

Raymond P. Ward proposes the following substitute bill:

Family Law Modifications

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Raymond P. Ward

Senate Sponsor: Michael K. McKell

LONG TITLE

General Description:

This bill addresses family law issues related to spousal support, child support, custody, and parent-time.

Highlighted Provisions:

This bill:

- defines terms;
- modifies the duties of the Office of Recovery Services with regard to spousal support;
- requires the director of the Office of Recovery Services to hold certain meetings for obligees and obligors and places a sunset date on the requirement;
- creates a reporting requirement for the director of the Office of Recovery Services and places a sunset date on the reporting requirement;
- addresses the collection of spousal support by the Office of Recovery Services after a child support obligation ends;
- allows a certain amount of money from a monthly child support payment to pass through to a family who is receiving public assistance on and after July 1, 2028;
- addresses the suspension of a driver license by the Office of Recovery Services, including the suspension of an individual's driver license when the individual is in arrears of at least \$35,000;
- modifies the information provided by the Online Court Assistance Program;
- provides that a delinquent payment for child support accrues interest on and after July 1, 2027; and
- makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

7-1-1006, as last amended by Laws of Utah 2023, Chapter 327

26B-9-101, as last amended by Laws of Utah 2025, Chapter 426

26B-9-104, as last amended by Laws of Utah 2025, Chapter 426

26B-9-108, as last amended by Laws of Utah 2025, Chapter 426

26B-9-112, as renumbered and amended by Laws of Utah 2023, Chapter 305

26B-9-113, as renumbered and amended by Laws of Utah 2023, Chapter 305

26B-9-210, as last amended by Laws of Utah 2024, Chapter 366

26B-9-212, as last amended by Laws of Utah 2024, Chapter 366

26B-9-213, as last amended by Laws of Utah 2025, Chapter 426

26B-9-502, as renumbered and amended by Laws of Utah 2023, Chapter 305

63I-2-226, as last amended by Laws of Utah 2025, Chapters 277, 414

78A-2-501, as last amended by Laws of Utah 2019, Chapter 246

81-7-101, as enacted by Laws of Utah 2024, Chapter 366

81-7-102, as renumbered and amended by Laws of Utah 2024, Chapter 366

ENACTS:

26B-9-114, Utah Code Annotated 1953

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **7-1-1006** is amended to read:

7-1-1006 . Inapplicable to certain official investigations.

(1) Sections 7-1-1002 and 7-1-1003 do not apply if an examination of a record is a part of an official investigation by:

(a) local police;

(b) a sheriff;

(c) a peace officer;

(d) a city attorney;

(e) a county attorney;

(f) a district attorney;

(g) the attorney general;

(h) the Department of Public Safety;

(i) the Office of Recovery Services of the Department of Health and Human Services;

- (j) the Insurance Department;
- (k) the Department of Commerce;
- (l) the Benefit Payment Control Unit or the Payment Error Prevention Unit of the Department of Workforce Services;
- (m) the state auditor;
- (n) the State Tax Commission; or
- (o) the Department of Health and Human Services or its designee, when undertaking an official investigation to determine whether an individual qualifies for certain assistance programs as provided in Section 26B-3-106.

(2) Except for the Office of Recovery Services, if a governmental entity listed in Subsection (1) seeks a record, the entity shall obtain the record as follows:

- (a) if the record is a nonprotected record, by request in writing that:
 - (i) certifies that an official investigation is being conducted; and
 - (ii) is signed by a representative of the governmental entity that is conducting the official investigation; or
- (b) if the record is a protected record, by obtaining:
 - (i) a subpoena authorized by statute;
 - (ii) other legal process:
 - (A) ordered by a court of competent jurisdiction; and
 - (B) served upon the financial institution; or
 - (iii) written permission from all account holders of the account referenced in the record to be examined.

(3) If the Office of Recovery Services seeks a record, the Office of Recovery Services shall obtain the record pursuant to:

- (a) Subsection [26B-9-104(1)(g)] 26B-9-104(1)(h);
- (b) Section 26B-9-205;
- (c) Section 26B-9-208; or
- (d) Title IV, Part D of the Social Security Act as codified in 42 U.S.C. 651 et seq.

(4) A financial institution may not give notice to an account holder or person named or referenced within the record disclosed pursuant to Subsection (2)(a).

(5) In accordance with Section 7-1-1004, the governmental entity conducting the official investigation that obtains a record from a financial institution under this section shall reimburse the financial institution for costs reasonably and directly incurred by the financial institution.

Section 2. Section **26B-9-101** is amended to read:

26B-9-101 . Definitions.

As used in this part:

