

Effective 7/1/2015

62A-11-104 Duties of office.

- (1) The office has the following duties:
 - (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) to carry out the obligations of the department contained in this chapter and in Title 78B, Chapter 12, Utah Child Support Act; Chapter 14, Utah Uniform Interstate Family Support Act; and Chapter 15, Utah Uniform Parentage Act, for the purpose of collecting child support;
 - (c) to collect money due the department which could act to offset expenditures by the state;
 - (d) to cooperate with the federal government in programs designed to recover health and social service funds;
 - (e) to collect civil or criminal assessments, fines, fees, amounts awarded as restitution, and reimbursable expenses owed to the state or any of its political subdivisions, if the office has contracted to provide collection services;
 - (f) to implement income withholding for collection of child support in accordance with Part 4, Income Withholding in IV-D Cases, of this chapter;
 - (g) 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 62A-11-304.5;
 - (h) 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 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) 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) to contract with the Department of Workforce Services to establish and maintain the new hire registry created under Section 35A-7-103;
 - (j) 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 62A-11-307.2;
 - (k) to finance any costs incurred from collections, fees, General Fund appropriation, contracts, and federal financial participation; and
 - (l) to provide notice to a noncustodial parent in accordance with Section 62A-11-304.4 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.
- (2) 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) in the custody of the Division of Child and Family Services; and
 - (b) lives in the home of a custodial parent of the child for more than seven consecutive days, regardless of whether:
 - (i) the greater than seven consecutive day period starts during one month and ends in the next month; and

- (ii) the child is living in the home on a trial basis.
- (3) 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).

Amended by Chapter 45, 2015 General Session