

RÉSUMÉ DIGEST

ACT 359 (HB 486)

2016 Regular Session

Robert Johnson

Existing law authorizes the Dept. of Children and Family Services (DCFS), when there is a child support arrearage or an overpayment has been made to a custodial parent, to intercept, encumber, freeze, or seize specified payments or assets. Existing law requires DCFS, whenever the department exercises this right, to notify the payor or custodial parent of its actions, and provide the payor or custodial parent an opportunity to appeal the seizing of the assets.

Prior law required DCFS to schedule the appeal for a hearing in the appropriate court.

New law requires the appeal to be conducted through an administrative hearing which may be held telephonically or by means of any other such electronic media, and provides that the sole issue to be determined at the hearing is whether the payor is in compliance with the order of support or whether the custodial parent owes an overpayment of support.

Effective August 1, 2016.

(Amends R.S. 46:236.15(D)(1)(a))