- (1) "Account" means a demand deposit account, checking or negotiable withdrawal order account, savings account, time deposit account, or money-market mutual fund account.
- (2) "Alleged father" means the same as that term is defined in Section 81-5-102.
- (3) "Assistance" means public assistance.
- (4) "Birth mother" means the same as that term is defined in Section 81-5-102.
- (5) "Child" means the same as that term is defined in Section 81-6-101.
- (6)(a) "Child support" means a base child support award as defined in Section 81-6-101, or a financial award for uninsured monthly medical expenses, ordered by a tribunal for the support of a child, including current periodic payments, all arrearages that accrue under an order for current periodic payments, and sum certain judgments awarded for arrearages, medical expenses, and child care costs.
- (b) "Child support" includes spousal support if:
 - (i) the child resides with the spouse or former spouse receiving the spousal support;
 - and
 - (ii) the spousal support is collected with child support for the child.
- ~~[(b) "Child support" includes obligations ordered by a tribunal for the support of a spouse or former spouse with whom the child resides if the spousal support is collected with the child support.]~~
- (7) "Child support services" means services provided pursuant to Part D of Title IV of the Social Security Act, 42 U.S.C. Sec. 651, et seq.
- (8) "Director" means the director of the Office of Recovery Services.
- (9) "Financial institution" means:
 - (a) a depository institution as defined in Section 7-1-103 or the Federal Deposit Insurance Act, 12 U.S.C. Sec. 1813(c);
 - (b) an institution-affiliated party as defined in the Federal Deposit Insurance Act, 12 U.S.C. Sec. 1813(u);
 - (c) any federal credit union or state credit union as defined in the Federal Credit Union Act, 12 U.S.C. Sec. 1752, including an institution-affiliated party of such a credit union as defined in 12 U.S.C. Sec. 1786(r);
 - (d) a broker-dealer as defined in Section 61-1-13; or
 - (e) any benefit association, insurance company, safe deposit company, money-market

mutual fund, or similar entity authorized to do business in the state.

(10) "Financial record" means the same as that term is defined in the Right to Financial Privacy Act of 1978, 12 U.S.C. Sec. 3401.

(11)(a) "Income" means earnings, compensation, or other payment due to an individual, regardless of source, whether denominated as wages, salary, commission, bonus, pay, or contract payment, or denominated as advances on future wages, salary, commission, bonus, pay, allowances, contract payment, or otherwise, including severance pay, sick pay, and incentive pay.

(b) "Income" includes:

(i) all gain derived from capital assets, labor, or both, including profit gained through sale or conversion of capital assets;

(ii) interest and dividends;

(iii) periodic payments made under pension or retirement programs or insurance policies of any type;

(iv) unemployment compensation benefits;

(v) workers' compensation benefits; and

(vi) disability benefits.

(12) "IV-D" means Part D of Title IV of the Social Security Act, 42 U.S.C. Sec. 651 et seq.

(13) "IV-D child support services" means child support services.

(14) "New hire registry" means the centralized new hire registry created in Section 35A-7-103.

(15) "Obligee" means an individual, this state, another state, or other comparable jurisdiction to whom a debt is owed or who is entitled to reimbursement of child support, spousal support, or public assistance.

(16) "Obligor" means a person, firm, corporation, or the estate of a decedent owing money to this state, to an individual, to another state, or other comparable jurisdiction in whose behalf this state is acting.

(17) "Office" means the Office of Recovery Services.

(18) "Parentage" means the same as that term is defined in Section 81-5-102.

(19) "Public assistance" means:

(a) services or benefits provided under Title 35A, Chapter 3, Employment Support Act;

(b) medical assistance provided under Chapter 3, Part 1, Health Care Assistance;

(c) foster care maintenance payments under Part E of Title IV of the Social Security Act, 42 U.S.C. Sec. 670, et seq.;

(d) SNAP benefits as defined in Section 35A-1-102; or

(e) any other public funds expended for the benefit of a person in need of financial, medical, food, housing, or related assistance.

(20) "Spousal support" means any obligation ordered by a tribunal for the support of a spouse or former spouse.

(21) "Spousal support only case" means a case for which the office is collecting spousal support for an obligee after the collection of child support has ended for that obligee as described in Section 26B-9-114.

(22) "Support order" means a child support order.

~~[(20)]~~ (23) "State case registry" means the central, automated record system maintained by the office and the central, automated district court record system maintained by the Administrative Office of the Courts, that contains records which use standardized data elements, such as names, Social Security numbers and other uniform identification numbers, dates of birth, and case identification numbers, with respect to:

(a) each case in which services are being provided by the office under the state IV-D child support services plan; and

(b) each support order established or modified in the state on or after October 1, 1998.

Section 3. Section **26B-9-104** is amended to read:

26B-9-104 . Duties of the Office of Recovery Services.

(1) The office ~~[has the following duties]~~ shall:

(a) except as provided in Subsection (2), ~~[to]~~ provide child support services if:

(i) the office has received an application for child support services;

(ii) the state has provided public assistance; or

(iii) a child lives out of the home in the protective custody, temporary custody, or custody or care of the state;

(b) for the purpose of collecting child support, ~~[to]~~ carry out the obligations of the department contained in:

(i) this chapter;

(ii) Title 81, Chapter 5, Uniform Parentage Act;

(iii) Title 81, Chapter 6, Child Support;

(iv) Title 81, Chapter 7, Payment and Enforcement of Spousal and Child Support; and

(v) Title 81, Chapter 8, Uniform Interstate Family Support Act;

(c) collect a spousal support only case as described in Section 26B-9-114;

~~[(e)]~~ (d) ~~[to]~~ collect money due the department which could act to offset expenditures by

the state;

~~[(d)]~~ (e) ~~[to-]~~cooperate with the federal government in programs designed to recover health and social service funds;

~~[(e)]~~ (f) ~~[to-]~~collect civil or criminal assessments, fines, fees, amounts awarded as restitution, and reimbursable expenses owed to the state or any of ~~[its]~~ the state's political subdivisions, if the office has contracted to provide collection services;

~~[(f)]~~ (g) ~~[to-]~~implement income withholding for collection of child support in accordance with Part 3, Income Withholding in IV-D Cases;

