

ENGROSSED HOUSE AMENDMENT

TO

ENGROSSED SENATE BILL NO. 399

BY: CAIN of the SENATE

and

MAXEY of the HOUSE

(MARRIAGE - CREATING THE ADVISORY TASK FORCE ON
CHILD SUPPORT ENFORCEMENT - CODIFICATION -
EMERGENCY)

AMENDMENT NO. 1. Strike the stricken title, enacting clause and
entire bill and insert

"(MARRIAGE - OKLAHOMA CENTRALIZED SUPPORT
REGISTRY ACT - CODIFICATION -
EMERGENCY)

SECTION 1. NEW LAW A new section of law to be codified
in the Oklahoma Statutes as Section 410 of Title 43, unless there is
created a duplication in numbering, reads as follows:

This act shall be known as the "Oklahoma Centralized Support
Registry Act".

SECTION 2. NEW LAW A new section of law to be codified
in the Oklahoma Statutes as Section 411 of Title 43, unless there is
created a duplication in numbering, reads as follows:

A. There is hereby created until July 1, 1995, the "Advisory
Task Force on Child Support Enforcement". The purpose of the Task
Force shall be to advise and assist the Department of Human Services
in the creation of a Centralized Support Registry for all child

support, spousal support and related support payments ordered in this state for implementation on or after July 1, 1993.

B. The Task Force is empowered and directed, on or before October 1, 1992, to perform the following tasks:

1. Create a structure for a Support Registry, including designation of the proper place for the Registry within state government;

2. Determine the proper method of funding for the Support Registry; and

3. Make recommendations for rules governing the operation of the Support Registry.

C. The powers of the Task Force shall be broadly construed to implement an effective, efficient and comprehensive system of accounting for support payments made pursuant to orders of the courts of this state.

SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 412 of Title 43, unless there is created a duplication in numbering, reads as follows:

A. The Advisory Task Force on Child Support Enforcement shall be composed of the following individuals:

1. The Administrative Director of the Courts, or his designee;

2. The Director of the Department of Human Services, or his designee;

3. The Executive Coordinator of the District Attorneys' Council, or his designee;

4. Five members to be appointed by the Governor, who shall include two custodial parents, two noncustodial parents and one member of the Judiciary;

5. Two members of the Senate, to be appointed by the President Pro Tempore of the Senate;

6. Two members of the House of Representatives, to be appointed by the Speaker of the House of Representatives;

7. The Chair of the Family Law Section of the Oklahoma Bar Association, or his designee;

8. The Attorney General of the State of Oklahoma, or his designee; and

9. The Director of the Office of State Finance, or his designee.

B. The members of the Task Force shall be appointed not later than July 1, 1992, and shall organize and elect a chairman not later than August 1, 1992.

C. Staff assistance to the Advisory Task Force on Child Support Enforcement shall be provided or arranged by the Department of Human Services.

D. Members of the Advisory Task Force on Child Support Enforcement shall be reimbursed by the Department of Human Services for travel expenses incurred in the performance of their official duties in accordance with the provisions of Section 291 et seq. of Title 74 of the Oklahoma Statutes and the State Travel Reimbursement Act, Section 500.1 et seq. of Title 74 of the Oklahoma Statutes.

SECTION 4. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 413 of Title 43, unless there is created a duplication in numbering, reads as follows:

A. After implementation of the Centralized Support Registry, all child support, spousal support and related support payments in all new or modified court orders shall be paid through the Registry unless the court, in its discretion, determines that it would be in the best interest of the parties to direct otherwise. In such circumstance, the court may provide for a specific method of accounting for support payments made which is calculated to provide for clear and well-documented evidence of payment or nonpayment of support.

B. Any party desiring child support, spousal support or related support payments, that have been ordered by a court decree entered

prior to the implementation of the Centralized Support Registry, to be paid through the Registry may petition the court to order the payments to be made through the Registry. Upon such motion, the court in its discretion may order the payments to be made through the Registry.

C. After implementation of the Registry, all parties to a judgment, decree or order which requires payment of support through the Registry shall provide the Registry with their mailing address and residence address and shall provide in writing any changes in the mailing or residence address within one (1) month of changes in said address. Orders issued by the district court shall direct the parties to provide information regarding addresses to the Registry. The Registry will give notice of the address change to the other parent or custodian; provided, information on the address shall not be given if it is prohibited by a court order granted for the protection of a parent or custodian who is a party to the divorce.

D. Parties who fail to comply with subsection C of this section may be served with process by the court clerk mailing service with proof of mailing to the last address provided to the Registry, with the following qualifications:

1. The party seeking service, which includes the Department of Human Services, must allege a lack of more recent knowledge of the whereabouts of the party sought to be served than the address information last provided to the Registry; and

2. The party seeking service has attempted to serve process by certified mail, return receipt requested, to the address last provided the Registry and has been unable to obtain service of process by that method.

SECTION 5. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval."

Passed the House of Representatives the 21st day of April, 1992.

Speaker of the House of
Representatives

Passed the Senate the ____ day of _____, 1992.

President of the Senate