

ENGROSSED HOUSE  
BILL NO. 1538

By: Hutchison and Boyd  
(Laura)

( child support - amending 56 O.S., Section 240.1 - child  
support services - deposit - effective date )

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

SECTION 1. AMENDATORY 56 O.S. 1991, Section 240.1, as amended by Section 6, Chapter 365, O.S.L. 1994 (56 O.S. Supp. 1996, Section 240.1), is amended to read as follows:

Section 240.1 A. 1. In cases where child support services are being provided by the Child Support Enforcement Division of the Department of Human Services, the Division ~~may~~ shall:

- a. initiate enforcement proceedings to:
  - (1) obtain a judgment for arrearages; ~~to,~~
  - (2) effectuate an income assignment; ~~to,~~
  - (3) receive current support and judgment payments; ~~to,~~ and
  - (4) review and modify support orders pursuant to child support guidelines in Section 118 of Title 43 of the Oklahoma Statutes; ~~and~~ ~~to~~
- b. initiate any other legal proceeding in the district or administrative court to implement the collection of support and other court-ordered requirements of support from an obligor including but not limited to medical, dental, orthodontic, optometrical, psychological or other physical or mental health

insurance or expenses, child care costs, schooling expenses, transportation costs, food and clothing allowances.

2. A reasonable fee ~~and costs may~~ shall be assessed for ~~the providing child support enforcement services pursuant to the rules and regulations promulgated by the Department.~~ ~~Such~~ The fee, not to exceed Twenty-five Dollars (\$25.00), shall be paid by the applicant ~~and such other costs shall be in addition to the amount withheld pursuant to the income assignment.~~ In any hearing on a notice of delinquency or other enforcement proceeding, the district or administrative court ~~may~~ shall include the amount of the fee paid by ~~the person entitled to support payments~~ applicant in any judgment against the obligor.

3. a. The obligor shall reimburse the Department for all costs or other expenses incurred by the Department and any interest owed pursuant to Sections 237 through 240.21 of this title, as authorized by the Department pursuant to the terms of a settlement agreement or as otherwise provided by law in collecting any monies owed.

b. In any hearing on a notice of delinquency or other enforcement proceeding pursuant to this section, the district or administrative court shall include in any judgment against the obligor the amount of any cost and other expenses for child support enforcement services provided by the Department, the amount of interest on the child support, and costs and expenses pursuant to the provisions of this subsection, as authorized by the Department pursuant to the terms of a settlement agreement or as otherwise provided by law in collecting any child support owed.

4. Any costs, expenses and interest collected pursuant to this subsection by the Department shall be in addition to the amount collected for current child support and delinquent child support. Any costs, expenses and interest shall be deposited in the Child Support Revenue Enhancement Fund.

B. The Division is authorized to initiate enforcement proceedings and receive payments pursuant to Section 240.2 of this title to effectuate an income assignment for ~~spousal~~:

1. Spousal support or the support of a ~~minor~~ child or both for an applicant or any person who is the recipient of ~~Aid to Families with Dependent Children~~. benefits under the Temporary Assistance for Needy Families (TANF) program; and

~~C. The Division is authorized to initiate enforcement proceedings and receive payments pursuant to Section 240.2 of this title to effectuate an income assignment for any~~

2. Any debt due and owing to the person entitled to receive enforcement support services by the Department or to this state by the a natural or adoptive ~~parents or parent~~ or other person who are is or was responsible for the support of a ~~minor~~ child pursuant to Section 238 of this title, or found to be responsible for the support of a ~~minor~~ child pursuant to Sections 238.1 through 238.6 of this title.

~~D. C. 1.~~ Upon application by an obligor who requests support enforcement services from the Department, the Division is authorized to initiate any proceedings necessary to provide support enforcement services to the obligor and to receive payments of the support obligation, interest, and any other costs, expenses, reimbursements or payments authorized by law or any other judgment.

2. A reasonable fee and costs may shall be assessed for the services provided for in this subsection pursuant to the rules promulgated by the Department. Such fee, not to exceed Twenty-five Dollars (\$25.00), shall be paid by the applicant.

SECTION 2. This act shall become effective November 1, 1997.

Passed the House of Representatives the 3rd day of March, 1997.

Speaker of the House of  
Representatives

Passed the Senate the \_\_\_\_ day of \_\_\_\_\_, 1997.

President of the Senate