~~[(g)]~~ (h) ~~[to-]~~enter into agreements with financial institutions doing business in the state to develop and operate, in coordination with such financial institutions, a data match system in the manner provided for in Section 26B-9-208;

~~[(h)]~~ (i) ~~[to-]~~establish and maintain the state case registry in the manner required by the Social Security Act, 42 U.S.C. Sec. 654a, ~~[which shall include]~~ that includes a record in each case of:

(i) the amount of monthly or other periodic support owed under the order, and other amounts, including arrearages, interest, late payment penalties, or fees, due or overdue under the order;

(ii) any amount described in Subsection~~[-(1)(h)(i)]~~ (1)(i)(i) that has been collected;

(iii) the distribution of collected amounts;

(iv) the birth date of any child for whom the order requires the provision of support; and

(v) the amount of any lien imposed with respect to the order pursuant to this part;

~~[(i)]~~ (j) ~~[to-]~~contract with the Department of Workforce Services to establish and maintain the new hire registry created under Section 35A-7-103;

~~[(j)]~~ (k) ~~[to-]~~determine whether an individual who has applied for or is receiving cash assistance or Medicaid is cooperating in good faith with the office as required by Section 26B-9-213;

~~[(k)]~~ (l) ~~[to-]~~finance any costs incurred from collections, fees, General Fund appropriation, contracts, and federal financial participation;

~~[(l)]~~ (m) ~~[to-]~~provide notice to a noncustodial parent in accordance with Section 26B-9-207 of the opportunity to contest the accuracy of allegations by a custodial parent of nonpayment of past-due child support, prior to taking action against a noncustodial parent to collect the alleged past-due support;

~~[(m)]~~ (n) ~~[to-]~~review the child support guidelines, as that term is defined in Section

- 81-6-101, to ensure the application of the guidelines results in the determination of appropriate child support award amounts; and
- ~~[(n)]~~ (o) ~~[to]~~ submit to the Judiciary Interim Committee, in accordance with Section 68-3-14, a summary of the review described in Subsection ~~[(1)(m)]~~ (1)(n) on or before October 1, 2025, and every four years thereafter on or before October 1.
- ~~(2)(a)~~ The office may not provide child support services to the Division of Child and Family Services for a calendar month when the child to whom the child support services relate is:
- ~~[(a)]~~ (i) in the custody of the Division of Child and Family Services; and
- ~~[(b)]~~ (ii) lives in the home of a custodial parent of the child for more than seven consecutive days, regardless of whether:
- ~~[(i)]~~ (A) the greater than seven consecutive day period starts during one month and ends in the next month; and
- ~~[(ii)]~~ (B) the child is living in the home on a trial basis.
- ~~[(3)]~~ (b) The Division of Child and Family Services is not entitled to child support, for a child to whom the child support relates, for a calendar month when child support services may not be provided under Subsection ~~(2)(a)~~.
- ~~[(4)]~~ (3) To conduct the review described in Subsection ~~[(1)(m)]~~ (1)(n), the office may consider input from the Judicial Council, members of the Utah State Bar Association representing attorneys who practice family law, individuals with economic expertise, and other interested parties.
- Section 4. Section **26B-9-108** is amended to read:
- 26B-9-108 . Director -- Powers of office -- Representation by county attorney or attorney general -- Receipt of grants -- Rulemaking and enforcement -- Meetings.**
- (1) The director of the office shall be appointed by the executive director.
- (2) The office has power to administer oaths, certify to official acts, issue subpoenas, and to compel witnesses and the production of books, accounts, documents, and evidence.
- (3) The office has the power to seek administrative and judicial orders to require an obligor who owes past-due support and is obligated to support a child receiving public assistance to participate in appropriate work activities if the obligor is unemployed and is not otherwise incapacitated.
- (4) The office has the power to enter into reciprocal child support enforcement agreements with foreign countries consistent with federal law and cooperative enforcement agreements with Indian Tribes.

- (5) The office has the power to pursue through court action the withholding, suspension, and revocation of driver's licenses, professional and occupational licenses, and recreational licenses of individuals owing overdue support or failing, after receiving appropriate notice, to comply with subpoenas or orders relating to parentage or child support proceedings pursuant to Section 78B-6-315.
- (6)(a) It is the duty of the attorney general or the county attorney of any county in which a cause of action can be filed, to represent the office.
- (b) Neither the attorney general nor the county attorney represents or has an attorney-client relationship with the obligee or the obligor in carrying out the duties arising under this chapter.
- (7) The office, with department approval, is authorized to receive any grants or stipends from the federal government or other public or private source designed to aid the efficient and effective operation of the recovery program.
- (8) The office may adopt, amend, and enforce rules as may be necessary to carry out the provisions of this chapter.
- (9)(a) The director, or the director's designee, shall hold a meeting:
- (i) at least twice per calendar year for obligors to provide feedback to the office on the office's procedures and processes that impact obligors; and
- (ii) at least twice per calendar year for obligees to provide feedback to the office on the office's procedures and processes that impact obligees.
- (b) The director shall provide a written report to the Health and Human Services Interim Committee on or before November 30 of each year on:
- (i) the feedback that the director has received under Subsection (9)(a) from obligors and obligees; and
- (ii) the steps that the office has taken to address the feedback from obligors and obligees.
- Section 5. Section **26B-9-112** is amended to read:
- 26B-9-112 . Alternative payment by obligor through electronic funds transfer.**
- (1)(a) The office may enter into a written alternative payment agreement with an obligor [~~which~~] that provides for electronic payment of:
- (i) [-]child support under Part 3, Income Withholding in IV-D Cases, or Part 4, Income Withholding in Non IV-D Cases[-] ; or
- (ii) spousal support for a spousal support only case under Section 26B-9-114.
- (b) Electronic payment shall be accomplished through an automatic withdrawal from the

