

Regular Session, 2014

HOUSE BILL NO. 1240

BY REPRESENTATIVE BURRELL

CHILDREN/SUPPORT: Dedicates a portion of support enforcement collections to fatherhood initiatives

1 AN ACT

2 To amend and reenact R.S. 46:236.1.2(I) and 236.11(B)(2), relative to administration of
3 family support programs; to require the Department of Children and Family Services
4 to use a portion of certain monies collected pursuant to child support enforcement
5 programs to fund fatherhood initiatives; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 46:236.1.2(I) and 236.11(B)(2) are hereby amended and reenacted
8 to read as follows:

9 §236.1.2. Family and child support programs; responsibilities

10 * * *

11 I.(1) In providing support services required by Title IV-D of the Social
12 Security Act in cases provided for in Subsection A of this Section, the department
13 may provide for application and other fees to be charged each individual who is
14 receiving services from the department or any individual who owes a duty of
15 support. The fees shall comply with any applicable federal laws, rules, and
16 regulations and may not exceed the maximum set by federal laws, rules, and
17 regulations or the actual costs incurred by the department in providing the support
18 services, whichever is less.

19 (2) The department shall dedicate fifteen percent of the application and other
20 fees collected pursuant to this Subsection to the administration of family support
21 programs designed to assist fathers who have custody of their children with the

responsibilities of fatherhood or to encourage noncustodial fathers to have more participation in their children's lives, including but not limited to the Fatherhood First Initiative, R.S. 46:261 et seq. Nothing in this Paragraph shall be construed to limit the department from using monies from other sources authorized by law to fund such fatherhood initiatives.

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§236.11. Louisiana disbursement unit for child support payments

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B.

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(2)(a) The provisions of this Section shall apply to child support payments made through any court. Any such court may enter into a cooperative agreement with the secretary of the Department of Children and Family Services to authorize the department to collect those support payments and administrative costs collected and distributed by the court pursuant to R.S. 46:236.5(B). The department may retain an amount equal to the actual costs incurred in collecting and distributing the child support, including administrative costs. However, such amount shall not exceed one percent of the total amount collected for the court. The department shall distribute such amounts collected pursuant to this Subsection in accordance with federal regulations.

(b) The department shall dedicate fifteen percent of the amount retained pursuant to this Paragraph to the administration of family support programs designed to assist fathers who have custody of their children with the responsibilities of fatherhood or to encourage noncustodial fathers to have more participation in their children's lives, including but not limited to the Fatherhood First Initiative, R.S. 46:261 et seq. Nothing in this Subparagraph shall be construed to limit the department from using monies from other sources authorized by law to fund such fatherhood initiatives.

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DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Burrell

HB No. 1240

Abstract: Requires the Dept. of Children and Family Services to use a portion of certain monies collected pursuant to family support enforcement programs to fund fatherhood initiatives.

Present law authorizes the Dept. of Children and Family Services (DCFS) to collect application and other fees from each individual who is receiving child support enforcement services from DCFS or any individual who owes a duty of support. Present law requires the fees to comply with any applicable federal laws, rules, and regulations and prohibits the fees from exceeding the maximum set by federal laws, rules, and regulations or the actual costs incurred by DCFS in providing the support services, whichever is less.

Proposed law retains present law and requires DCFS to dedicate 15% of the application and other fees collected to the administration of family support programs designed to assist fathers who have custody of their children with the responsibilities of fatherhood or to encourage noncustodial fathers to have more participation in their children's lives. Nothing in proposed law shall be construed to limit DCFS from using monies from other sources authorized by law to fund such fatherhood initiatives.

Present law provides that a court may enter into a cooperative agreement with DCFS to collect court-ordered child support payments and administrative costs collected and distributed by the court. Present law authorizes DCFS to retain an amount equal to the actual costs incurred in collecting and distributing the child support, including administrative costs; however, such amount shall not exceed 1% of the total amount collected for the court.

Proposed law retains present law and requires DCFS to dedicate 15% of the amount retained to the administration of family support programs designed to assist fathers who have custody of their children with the responsibilities of fatherhood or to encourage noncustodial fathers to have more participation in their children's lives. Nothing in proposed law shall be construed to limit DCFS from using monies from other sources authorized by law to fund such fatherhood initiatives.

(Amends R.S. 46:236.1.2(I) and 236.11(B)(2))