

STATE OF OKLAHOMA

1st Session of the 47th Legislature (1999)

HOUSE BILL NO. 1223

By: Pope (Tim)

AS INTRODUCED

An Act relating to poor persons; amending 56 O.S. 1991, Section 240.7, as last amended by Section 34, Chapter 402, O.S.L. 1997 (56 O.S. Supp. 1998, Section 240.7), which relates to release of child support information; modifying requirements for release of child support information; requiring courts to make certain information available; providing certain content of orders; deleting certain fee requirements; and providing an effective date.

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

SECTION 1. AMENDATORY 56 O.S. 1991, Section 240.7, as last amended by Section 34, Chapter 402, O.S.L. 1997 (56 O.S. Supp. 1998, Section 240.7), is amended to read as follows:

Section 240.7 A. Unless otherwise prohibited or restricted by federal law or regulation, the Commission for Human Services, by rule, shall adopt a reasonable fee that shall be paid by consumer reporting agencies for requests pursuant to this section. The fee shall not exceed the estimated average actual cost experienced by the Department in performing the duties imposed upon it by this section.

B. The Department of Human Services shall establish procedures for the periodic release to consumer reporting agencies of the names and amounts of the current support obligation and the total amount of child support arrearages, if any, of obligors who owe past-due support whose names are on file with the central case registry established pursuant to Section 112A of Title 43 of the Oklahoma Statutes and for all cases enforced by the Department pursuant to the state child plan prior to the establishment of the registry.

~~This information shall be released if the person obligated to pay child support pursuant to a support order is in arrears for child support.~~

C. For purposes of this section, the term "consumer reporting agency" means any person who, for a fee, dues, or on a cooperative nonprofit basis, regularly engages in the practice of assembling or evaluating consumer credit information or other information on consumers for the purpose of furnishing consumer reports to third parties, and who uses any means or facility of interstate commerce for the purpose of preparing or furnishing consumer reports.

D. Information shall not be made available to:

1. Any consumer reporting agency which the Department or other appropriate agency determines does not have sufficient capability to systematically and timely make accurate use of the information; or

2. Any entity which has not provided satisfactory proof to the Department that the entity is a consumer reporting agency.

E. Any person obligated for child support shall be notified prior to the release of the information to a consumer reporting agency and shall be given a reasonable opportunity to be heard regarding the accuracy of the information to be released.

SECTION 2. This act shall become effective November 1, 1999.

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