- 301 obligor's account at a financial institution.
- 302 (2) The alternative payment agreement shall:
- 303 (a) provide for electronic payment of child support or spousal support in lieu of income
- 304 withholding;
- 305 (b) specify the date on which electronic payments will be withdrawn from an obligor's
- 306 account; and
- 307 (c) specify the amount which will be withdrawn.
- 308 (3) The office may terminate the agreement and initiate immediate income withholding, as
- 309 defined in Section 26B-9-301, if:
- 310 (a) required to meet federal or state requirements or guidelines;
- 311 (b) funds available in the account at the scheduled time of withdrawal are insufficient to
- 312 satisfy the agreement; or
- 313 (c) requested by the obligor.
- 314 (4)(a) If the payment amount requires adjusting, the office may initiate a new written
- 315 agreement with the obligor.
- 316 (b) If, for any reason, the office and obligor fail to agree on the terms, the office may
- 317 terminate the agreement and initiate income withholding.
- 318 (5) If an agreement is terminated for insufficient funds, a new agreement may not be
- 319 entered into between the office and obligor for a period of at least 12 months.
- 320 (6) The office shall make rules specifying eligibility requirements for obligors to enter into
- 321 alternative payment agreements.

322 Section 6. Section **26B-9-113** is amended to read:

323 **26B-9-113 . Mandatory distribution to obligee through electronic funds transfer.**

- 324 [~~(1) Notwithstanding any provision of this chapter to the contrary, the office shall, except as~~
- 325 ~~provided in Subsection (3), distribute child support payments, under Subsection~~
- 326 ~~26B-9-312(2) or Section 26B-9-406, by electronic funds transfer.]~~
- 327 (1) Notwithstanding any provision of this chapter to the contrary, and except as provided in
- 328 Subsection (3), the office shall distribute:
- 329 (a) a child support payment under Subsection 26B-9-312(2) or Section 26B-9-406 by
- 330 electronic funds transfer; and
- 331 (b) a spousal support payment for a spousal support only case under Section 26B-9-114
- 332 by electronic funds transfer.
- 333 (2) Distribution of [~~child support payments~~] a child support payment or spousal support
- 334 payment by electronic payment under this section shall be made to:

- 335 (a) an account of the obligee; or
- 336 (b) an account that may be accessed by the obligee through the use of an electronic
- 337 access card.
- 338 (3)(a) Subject to Subsection (3)(b), the office may make rules, pursuant to Title 63G,
- 339 Chapter 3, Utah Administrative Rulemaking Act, to allow exceptions to the
- 340 requirement to make distributions by electronic funds transfer under Subsection (1).
- 341 (b) The rules described in Subsection (3)(a) may only allow exceptions under
- 342 circumstances where:
- 343 (i) requiring distribution by electronic funds transfer would result in an undue
- 344 hardship to the office or a person; or
- 345 (ii) it is not likely that distribution will be made to the obligee on a recurring basis.

346 Section 7. Section **26B-9-114** is enacted to read:

347 **26B-9-114 . Collection of spousal support after child support ends.**

- 348 (1) An obligee may request that the office continue to collect spousal support on behalf of
- 349 the obligee if:
- 350 (a) the office has been collecting spousal support for the obligee as a part of child
- 351 support; and
- 352 (b) the office is no longer collecting child support for the obligee and has closed the case
- 353 related to the child support.
- 354 (2) Upon a request described in Subsection (1), the office shall collect spousal support until:
- 355 (a) the spousal support is no longer enforceable; or
- 356 (b) the obligee requests that the office no longer collect the spousal support on the
- 357 obligee's behalf.
- 358 (3) For a spousal support only case, the office shall collect and enforce spousal support for
- 359 the obligee in the same manner and to the same extent as child support, including:
- 360 (a) initiating and ordering income withholding in accordance with Part 3, Income
- 361 Withholding in IV-D Cases;
- 362 (b) subpoenaing financial or other information needed to enforce the spousal support
- 363 including:
- 364 (i) the name, address, and employer of an obligor that appears on the customer
- 365 records of public utilities and cable television companies; and
- 366 (ii) information held by financial institutions on such things as the assets and
- 367 liabilities of the obligor;
- 368 (c) requiring a public or private employer to promptly disclose information to the office

- 369 on the name, address, date of birth, social security number, employment status,
370 compensation, and benefits, including health insurance, of any person employed as
371 an employee or contractor by the employer;
372 (d) obtaining access to information in the records and automated databases of other state
373 and local government agencies;
374 (e) securing assets to satisfy spousal support that is past due by:
375 (i) intercepting or seizing periodic or lump-sum payments from:
376 (A) a state or local government agency, including unemployment compensation,
377 workers' compensation, and other benefits; and
378 (B) judgments, settlements, and lotteries; and
379 (ii) attaching and seizing assets of an obligor held in financial institutions;
380 (f) attaching public and private retirement funds if the obligor is:
381 (i) receiving periodic payments; or
382 (ii) has the authority to withdraw some or all of the funds; and
383 (g) imposing liens against real and personal property.
384 (4) Any action taken under Subsection (3) shall comply with the requirements described in
385 this chapter for taking that same action with regard to child support.

