
24 within the scope of Title IV-D of the Social Security Act, 42
25 U.S.C. ss. 651 et seq.

26 (g)(f) "Retroactive support" means a child support
27 obligation established pursuant to s. 61.30(17).

28
29 Other terms used in this section have the meanings ascribed in
30 ss. 61.046 and 409.2554.

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1 (4) NOTICE OF PROCEEDING TO ESTABLISH ADMINISTRATIVE
2 SUPPORT ORDER.--To commence a proceeding under this section,
3 the department shall provide to the custodial parent and serve
4 the noncustodial parent with a notice of proceeding to
5 establish administrative support order and a blank financial
6 affidavit form. The notice must state:

7 (a) The names of both parents, the name of the
8 caretaker relative, if any, and the name and date of birth of
9 the child or children;

10 (b) That the department intends to establish an
11 administrative support order as defined in this section;

12 (c) That both parents must submit a completed
13 financial affidavit to the department within 20 days after
14 receiving the notice, as provided by paragraph (13)(a);

15 (d) That both parents, or parent and caretaker
16 relative if applicable, are required to furnish to the
17 department information regarding their identities and
18 locations, as provided by paragraph (13)(b);

19 (e) That both parents, or parent and caretaker
20 relative if applicable, are required to promptly notify the
21 department of any change in their mailing addresses to ensure
22 receipt of all subsequent pleadings, notices, and orders, as
23 provided by paragraph (13)(c);

24 (f) That the department will calculate support
25 obligations based on the child support guidelines in s. 61.30
26 and using all available information, as provided by paragraph
27 (5)(a), and will incorporate such obligations into a proposed
28 administrative support order;

29 (g) That the department will send by regular mail to
30 both parents, or parent and caretaker relative if applicable,
31 a copy of the proposed administrative support order, the

1 department's child support worksheet, and any financial
2 affidavits submitted by a parent or prepared by the
3 department;

4 (h) That the noncustodial parent may file a request
5 for a hearing in writing within 20 days after the date of
6 mailing or other service of the proposed administrative
7 support order or will be deemed to have waived the right to
8 request a hearing;

9 (i) That if the noncustodial parent does not file a
10 timely request for hearing after service of the proposed
11 administrative support order, the department will issue an
12 administrative support order that incorporates the findings of
13 the proposed administrative support order, and will send by
14 regular mail a copy of the administrative support order to
15 both parents, or parent and caretaker relative if applicable;

16 (j) That after an administrative support order is
17 rendered, the department will file a copy of the order with
18 the clerk of the circuit court;

19 (k) That after an administrative support order is
20 rendered, the department may enforce the administrative
21 support order by any lawful means; ~~and~~

22 (l) That either parent, or caretaker relative if
23 applicable, may file at any time a civil action in a circuit
24 court having jurisdiction and proper venue to determine the
25 noncustodial parent's child support obligations, if any, and
26 that a support order issued by a circuit court supersedes an
27 administrative support order rendered by the department; ~~and~~

28 (m) That if the respondent files an action in circuit
29 court and serves the department with a copy of the petition or
30 complaint within 20 days after being served notice under this

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1 subsection, the administrative process ends without prejudice
2 and the action must proceed in circuit court.

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4 The department may serve the notice of proceeding to establish
5 administrative support order by certified mail, restricted
6 delivery, return receipt requested. Alternatively, the
7 department may serve the notice by any means permitted for
8 service of process in a civil action. For purposes of this
9 section, an authorized employee of the department may serve
10 the notice and execute an affidavit of service. Service by
11 certified mail is completed when the certified mail is
12 received or refused. The department shall provide the
13 custodial parent or caretaker relative with a copy of the
14 notice by regular mail to the last known address of the
15 custodial parent or caretaker.

16 (5) PROPOSED ADMINISTRATIVE SUPPORT ORDER.--

17 (c) The department shall provide a notice of rights
18 with the proposed administrative support order, which notice
19 must inform the noncustodial parent that:

20 1. The noncustodial parent may, within 20 days after
21 the date of mailing or other service of the proposed
22 administrative support order, request a hearing by filing a
23 written request for hearing in a form and manner specified by
24 the department;

25 2. If the noncustodial parent files a timely request
26 for a hearing, the case shall be transferred to the Division
27 of Administrative Hearings, which shall conduct further
28 proceedings and may enter an administrative support order;

29 3. A noncustodial parent who fails to file a timely
30 request for a hearing shall be deemed to have waived the right
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1 to a hearing, and the department may render an administrative
2 support order pursuant to paragraph (7)(b);

3 4. The noncustodial parent may consent in writing to
4 entry of an administrative support order without a hearing;

5 5. The noncustodial parent may, within 10 days after
6 the date of mailing or other service of the proposed
7 administrative support order, contact a department
8 representative, at the address or telephone number specified
9 in the notice, to informally discuss the proposed
10 administrative support order and, if informal discussions are
11 requested timely ~~and held within a reasonable time~~, the time
12 for requesting a hearing will be extended until 10 days after
13 the department notifies the noncustodial parent that the
14 informal discussions have been concluded; and

15 6. If an administrative support order that establishes
16 a noncustodial parent's support obligation is rendered,
17 whether after a hearing or without a hearing, the department
18 may enforce the administrative support order by any lawful
19 means.

