

62A-11-507 Payor's procedures for income withholding.

- (1)
 - (a) A payor is subject to the requirements, penalties, and effects of a notice mailed or delivered to him under Section 62A-11-506.
 - (b) A payment of withheld income mailed to the office in an envelope postmarked within seven business days of the date the amount would have been paid or credited to the obligor but for this section satisfies Subsection 62A-11-506(1)(c).
- (2) If a payor fails to comply with the requirements of a notice served upon him under Section 62A-11-506, the obligee, or obligor may proceed with a civil action against the payor to enforce a provision of the notice.
- (3) If the obligor's child support is owed monthly and the payor's pay periods are at more frequent intervals, the payor, with the consent of the office or obligee, may withhold an equal amount at each pay period cumulatively sufficient to pay the monthly child support obligation.
- (4) A payor may combine amounts which he has withheld from the income of multiple obligors into a single payment to the office. If such a combined payment is made, the payor shall specify the amount attributable to each individual obligor by name and Social Security number.
- (5) In addition to any other remedy provided in this section, a payor is liable to the obligee or obligor for costs and reasonable attorneys' fees incurred in enforcing a provision of the notice mailed or delivered under Section 62A-11-506.
- (6) Notwithstanding this section or Section 62A-11-506, if a payor receives an income withholding order or notice issued by another state, the payor shall apply the income withholding law of the state of the obligor's principal place of business in determining:
 - (a) the payor's fee for processing income withholding;
 - (b) the maximum amount permitted to be withheld from the obligor's income;
 - (c) the time periods within which the payor must implement income withholding and forward child support payments;
 - (d) the priorities for withholding and allocating withheld income for multiple child support obligees; and
 - (e) any terms or conditions for withholding not specified in the notice.

Enacted by Chapter 232, 1997 General Session