

By the Committee on Judiciary; and Senators Bullard, Diaz de la Portilla, Wilson and Bennett

308-2043-04

1 A bill to be entitled
 2 An act relating to child support enforcement;
 3 amending s. 409.2557, F.S.; providing that
 4 certain child enforcement demonstration
 5 projects are no longer demonstration projects,
 6 but local solutions to providing such
 7 enforcement; requiring local providers of child
 8 support enforcement services to comply with
 9 state and federal policies; providing duties
 10 and responsibilities of the Department of
 11 Revenue regarding funding and compliance
 12 monitoring of these child support enforcement
 13 services; providing an effective date.

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

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 17 Section 1. Subsection (2) of section 409.2557, Florida
 18 Statutes, is amended to read:

19 409.2557 State agency for administering child support
 20 enforcement program.--

21 (2)(a) The department in its capacity as the state
 22 Title IV-D agency shall have the authority to take actions
 23 necessary to carry out the public policy of ensuring that
 24 children are maintained from the resources of their parents to
 25 the extent possible. The department's authority shall include,
 26 but not be limited to, the establishment of paternity or
 27 support obligations, as well as the modification, enforcement,
 28 and collection of support obligations.

29 (b)1. Notwithstanding s. 6 of chapter 85-178, Laws of
 30 Florida, as amended by s. 156 of chapter 86-220, Laws of
 31 Florida, any child support enforcement demonstration projects

1 created under that law and still in operation on January 15,
2 2004, are no longer considered demonstration projects but are
3 locally administered child support enforcement programs in
4 those counties. Effective July 1, 2004, the department shall
5 enter into contracts on a cost-reimbursement basis to continue
6 the funding of these operations as provided in the General
7 Appropriations Act.

8 2. The programs must provide all services required by
9 the state's Title IV-D plan, provide all services in
10 accordance with state and federal policies, and meet all state
11 and federal reporting requirements in a timely manner. The
12 operations of these programs are subject to review and audit
13 by state and federal officials responsible for the Title IV-D
14 program functions.

15 3. The department may withhold funds or terminate a
16 program's contract if the program fails to comply with federal
17 Title IV-D program requirements.

18 4. Regardless of whether services are provided
19 directly by the department or by contractual agreement with a
20 local agency, the department shall retain responsibility for
21 ensuring that all services required by the state Title IV-D
22 program are provided in accordance with applicable federal and
23 state laws.

24 Section 2. This act shall take effect upon becoming a
25 law.

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- 1 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
2 COMMITTEE SUBSTITUTE FOR
3 Senate Bill 418
- 4 - Corrects a cross-reference to a 1985 chapter law to
5 clarify that the law was subsequently amended in a 1986
6 chapter law and therefore that these child support
7 programs are governed by the later version of the law
8 which is being codified into statute by this bill.
- 9 - Adds an effective date as to when the Department of
10 Revenue and the programs must enter into
11 cost-reimbursement contracts so as not to interfere with
12 existing contracts with these locally administered child
13 support programs.
- 14 - Replaces the reference to these programs as "local
15 solutions" with "locally administered" to avoid confusion
16 with "local requirements" and "local options" which
17 pertain to obligations of counties to fund certain
18 programs under Revision 7 to Article V.
- 19 - Refines statements regarding obligations of these
20 programs to comply with title IV-D program requirements
21 to better mirror the language in the chapter law.
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