20 (6) HEARING.--If the noncustodial parent files a
21 timely request for hearing, the department shall refer the
22 hearing request to the Division of Administrative Hearings.
23 Unless otherwise provided by this section, chapter 120 and the
24 ~~division's~~ Uniform Rules of Procedure ~~shall~~ govern the conduct
25 of the proceedings. The administrative law judge shall
26 consider all available and admissible information and any
27 presumptions that apply as provided by paragraph (5)(a). A
28 designated employee or other representative of the department,
29 who need not be an attorney, may represent the department as a
30 qualified representative at the hearing.

31 (7) ADMINISTRATIVE SUPPORT ORDER.--

1 (a) If a hearing is held, notwithstanding ss. 120.569
2 and 120.57, the administrative law judge of the Division of
3 Administrative Hearings shall issue an administrative support
4 order, or a final order denying an administrative support
5 order, which constitutes final agency action by the
6 department. The Division of Administrative Hearings shall
7 transmit any such order to the department for filing and
8 rendering ~~indexing~~.

9 (e) An administrative support order must comply with
10 s. 61.30. The department, after consultation with the Division
11 of Administrative Hearings and the chief judge of the circuit
12 in which the pilot program is located, shall develop a
13 standard form or forms for administrative support orders. An
14 administrative support order must provide and state findings,
15 if applicable, concerning:

16 1. The full name and date of birth of the child or
17 children;

18 2. The name of the noncustodial parent and the
19 custodial parent or caretaker relative;

20 3. The noncustodial parent's duty and ability to
21 provide support;

22 4. The amount of the noncustodial parent's monthly
23 support obligation ~~for each child~~;

24 5. Any obligation to pay retroactive support;

25 6. The noncustodial parent's obligation to provide for
26 the health care needs of each child, whether through insurance
27 coverage, contribution towards the cost of insurance coverage,
28 payment or reimbursement of health care expenses for the
29 child, or any combination thereof;

30 7. The beginning date of any required monthly payments
31 and health care coverage;

1 8. That all support payments ordered must be paid to
2 the Florida State Disbursement Unit as provided by s. 61.1824;

3 9. That the parents, or caretaker relative if
4 applicable, must file with the department when the
5 administrative support order is rendered, if they have not
6 already done so, and update as appropriate the information
7 required pursuant to paragraph (13)(b); ~~and~~

8 10. That both parents, or parent and caretaker
9 relative if applicable, are required to promptly notify the
10 department of any change in their mailing addresses pursuant
11 to paragraph (13)(c); and-

12 11. That, if the noncustodial parent receives
13 unemployment compensation benefits, the payor shall withhold
14 and transmit to the department 40 percent of the benefits for
15 payment of support, not to exceed the amount owed.

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17 An income deduction order as provided by s. 61.1301 must be
18 incorporated into the administrative support order or, if not
19 incorporated into the administrative support order, the
20 department or the Division of Administrative Hearings shall
21 render a separate income deduction order.

22 (8) FILING WITH THE CLERK OF THE CIRCUIT COURT;
23 OFFICIAL PAYMENT RECORD; JUDGMENT BY OPERATION OF LAW.--The
24 department shall file with the clerk of the circuit court a
25 certified copy of an administrative support order rendered
26 under this section. The depository operated pursuant to s.
27 61.181 for the county where the administrative support order
28 has been filed shall:

29 (a) Act as the official recordkeeper for payments
30 required under the administrative support order;

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1 (b) Establish and maintain the necessary payment
2 accounts;

3 (c) Upon a delinquency, initiate the judgment by
4 operation of law procedure as provided by s. 61.14(6); and

5 (d) Perform all other duties required of a depository
6 with respect to a support order entered by a court of this
7 state.

8 (10) JUDICIAL REVIEW, ENFORCEMENT, OR COURT ORDER
9 SUPERSEDING ADMINISTRATIVE SUPPORT ORDER.--

10 (c) A circuit court of this state, where venue is
11 proper and the court has jurisdiction of the parties, may
12 enter an order prospectively changing the support obligations
13 established in an administrative support order, in which case
14 the administrative support order is superseded and the court's
15 order shall govern future proceedings in the case. Any unpaid
16 support owed under the superseded administrative support order
17 may not be retroactively modified by the circuit court, except
18 as provided by s. 61.14(1)~~s. 61.14(1)(a)~~, and remains
19 enforceable by the department, by the obligee, or by the
20 court. In all cases in which an administrative support order
21 is superseded, the court shall determine the amount of any
22 unpaid support owed under the administrative support order and
23 shall include the amount as arrearage in its superseding
24 order.

25 (12) MODIFICATION OF ADMINISTRATIVE SUPPORT ORDER.--If
26 it has not been superseded by a subsequent court order, the
27 department may modify, suspend, or terminate an administrative
28 support order in a Title IV-D case prospectively, subject to
29 the requirements for modifications of judicial support orders
30 established in chapters 61 and 409, by following the same
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1 procedures set forth in this section for establishing an
2 administrative support order, as applicable.

