

ENROLLMENT(S)

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COUNCIL OF THE DISTRICT OF COLUMBIA

NOTICE

D.C. LAW 12-210

"Child Support and Welfare Reform Compliance Temporary Amendment Act of 1998"

Pursuant to Section 412 of the District of Columbia Self-Government and Governmental Reorganization Act, P.L. 93-198 "the Act", the Council of the District of Columbia adopted Bill No. 12-657, on first and second readings, July 7, 1998 and September 22, 1998, respectively. Following the signature of the Mayor on October 16, 1998, pursuant to Section 404(e) of "the Act", and was assigned Act No. 12-497 and published in the December 4, 1998, edition of the D.C. Register (Vol. 45 page 8459) and transmitted to Congress on February 3, 1999 for a 30-day review, in accordance with Section 602(c)(1) of the Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional Review Period has expired, and therefore, cites this enactment as D.C. Law 12-210, effective April 13, 1999.



LINDA W CROPP
Chairman of the Council

Dates Counted During the 30-day Congressional Review Period:

Feb. 3,4,8,9,10,11,12,22,23,24,25

Mar. 1,2,3,4,5,8,9,10,11,15,16,17,18,19,22,23,24,25

AN ACT

D.C. ACT 12-497

*Codification
District of
Columbia
Code
1999 Supp.*

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

OCTOBER 16, 1998

To amend, on a temporary basis, the Medicaid Benefits Protection Act of 1994 to include requirements regarding employee health insurance coverage for a child subject to a support order; to amend the Vital Records Act of 1981 to change the procedures for establishing paternity and require Social Security numbers to be included on certain records and to limit the circumstances under which the name of the father of a non-marital child may be recorded on a birth certificate; to amend Title 16 of the District of Columbia Code to 1) restrict the bases for challenging a paternity adjudication, 2) require specific notice before the signing of a voluntary paternity acknowledgment, 3) permit rescission of a voluntary paternity acknowledgment, 4) establish voluntary paternity acknowledgment programs at birthing hospitals and the birth records agency, 5) authorize the Mayor to establish voluntary paternity acknowledgment programs at other sites, 6) require medical support in all support orders, 7) modify the process for adjusting support orders every 3 years, 8) require the Mayor to establish privacy protections and safeguards for victims of domestic violence, 9) permit paternity adjudications that were barred by prior statutes of limitations, 10) require genetic testing in certain situations, 11) establish responsibility for payment of genetic tests, 12) prohibit ratification of unchallenged acknowledgments, 13) authorize the IV-D agency to obtain paternity acknowledgments, 14) clarify that acknowledgments are admissible in judicial proceedings, 15) allow childbirth, pregnancy, and genetic testing bills to be admitted without foundation testimony, 16) clarify that ex parte hearings are unnecessary before entry of a default paternity adjudication where proof of actual notice regarding any hearing that the putative father failed to attend, 17) clarify that there is no right to a jury trial in paternity proceedings, 18) require that all voluntary acknowledgments of paternity be filed with the Registrar of Vital Records, 19) clarify who may bring a paternity action, 20) require inclusion of Social Security numbers in paternity and support records, and 21) require temporary child support in certain paternity cases; to amend An Act To require premarital examinations in the District of Columbia to require inclusion of Social Security numbers on an application for a marriage license and authorize the IV-D agency to establish a centralized Collection and

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Disbursement Unit; to amend the Child Support Enforcement Amendment Act of 1985 to 1) alter the basis for modifying certain support orders, 2) require inclusion of medical support in support orders, 3) mandate notice concerning medical insurance coverage, 4) require notice that all child support orders will be reported to a consumer credit agency, 5) expedite notice in ongoing actions for support, 6) require that such reports be made to credit agencies, 7) require the Collection and Disbursement Unit to enforce medical orders, 8) clarify that hearings are not required before imposition of income withholding, 9) permit the IV-D agency to execute a withholding order without notice, 10) reduce the amount of time before a holder must withhold income, 11) permit application of another state's income withholding rules in interstate cases, 12) bring time frames for issuing withholding orders to into conformity with federal law, 13) permit liens to arise by operation of law in support cases, 14) provide full faith and credit to other states' liens, 15) clarify authority to intercept lottery winnings in form of periodic payments, 16) limit liability for holders and those providing information, 17) modify license denial and revocation requirements, 18) require parties to file and update information with the Superior Court and the IV-D agency, 19) grant the IV-D agency certain new powers to expedite paternity and support processes, 20) establish a District of Columbia Directory of New Hires, 21) require reporting to the Directory, and 22) provide access to other states to certain motor vehicle and law enforcement records for child support purposes; to amend the Cable Television Communications Act of 1981 to permit disclosure of certain customer information; to amend An Act Making appropriations to provide for the expenses of the District of Columbia for the fiscal year ending June thirtieth, nineteen-hundred and fourteen to permit disclosure of customer information; to amend the District of Columbia Unemployment Compensation Act to permit disclosure of unemployment information to the agency charged with support or paternity establishment services; to amend Title 47 of the D.C. Code to permit disclosure of income and franchise tax information to the agency that is responsible for the District's State Plan; and to require inclusion of Social Security numbers on certain license applications; to amend the District of Columbia Traffic Act of 1925 to require that each operator's permit issued by the District state the social security number of the permittee; and to require financial institutions to conduct data matches with the IV-D agency and to authorize reimbursement to such institutions for reasonable costs.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Child Support and Welfare Reform Compliance Temporary Amendment Act of 1998".