386 Section 8. Section **26B-9-210** is amended to read:

387 **26B-9-210 . Issuance or modification of an order to collect support for persons**
388 **not receiving public assistance.**

389 The office may proceed to issue or modify an order under Section 26B-9-206 and collect
390 under this part even though public assistance is not being provided on behalf of a child if the
391 office provides support collection services in accordance with:

- 392 (1) an application for services provided under Title IV-D of the federal Social Security Act;
393 (2) the continued service provisions of Subsection [~~26B-9-213(5)~~] 26B-9-213(6); or
394 (3) the interstate provisions of Section 26B-9-209.

395 Section 9. Section **26B-9-212** is amended to read:

396 **26B-9-212 . Collection directly from responsible parent.**

- 397 (1)(a) The office may issue or modify an order under Section 26B-9-206 and collect
398 under this part directly from a responsible parent if the procedural requirements of
399 applicable law have been met and if public assistance is provided on behalf of that
400 parent's child.
401 (b) The direct right to issue an order under this Subsection (1) is independent of and in
402 addition to the right derived from that assigned under Section 35A-3-108.

(2) An order issuing or modifying a support obligation under Subsection (1), issued while public assistance was being provided for a child, remains in effect and may be enforced by the office under Section 26B-9-210 after provision of public assistance ceases.

(3)(a) The office may issue or modify an administrative order, subject to the procedural requirements of applicable law, that requires that obligee to pay to the office assigned support that an obligee receives and retains in violation of Subsection [26B-9-213(4)] 26B-9-213(5) and may reduce to judgment any unpaid balance due.

(b) The office may collect the judgment debt in the same manner as it collects any judgment for past-due support owed by an obligor.

(4) Notwithstanding any other provision of law, the Office of Recovery Services shall have full standing and authority to establish and enforce child support obligations against an alleged parent currently or formerly in a same-sex marriage on the same terms as the Office of Recovery Services' authority against other mothers and fathers.

Section 10. Section **26B-9-213** is amended to read:

26B-9-213 . Duties of obligee after assignment of support rights.

(1) ~~[An]~~ This section applies to an obligee whose rights to support have been assigned under Section 35A-3-108 as a condition of eligibility for public assistance~~[has the following duties:]~~ .

~~[(a)]~~ (2)(a) Unless a good cause or other exception applies, the obligee shall, at the request of the office:

(i) cooperate in good faith with the office by providing the name and other identifying information of the other parent of the obligee's child for the purpose of:

(A) establishing parentage; or

(B) establishing, modifying, or enforcing a child support order;

(ii) supply additional necessary information and appear at interviews, hearings, and legal proceedings; and

(iii) submit the obligee's child and the obligee to judicially or administratively ordered genetic testing.

(b) The obligee may not commence an action against an obligor or file a pleading to collect or modify support without the office's written consent.

(c) The obligee may not do anything to prejudice the rights of the office to establish parentage, enforce provisions requiring health insurance, or to establish and collect support.

(d) The obligee may not agree to allow the obligor to change the court or

administratively ordered manner or amount of payment of past, present, or future support without the office's written consent.

~~[(2)]~~ ~~(3)~~~~(a)~~ The office shall determine and redetermine, when appropriate, whether an obligee has cooperated with the office as required by Subsection ~~[(1)(a)]~~ (2)(a).

~~[(b)]~~ (4) If the office determines that an obligee has not cooperated as required by Subsection ~~[(1)(a)]~~ (2)(a), the office shall:

~~[(i)]~~ (a) forward the determination and the basis for it to the Department of Workforce Services, which shall inform the department of the determination, for a determination of whether compliance by the obligee should be excused on the basis of good cause or other exception; and

~~[(ii)]~~ (b) send to the obligee:

~~[(A)]~~ (i) a copy of the notice; and

~~[(B)]~~ (ii) information that the obligee may, within 15 days of notice being sent:

~~[(H)]~~ (A) contest the office's determination of noncooperation by filing a written request for an adjudicative proceeding with the office; or

~~[(H)]~~ (B) assert that compliance should be excused on the basis of good cause or other exception by filing a written request for a good cause exception with the Department of Workforce Services.

~~[(3)]~~ (5) The office's right to recover is not reduced or terminated if an obligee agrees to allow the obligor to change the court or administratively ordered manner or amount of payment of support regardless of whether that agreement is entered into before or after public assistance is furnished on behalf of a child.

~~[(4)]~~ (6)(a) If an obligee receives direct payment of assigned support from an obligor, the obligee shall immediately deliver that payment to the office.

(b)(i) If an obligee agrees with an obligor to receive payment of support other than in the court or administratively ordered manner and receives payment as agreed with the obligor, the obligee shall immediately deliver the cash equivalent of the payment to the office.

(ii) If the amount delivered to the office by the obligee under Subsection ~~[(4)(b)(i)]~~ (6)(b)(i) exceeds the amount of the court or administratively ordered support due, the office shall return the excess to the obligee.

(7) On and after July 1, 2028, the office shall distribute to an obligee, as allowed by the pass through requirements described in 42 U.S.C. Sec. 657:

(a) for a family with one child, \$100 or the entire amount of the monthly child support

471 payment if the monthly child support payment is less than \$100; and
472 (b) for a family of two or more children, \$200 or the entire amount of the monthly child
473 support payment if the monthly child support payment is less than \$200.

