

ENGROSSED SENATE
BILL NO. 1247

By: Cain of the Senate

and

Blackburn of the House

[child support - 56 O.S. 1991 - enforcement and
collection - reports - repealing 56 O.S. 1991 -
effective date]

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 56 O.S. 1991, Section 237.1, as amended by Section 19, Chapter 346, O.S.L. 1995 (56 O.S. Supp. 1995, Section 237.1), is amended to read as follows:

Section 237.1 A. Pursuant to the provisions of subsection B of Section 237 of this title, the Department of Human Services may provide local child support enforcement services or may enter into agreements with district attorneys or private vendors to provide any or all services deemed necessary by the Department to administer the child support program. The Department shall have the discretion to pay a performance award or incentive to any district attorney or vendor. The Department may mandate that all or any portion of a performance award or incentive be redirected back into the child support program.

B. Any vendor providing services for the Department pursuant to this title shall be subject to audit by the Department, the State Auditor and Inspector, the United States Department of Health and Human Services, the Comptroller General of the United States, or any of their duly authorized representatives. Any noncompliance with

state or federal statutes, rules or regulations, or any contractual agreement, shall be explained to the satisfaction of the Department and the United States Department of Health and Human Services or, at the discretion of the Department, penalties shall be imposed or the agreement shall be terminated.

C. District attorneys may enter into agreements with the Department of ~~Human Services~~ for the enforcement and collection of child support obligations under Part D of Title IV of the federal Social Security Act, 42 U.S.C.A. Section 651 et seq. ~~Such~~ These agreements may include provisions for the payment of federal or state funds to the district attorney for the payment of any expense incurred in the operation of the district attorney's office for the purposes of ~~such~~ the agreement. All funds, except ~~payroll performance awards or incentive~~ funds, shall be ~~transmitted to the county treasurer and deposited in a special fund to be known as the "District Attorney Child Support Contract Fund" and be disbursed in accordance with accounting procedures prescribed by the State Auditor and Inspector. Such special funds shall not be a part of the general fund of the county and shall not be subject to appropriation by the county excise board. Payroll funds, which shall be governed by Section 215.30 of this title, shall be paid pursuant to the agreement~~ paid through the District Attorneys Council. Performance awards or incentive funds may be paid directly to the district attorneys' offices. All funds shall be disbursed in accordance with accounting procedures prescribed by the State Auditor and Inspector.

D. 1. All district attorneys receiving performance awards or incentive funds shall submit a report to the State Auditor and Inspector within thirty (30) days of the close of the fiscal year of all funds received and how and where all expenditures were made.

2. The District Attorneys Council shall submit a quarterly report of all performance awards or incentive funds received and how

and where the funds were disbursed within thirty (30) days after the close of the quarter to the Department and the State Auditor and Inspector. A summary report shall be submitted within thirty (30) days of the close of the fiscal year to the Department and the State Auditor and Inspector.

SECTION 2. REPEALER 56 O.S. 1991, Section 225, is hereby repealed.

SECTION 3. This act shall become effective November 1, 1996.

Passed the Senate the 5th day of March, 1996.

President of the Senate

Passed the House of Representatives the ____ day of

_____, 1996.

Speaker of the House of Representatives