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Sec. 2. Section 3 of the Medicaid Benefits Protection Act of 1994, effective March 14, 1995 (D.C. Law 10-202; D.C. Code § 1-359.2), is amended as follows:

Note, Section 1-359.2

(a) Paragraph (3)(C) is amended by striking the word "and" at the end.

(b) Paragraph (4) is amended by striking the period at the end and inserting the phrase "; and", in its place.

(c) A new paragraph (5) is added to read as follows:

"(5) Inform the health insurance provider, upon receipt of notice indicating that a court or administrative order has directed the parent to provide health insurance coverage for the child, that receipt of the notice by the employer operates to enroll the child in the health insurance plan, unless the parent contests the notice in accordance with rules adopted by the Mayor or the Superior Court."

Sec. 3. The Vital Records Act of 1981, effective October 8, 1981 (D.C. Law 4-34; D.C. Code § 6-201 *et seq.*), is amended as follows:

(a) Section 2 (D.C. Code § 6-201) is amended by adding a new paragraph (7A), to read as follows:

Note, Section 6-201

"(7A) "IV-D agency" means the organizational unit of the District government, or any successor organizational unit, that is responsible for administering or supervising the administration of the District's State Plan under title IV, part D, of the Social Security Act, approved January 4, 1975 (88 Stat. 2351; 42 U.S.C. § 651 *et seq.*), pertaining to parent locator services, paternity establishment, and the establishment, modification, and enforcement of support orders."

(b) Section 6(e)(3) (D.C. Code § 6-205(e)(3)) is amended to read as follows:

Note, Section 6-205

"(3) If the mother was not married at the time of either conception or birth, or between conception and birth, the name of the father shall only be entered on the certificate if the parents have signed a voluntary acknowledgment of paternity pursuant to § 16-909.1(a)(1) (or pursuant to the laws and procedures of another state in which the voluntary acknowledgment was signed) or a court or administrative agency of competent jurisdiction has adjudicated as the father the person to be named as the father on the birth certificate. In such cases, upon written request to the Registrar by both parents, the surname of the child shall be entered on the certificate as that of the father."

(c) Section 12(i) (D.C. Code § 6-211(i)) is amended by striking the phrase "pronouncement of death section and a medical certification of cause of death section." and inserting the phrase "pronouncement of death section, a medical certification of cause of death section, and the Social Security number of the deceased." in its place.

Note, Section 6-211

(d) Section 17 (D.C. Code § 6-216) is amended by adding a new subsection (c) to read as follows:

Note, Section 6-216

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"(c) The Social Security number of each individual who is subject to the divorce or annulment decree shall be included in the records of the Superior Court and Registrar concerning the divorce or annulment."

(e) Section 21 (D.C. Code § 6-220) is amended by adding a new subsection (h) to read as follows:

Note, Section
6-220

"(h) The Registrar shall disclose information contained in vital records, or copies of vital records, to the IV-D agency upon request, for purposes directly related to paternity establishment or the establishment, modification, or enforcement of a support order."

Sec. 4. Section 6a(b) of the Vital Records Act of 1981, effective July 25, 1990 (D.C. Law 8-150; D.C. Code § 6-205.1(b)), is amended to read as follows:

Note, Section
6-205.1

"(b) The Social Security account number shall be collected by the Registrar of Vital Records and made available only to the IV-D agency for the establishment, modification, and enforcement of child support orders. A Social Security account number shall not be available for any other purpose."

Sec. 5. Title 16 of the District of Columbia Code is amended as follows:

(a) The table of contents for Chapter 9 is amended as follows:

(1) New phrases are added before the phrase "16-910", to read as follows:

"16-909.3. Voluntary paternity acknowledgment program for birthing hospitals.