474 ~~[(5)]~~ (8)(a) If public assistance furnished on behalf of a child is terminated, the office
475 may continue to provide parentage establishment and support collection services.

476 (b) Unless the obligee notifies the office to discontinue these services, the obligee is
477 considered to have accepted and is bound by the rights, duties, and liabilities of an
478 obligee who has applied for those services.

479 Section 11. Section **26B-9-502** is amended to read:

480 **26B-9-502 . Suspension of driver license for child support delinquency --**

481 **Reinstatement.**

482 ~~[(1) Subject to the provisions of this section, the office may order the suspension of a~~
483 ~~person's driver license if the person is delinquent on a child support obligation.]~~

484 ~~[(2) Before ordering a suspension of a person's driver license, the office shall serve the~~
485 ~~person with a "notice of intent to suspend driver license."]~~

486 (1) An individual who is delinquent on a child support obligation is subject to the
487 suspension of the individual's driver license as described in this section.

488 (2) Before the office orders a suspension of an individual's driver license under this section,
489 the office shall serve an individual with a notice that the office intends to suspend the
490 individual's driver license.

491 (3) The notice described in Subsection (2) shall:

492 (a) be ~~[personally served or]~~ served by certified mail or personally served if the
493 individual is unable to be served by certified mail;

494 (b) except as otherwise provided in this section, comply with Title 63G, Chapter 4,
495 Administrative Procedures Act;

496 (c) state the amount that the ~~[person]~~ individual is in arrears on the ~~[person's]~~ individual's
497 child support obligation; and

498 (d) state that, if the ~~[person]~~ individual desires to contest the suspension of the ~~[person's]~~
499 individual's driver license, the ~~[person]~~ individual must request an informal
500 adjudicative proceeding with the office within 30 days after the day on which the
501 notice is mailed or personally served on the individual.

502 (4)(a) The office shall hold an informal adjudicative proceeding to determine whether [a
503 ~~person's]~~ an individual's driver license should be suspended if the ~~[person]~~ individual
504 requests a hearing within 30 days after the day on which the notice described in

Subsection (2) is mailed or personally served on the ~~[person]~~ individual.

(b) The informal adjudicative proceeding described in Subsection (4)(a), and any appeal of the decision rendered in that proceeding, shall comply with Title 63G, Chapter 4, Administrative Procedures Act.

(5) Except as provided in ~~[Subsection (6)]~~ Subsections (6) and (7), the office may order that ~~a person's]~~ an individual's driver license be suspended if:

(a) ~~[if, after the notice described in Subsection (2) is mailed or personally served, the person]~~

(i) the individual is in arrears on the individual's child support obligation; and

(ii) the individual fails to request an informal adjudicative proceeding within the time period described in Subsection (4)(a) after the notice described in Subsection (2) is mailed or personally served on the individual; or

(b) following the informal adjudicative proceeding described in Subsection (4)(a)~~[-if]~~:

(i) the presiding officer finds that the ~~[person]~~ individual is delinquent on a child support obligation; and

(ii) the finding described in Subsection (5)(b)(i):

(A) is not timely appealed; or

(B) is upheld after a timely appeal becomes final.

(6) Except as provided in Subsection (7), the office shall order that an individual's driver license be suspended if:

(a)(i) the individual becomes delinquent at least \$35,000 on or after May 6, 2026, on the individual's child support obligation;

(ii) the individual has not made a full monthly payment toward the individual's child support obligation for 60 days; and

(iii) the individual fails to request an informal adjudicative proceeding within the time period described in Subsection (4)(a) after the notice described in Subsection (2) is mailed or personally served on the individual; or

(b) following the informal adjudicative proceeding described in Subsection (4)(a):

(i) the presiding officer finds that the individual became delinquent at least \$35,000 on or after May 6, 2026, on the individual's child support obligation; and

(ii) the individual has not made a full monthly payment towards the individual's child support obligation within 60 days before the day on which the notice described in Subsection (2) was mailed or personally served on the individual; and

(iii) the finding described in Subsection (6)(b)(i) or (ii):

539 (A) is not timely appealed; or
540 (B) is upheld after a timely appeal becomes final.

541 ~~[(6)]~~ (7) The office may not order the suspension of ~~[a person's]~~ an individual's driver license
542 under Subsection (5) or (6) if the [person] individual:

543 (a) pays the full amount that the ~~[person]~~ individual is in arrears on the ~~[person's]~~
544 individual's child support obligation;

545 (b) subject to Subsection ~~[(8)]~~ (9):

546 (i) enters into a payment agreement with the office for the payment of the ~~[person's]~~
547 individual's current child support obligation and all arrears; and

548 (ii) complies with the agreement described in Subsection ~~[(6)(b)(i)]~~ (7)(b)(i) for any
549 initial compliance period required by the agreement;

550 (c) obtains a judicial order staying enforcement of the ~~[person's]~~ individual's child
551 support obligation or the amount in arrears; or

552 (d) is not currently delinquent on a child support obligation.