3 (13) REQUIRED DISCLOSURES; PRESUMPTIONS; NOTICE SENT
4 TO ADDRESS OF RECORD.--In all proceedings pursuant to this
5 section:

6 (a) The noncustodial parent and custodial parent must
7 execute and furnish to the department, no later than 20 days
8 after receipt of the notice of proceeding to establish
9 administrative support order, a financial affidavit in the
10 form prescribed by the department ~~in the Florida Family Law~~
11 ~~Rules of Procedure~~. An updated financial affidavit must be
12 executed and furnished to the department at the inception of
13 each proceeding to modify an administrative support order.
14 Caretaker relatives are not required to furnish financial
15 affidavits.

16 Section 7. Effective July 1, 2002, subsection (3) of
17 section 409.25656, Florida Statutes, is amended to read:

18 409.25656 Garnishment.--

19 (3) During the last 30 days of the 60-day period set
20 forth in subsection (1), the executive director or his or her
21 designee may levy upon such credits, personal property, or
22 debts. The levy must be accomplished by delivery of a notice
23 of levy by registered mail, upon receipt of which the person
24 possessing the credits, other personal property, or debts
25 shall transfer them to the department or pay to the department
26 the amount owed by ~~to~~ the obligor. If the department levies
27 upon securities and the value of the securities is less than
28 the total amount of past due or overdue support, the person
29 who possesses or controls the securities shall liquidate the
30 securities in a commercially reasonable manner. After
31 liquidation, the person shall transfer to the department the

1 proceeds, less any applicable commissions or fees, or both,
2 which are charged in the normal course of business. If the
3 value of the securities exceeds the total amount of past due
4 or overdue support, the obligor may, within 7 days after
5 receipt of the department's notice of levy, instruct the
6 person who possesses or controls the securities which
7 securities are to be sold to satisfy the obligation for past
8 due or overdue support. If the obligor does not provide
9 instructions for liquidation, the person who possesses or
10 controls the securities shall liquidate the securities in a
11 commercially reasonable manner and in an amount sufficient to
12 cover the obligation for past due or overdue support, less any
13 applicable commissions or fees, or both, which are charged in
14 the normal course of business, beginning with the securities
15 purchased most recently. After liquidation, the person who
16 possesses or controls the securities shall transfer to the
17 department the total amount of past due or overdue support.

18 Section 8. Subsections (1) and (2) of section
19 409.25658, Florida Statutes, are amended to read:

20 409.25658 Use of unclaimed property for past due
21 support.--

22 (1) In a joint effort to facilitate the collection and
23 payment of past due support, the Department of Revenue, in
24 cooperation with the Department of Banking and Finance, shall
25 identify persons owing support collected through a court who
26 are presumed to have unclaimed ~~abandoned~~ property held by the
27 Department of Banking and Finance.

28 (2) The department shall periodically provide the
29 Department of Banking and Finance with an electronic file of
30 support obligors who owe past due support. The Department of
31 Banking and Finance shall conduct a data match of the file

1 against all apparent owners of unclaimed ~~abandoned~~ property
2 under chapter 717 and provide the resulting match list to the
3 department.

4 Section 9. Effective July 1, 2002, subsection (7) of
5 section 409.2576, Florida Statutes, is amended to read:

6 409.2576 State Directory of New Hires.--

7 (7) WAGE WITHHOLDING NOTICE AND NATIONAL MEDICAL
8 SUPPORT NOTICE.--~~The department Not later than October 1,~~
9 ~~1998, the Title IV-D agency~~ shall transmit a wage withholding
10 notice consistent with s. 61.1301 and, when appropriate, a
11 national medical support notice, as defined in s. 61.046,to
12 the employee's employer within 2 business days after ~~of~~ entry
13 of the new hire information into the State Directory of New
14 Hires' database, unless the court has determined that the
15 employee's wages are not subject to withholding or, for
16 purposes of the national medical support notice, the support
17 order does not contain a provision for the employee to provide
18 health care coverage. The withholding notice shall direct the
19 employer to withhold income in accordance with the income
20 deduction order and the national medical support notice shall
21 direct the employer to withhold premiums for health care
22 coverage.

23 Section 10. Except as otherwise expressly provided in
24 this act, this act shall take effect upon becoming a law.

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STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
COMMITTEE SUBSTITUTE FOR
Senate Bill 1272

Eliminates the requirement for the Office of Program Policy Analysis and Government Accountability to continue to evaluate the State Disbursement Unit and State Case Registry every two years.

Makes the following changes to the pilot program for the administrative establishment of child support:

Allows for the use of a financial affidavit developed by the Department of Revenue;

Provides for the administrative process to end if the respondent files action in circuit court and notifies the department within the prescribed time frames;

Allows for the use of restricted delivery when serving the notice of proceeding to establish child support;

Eliminates the requirement that the amount of support for each child be specified in the administrative support order;

Clarifies that the administrative law judge may issue an income deduction order and include unemployment compensation withholding, up to 40 percent of the benefits, in the administrative support order; and

Allows the Department of Revenue to suspend and terminate the administrative support order.