

STATE OF OKLAHOMA

2nd Session of the 53rd Legislature (2012)

SENATE BILL 1472

By: Anderson

AS INTRODUCED

An Act relating to state-chartered retirement plans; requiring certain plans to provide specified requested information; requiring issuance of income assignment under specified circumstances; establishing priority for collection of child support debt; defining term; establishing procedures for certain request; authorizing submission of certain data in specified format; limiting liability for good faith disclosure of certain information; authorizing adoption of certain rules; providing for codification; and providing an effective date.

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

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 240.25 of Title 56, unless there is created a duplication in numbering, reads as follows:

A. Each state-chartered retirement plan shall provide information requested by the Oklahoma Department of Human Services when the Department is attempting to establish, modify or enforce a child support order. Requested information may include, but shall not be limited to:

1 1. The name, address, telephone number, social security number
2 or other identifying information of any individual who is a party to
3 a child support action;

4 2. Information regarding the employment, compensation, and
5 benefits of any individual participating in a state-chartered
6 retirement plan; and

7 3. Such other information as determined by the Department of
8 Human Services that will enable the department to establish, modify,
9 or enforce a child support order.

10 B. Upon matching a child support obligor with a recipient of
11 benefits of a state-chartered retirement plan, the Department shall
12 issue an Income Assignment pursuant to Section 1171.3 of Title 12 of
13 the Oklahoma Statutes or Section 240.2 of Title 56 of the Oklahoma
14 Statutes. Each state-chartered retirement plan shall honor the
15 Income Assignment from the Department as the sole form of Qualified
16 Domestic Relations Order necessary to intercept and pay child
17 support obligations. The Department shall have first priority over
18 all other creditors when the Department is collecting a child
19 support debt pursuant to the provisions of this act.

20 C. For purposes of this section, state-chartered retirement
21 plans include, but are not limited to:

- 22 1. Oklahoma Public Employees Retirement System;
- 23 2. Oklahoma Teachers Retirement System;
- 24 3. Oklahoma Law Enforcement Retirement System;

- 1 4. Oklahoma Police Pension and Retirement System;
- 2 5. Oklahoma Firefighters Pension and Retirement System;
- 3 6. Oklahoma Wildlife Conservation Retirement System; and
- 4 7. Uniform Retirement System for Justices and Judges.

5 D. The Department shall make the first request to each state-
6 chartered retirement plan to provide data in writing. Within thirty
7 (30) days of such notification, each state-chartered retirement plan
8 notified shall provide a list containing the name, record address,
9 social security number, and other identifying data of each person
10 who participates in the state-chartered retirement plan. Each
11 state-chartered retirement plan is further required to provide such
12 information monthly thereafter.

13 E. A state-chartered retirement plan may provide the required
14 data by submitting electronic media in a compatible secure format,
15 delivering, mailing, or other means authorized by the Director of
16 the Department of Human Services, or designee, that will result in
17 timely reporting.

18 F. A state-chartered retirement plan that provides information
19 to the Department in good faith or takes any other action in good
20 faith in an attempt to comply with the provisions of this act shall
21 not be liable to any person for disclosing such information or for
22 taking such action.

1 G. The Department may adopt rules under the Administrative
2 Procedures Act, Section 250 et seq. of Title 75 of the Oklahoma
3 Statutes, to implement the provisions of this section.

4 SECTION 2. This act shall become effective November 1, 2012.

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