553 ~~[(7)]~~ (8) The office shall rescind an order made by the office to suspend ~~[a]~~ an individual's
554 driver license if the [person] individual:

555 (a) pays the full amount that the ~~[person]~~ individual is in arrears on the ~~[person's]~~
556 individual's child support obligation;

557 (b) subject to Subsection ~~[(8)]~~ (9):

558 (i) enters into a payment agreement with the office for the payment of the ~~[person's]~~
559 individual's current child support obligation and all arrears; and

560 (ii) complies with the agreement described in Subsection ~~[(7)(b)(i)]~~ (8)(b)(i) for any
561 initial compliance period required by the agreement;

562 (c) obtains a judicial order staying enforcement of the ~~[person's]~~ individual's child
563 support obligation or the amount in arrears; or

564 (d) is not currently delinquent on a child support obligation.

565 ~~[(8)]~~ (9) ~~[For purposes of Subsections (6)(b) and (7)(b), the]~~ For an agreement described in
566 Subsection (7)(b) or (8)(b), the office shall diligently strive to enter into a fair and
567 reasonable payment agreement that takes into account the [person's] individual's
568 employment and financial ability to make payments~~[-, provided that]~~ if there is a
569 reasonable basis to believe that the [person] individual will comply with the agreement.

570 ~~[(9)]~~ (10)(a) ~~[If, after the office seeks to suspend a person's driver license under this~~
571 section, it is determined that the person is not delinquent] If it is determined that an
572 individual is not delinquent on a child support obligation after the office seeks to

suspend the individual's driver license under this section, the office shall refund to the [person] individual any noncustodial parent income withholding fee that was collected from the [person] individual during the erroneously alleged delinquency.

(b) Subsection [(9)(a)] (10)(a) does not apply if the [person] individual described in Subsection [(9)(a)] (10)(a) is otherwise in arrears on a child support obligation.

[(10)] (11)(a) [A person whose driver license is ordered suspended pursuant to this section] If the office suspends an individual's driver license under this section, the individual may file a request with the office, on a form provided by the office, to have the office rescind the order of suspension if:

(i) the [person] individual claims that, since the time of the suspension, circumstances have changed such that the [person] individual is entitled to have the order of suspension rescinded under Subsection [(7)] (8); and

(ii) the office has not rescinded the order of suspension.

(b) [The office shall respond, in writing, to a person described in Subsection (10).] The office shall:

(i) respond, in writing, to a request described in Subsection (11)(a) within 10 days after the day on which the request is filed with the office[~~-, stating~~] ; and

(ii) state in the response whether the [person] individual is entitled to have the order of suspension rescinded.

(c) If an individual submits a request described in Subsection (11)(a) and the office determines[~~-, under Subsection (10)(b),~~] that an order to suspend [a person's] the individual's driver license should be rescinded, the office shall immediately rescind the order.

(d) If an individual submits a request described in Subsection (11)(a) and the office determines[~~-, under Subsection (10)(b),~~] that an order to suspend [a person's] the individual's driver license should not be rescinded:

(i) the office shall[~~-, as part of the response described in Subsection (10)(b), notify the person, in writing, of the reasons for that determination~~] include the reasons for that determination in the response described in Subsection (11)(b); and

(ii) the [person described in this Subsection (10)(d)] individual may, within 15 days after the day on which the office sends the response described in Subsection [(10)(b)] (11)(b), appeal the determination of the office to [district court] a court with jurisdiction.

(e) The office may not require that [a person] an individual file the request described in [

~~Subsection (10)(a)]~~ this Subsection (11) before the office orders that an order of suspension is rescinded, if the office has already determined that the order of suspension should be rescinded under Subsection ~~[(7)]~~ (8).

~~[(11)]~~ (12) The office may make rules, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, to:

- (a) implement the provisions of this part; and
- (b) determine when the arrears described in Subsections ~~[(6) and (7)]~~ (7) and (8) are considered paid.

Section 12. Section **63I-2-226** is amended to read:

63I-2-226 . Repeal dates: Titles 26 through 26B.

- (1) Section 26B-1-420, Cannabis Research Review Board, is repealed July 1, 2025.
- (2) Subsection 26B-1-421(9)(a), regarding a report to the Cannabis Research Review Board, is repealed July 1, 2025.
- (3) Section 26B-1-423, Rural Physician Loan Repayment Program Advisory Committee -- Membership -- Compensation -- Duties, is repealed July 1, 2026.
- (4) Section 26B-2-243, Data collection and reporting requirements concerning incidents of abuse, neglect, or exploitation, is repealed July 1, 2027.
- (5) Subsection 26B-3-215(5), regarding reporting on coverage for in vitro fertilization and genetic testing, is repealed July 1, 2030.
- (6) Subsection 26B-4-201(5), regarding the Cannabis Research Review Board, is repealed July 1, 2025.
- (7) Subsection 26B-4-212(1)(b), regarding the Cannabis Research Review Board, is repealed July 1, 2025.
- (8) Section 26B-4-702, Creation of Utah Health Care Workforce Financial Assistance Program, is repealed July 1, 2027.
- (9) Subsection 26B-4-703(3)(b), regarding per diem and expenses for the Rural Physician Loan Repayment Program Advisory Committee, is repealed July 1, 2026.
- (10) Subsection 26B-4-703(3)(c), regarding expenses for the Rural Physician Loan Repayment Program, is repealed July 1, 2026.
- (11) Subsection 26B-4-703(6)(b), regarding recommendations from the Rural Physician Loan Repayment Program Advisory Committee, is repealed July 1, 2026.
- (12) Section 26B-5-117, Early childhood mental health support grant program, is repealed January 2, 2025.
- (13) Section 26B-5-302.5, Study concerning civil commitment and the Utah State Hospital,

is repealed July 1, 2025.

