

S.B. 17
EMPLOYMENT SUPPORT ACT REVISIONS

Representative **Rebecca P. Edwards** proposes the following amendments:

1. *Page 4, Lines 108 through 109:*

108 (4) "Assignment of support" means the transfer to the ~~{department of a recipient's rights~~
109 ~~to receive some or all of the recipient's child support payments}~~ state of a recipient's right to receive
support from another person that accrues during the period the recipient receives public assistance,
including a right to receive support on behalf of any family member for whom the recipient is applying
for or receiving assistance .

2. *Page 10, Lines 281 through 285:*

281 (b) Upon the receipt of public assistance, any right of the recipient to receive support
282 from another person passes to the {+} state, {+} ~~{department,}~~ including a right to support on
behalf of
283 any family member for whom the recipient is applying for or receiving assistance, even if the
284 ~~[client]~~ recipient has not executed and delivered an assignment of support to the ~~[division]~~
285 department as required by Subsection (1)(a).

3. *Page 10, Lines 289 through 296:*

289 (2) An assignment of support, or a ~~[passing of rights under Subsection (1)(b)]~~ right to
290 receive support passed to the ~~{department}~~ state , includes payments ordered, decreed, or adjudged
by
291 ~~[any]~~ a court within this state, ~~[any other]~~ another state, or a territory of the United States and is
292 not in lieu of, and does not supersede or alter, any other court order, decree, or judgment.
293 (3) When an assignment of support is executed or the right to support passes to the
294 ~~{department}~~ state under ~~[Subsection (1)(b), the applicant or client]~~ this section, the recipient is
295 eligible to regular monthly assistance and the support paid to the ~~[division]~~ ~~{department}~~ state is a
296 refund.

4. *Page 10, Line 300 through Page 11, Line 311:*

300 (5) {+} On {+} ~~{Except for support already received by the department, on}~~ and after
the date a
301 ~~{family}~~ recipient stops receiving cash assistance, an assignment of support under ~~[Subsection (1)]~~
this
302 section does not apply to ~~[any]~~ support that accrued before the ~~{family}~~ recipient received ~~[such]~~

the cash

303 assistance [if the department has not collected the support by the date the family stops
304 receiving cash assistance, if the assignment is executed on or after October 1, 1998] ~~{-}~~ if:

(a) the state has not collected the support by the date the recipient stops receiving cash assistance; and

(b) the assignment was executed on or after October 1, 1998.

305 (6) The ~~{department}~~ state shall distribute ~~{+}~~ arrearages ~~{+}~~ ~~{overdue or~~
~~unpaid amounts}~~ to

306 [families] a recipient in accordance with the requirements of the Social Security Act, 42 U.S.C.
307 Sec. 657.

308 (7) ~~[The total amount of]~~ When an assignment of support includes child support, ~~{the~~
309 ~~department may not collect more}~~ the total amount of child support [assigned to the department and
collected]

310 ~~{payments}~~ assigned to the state and collected under this section ~~{+}~~ may not exceed ~~{+}~~
~~{than}~~ the total amount of cash assistance

311 ~~{+}~~ received by the recipient ~~{+}~~ ~~{provided to the recipient}~~ .