(14) Section 26B-6-414, Respite care services, is repealed July 1, 2025.

(15) Section 26B-7-120, Invisible condition alert program education and outreach, is repealed July 1, 2025.

(16) Subsection 26B-9-108(9), regarding public meetings on office procedures and processes, is repealed on July 1, 2029.

Section 13. Section **78A-2-501** is amended to read:

78A-2-501 . Definitions -- Online Court Assistance Program -- Purpose of program -- Online Court Assistance Account -- User's fee.

(1) As used in this part:

(a) "Account" means the Online Court Assistance Account created in this section.

(b) "Program" means the Online Court Assistance Program created in this section.

(2) There is created the ["Online Court Assistance Program,"] administered by the Administrative Office of the Courts, to provide the public with information about civil procedures and to assist the public in preparing and filing civil pleadings and other papers in:

(a) uncontested divorces;

(b) enforcement of orders in the divorce decree;

(c) landlord and tenant actions;

(d) guardianship actions; and

(e) other types of proceedings approved by the board.

(3) The purpose of the program shall be to:

(a) minimize the costs of civil litigation;

(b) improve access to the courts; and

(c) provide for informed use of the courts and the law by pro se litigants.

(4) The program shall include information on how a pro se litigant can access court records from other cases that may be relevant to the pro se litigant's case, including information on how to access court records through the Xchange database.

~~[(4)]~~ (5)(a)(i) An additional \$20 shall be added to the filing fee established by Sections 78A-2-301 and 78A-2-301.5 if a person files a complaint, petition, answer, or response prepared through the program.

(ii) There shall be no fee for using the program or for papers filed subsequent to the initial pleading.

(b) There is created within the General Fund a restricted account known as the Online

Court Assistance Account.

(c) The fees collected under this Subsection [(4)] (5) shall be deposited [in] into the restricted account and appropriated by the Legislature to the Administrative Office of the Courts to develop, operate, and maintain the program and to support the use of the program through education of the public.

[(5)] (6) The Administrative Office of the Courts shall provide on the front page of the program website a listing of all forms and proceedings available to all pro se litigants within the program.

Section 14. Section **81-7-101** is amended to read:

81-7-101 . Definitions for chapter.

As used in this chapter:

- (1) "Alimony" means the same as that term is defined in Section 81-4-101.
- (2) "Child support" means the same as that term is defined in Section 81-6-101.
- (3) "Child support services" means the same as that term is defined in Section 26B-9-101.
- (4) "Delinquent" means a payment for child support that is overdue.
- [(4)] (5) "Obligee" means the same as that term is defined in Section 81-6-101.
- [(5)] (6) "Obligor" means the same as that term is defined in Section 81-6-101.
- [(6)] (7) "Support order" means the same as that term is defined in Section 81-6-101.
- [(7)] (8) "Tribunal" means the same as that term is defined in Section 81-6-101.

Section 15. Section **81-7-102** is amended to read:

81-7-102 . Payment under child support or alimony order -- Judgment.

- (1) All monthly payments of child support and alimony are due on the 1st day of each month in accordance with Title 26B, Chapter 9, Recovery Services and Administration of Child Support.
- (2) For purposes of child support services and income withholding described in Title 26B, Chapter 9, Part 2, Child Support Services, and Title 26B, Chapter 9, Part 3, Income Withholding in IV-D Cases, child support is not considered past due until the 1st day of the following month.
- (3) For purposes other than those specified in Subsection (1), child support is payable 1/2 by the 5th day of each month and 1/2 by the 20th day of that month, unless the order or decree provides for a different time for payment.
- (4) Each payment or installment of child support or alimony under any support order is, on and after the date the payment or installment is due:
 - (a) a judgment with the same attributes and effect of any judgment of a district court,

- 709 except as provided in Subsection (5);
- 710 (b) entitled, as a judgment, to full faith and credit in this and in any other jurisdiction;
- 711 and
- 712 (c) not subject to retroactive modification by this or any other jurisdiction, except as
- 713 provided in Subsection (5).
- 714 (5)(a) A child support or alimony payment under a support order may be modified with
- 715 respect to any period during which a modification is pending, but only from the date
- 716 of service of the pleading on:
- 717 (i) the obligee if the obligor is the petitioner; or
- 718 (ii) the obligor if the obligee is the petitioner.
- 719 (b) If the tribunal orders that the support order should be modified, the effective date of
- 720 the modification shall be the month following service on the party whose support is
- 721 affected.
- 722 (c) Once the tribunal determines that a modification is appropriate, the tribunal shall
- 723 order a judgment to be entered for any difference in the original order and the
- 724 modified amount for the period from the service of the pleading until the final order
- 725 of modification is entered.
- 726 (6) The judgment provided for in Subsection (4)(a), to be effective and enforceable as a lien
- 727 against the real property interest of any third party relying on the public record, shall be
- 728 docketed in the district court in accordance with Sections 78B-5-202 and 26B-9-214.
- 729 (7)(a) On and after July 1, 2027, interest shall accrue on a child support payment that is
- 730 delinquent:
- 731 (i) at a rate of 6%; and
- 732 (ii) from the date on which the child support payment becomes delinquent until the
- 733 date on which the child support payment is paid.
- 734 (b) Interest only accrues under Subsection (7)(a) on the principal amount owed for child
- 735 support.

736 **Section 16. Effective Date.**

737 This bill takes effect on May 6, 2026.