"16-909.4. Voluntary paternity acknowledgment program for birth records agency.

"16-909.5. Mayor authorized to designate other sites for paternity acknowledgment program."

(2) A new phrase is added at the end to read as follows:

"16-925. Privacy protection for victims of domestic violence."

(b) Section 16-901(2) is amended to read as follows:

"(2) "IV-D agency" means the organizational unit of the District government, or any successor organizational unit, that is responsible for administering or supervising the administration of the District's State Plan under title IV, part D, of the Social Security Act, approved January 4, 1975 (88 Stat. 2351; 42 U.S.C. § 651 *et seq.*), pertaining to parent locator services, paternity establishment, and the establishment, modification, and enforcement of support orders."

Note, Section
16-901

(c) Section 16-909 is amended as follows:

Note, Section
16-909

(1) Subsection (b-1)(1) is amended to read as follows:

"(1) Upon a result and an affidavit from a laboratory of a genetic test of a type generally acknowledged as reliable by accreditation bodies designated by the Secretary of the U.S. Department of Health and Human Services that is performed by a laboratory approved by such a body indicating a 99% probability that the putative father is the father of the child; or"

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(2) Subsection (c) is amended to read as follows:

"(c) The parent-child relationship is conclusively established:

"(1) Upon a determination of the parentage of a child by the following:

"(A) The Superior Court of the District of Columbia under the provisions of subchapter II of Chapter 23 of this title or subsection (b) of this section;

"(B) Any other court of competent jurisdiction;

"(C) The IV-D agency of another state, in compliance with jurisdictional and procedural requirements of that state; or

"(D) Any entity of another state authorized to determine parentage, in compliance with jurisdictional and procedural requirements of that state;

"(2) By a voluntary acknowledgment of paternity pursuant to section 16-909.1(a)(1), unless either signatory rescinds the acknowledgment pursuant to section 16-909.1(a-1); or

"(3) By a voluntary acknowledgment of paternity in another state pursuant to the laws and procedures of that state, unless either signatory rescinds the acknowledgment pursuant to the laws and procedures of that state."

(3) A new subsection (c-1) is added to read as follows:

"(c-1) A parent-child relationship that has been established pursuant to subsection (b-1)(1) of this section may be challenged upon the same grounds and through the same procedures as are applicable to a final judgment of the Superior Court. A parent-child relationship that has been established pursuant to subsection 16-909(b-1)(2) of this section or section 16-909.1(a)(1) may be challenged in the Superior Court after the rescission period provided by section 16-909.1(a-1) through the same procedures as are applicable to a final judgment of the Superior Court, but only on the basis of fraud, duress, or material mistake of fact, with the burden of proof upon the challenging party. The legal responsibilities (including child support obligations) of any signatory arising from the acknowledgment of parentage may not be suspended during the challenge, except for good cause shown."

(d) Section 16-909.1 is amended as follows:

(1) Subsection (a) is amended to read as follows:

"(a) Paternity may be established by:

"(1) A written statement of the father and mother signed under oath (which may include signature in the presence of a notary) that acknowledges paternity, provided that before the parents sign the acknowledgment, both have been given written and oral notice of the alternatives to, legal consequences of and the rights and responsibilities that arise from signing the acknowledgment (Oral notice may be given through videotape or audiotape. The acknowledgment shall include the full name, the social security number, and date of birth of the mother, father, and child, an explanation of the legal consequences of the affidavit, a statement indicating that both parents understand their rights, responsibilities, and the alternatives and

**Note, Section
16-909.1**

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consequences of signing the affidavit, the place the affidavit was completed, and signature lines for the parents. Nothing in this paragraph shall affect the validity of a voluntary acknowledgment of paternity executed before December 23, 1997, or preclude the submission of an acknowledgment of paternity that does not comply with the requirements of this paragraph as evidence of paternity in a judicial or administrative proceeding.); or

"(2) A result and an affidavit from a laboratory of a genetic test of a type generally acknowledged as reliable by accreditation bodies designated by the Secretary of the U.S. Department of Health and Human Services that is performed by a laboratory approved by such a body, that affirms at least a 99% probability that the putative father is the father of the child."

(2) A new subsection (a-1) is added to read as follows:

"(a-1) A signatory to a voluntary acknowledgment of paternity pursuant to subsection (a)(1) of this section may rescind the acknowledgment within the earlier of 60 days or the date of an administrative or judicial proceeding relating to the child in which the signatory is a party."

(3) Subsection (b) is amended as follows:

(A) By striking the phrase "section 16-909.1(a)(1)" and inserting the phrase "subsection (a)(1) of this section, which has not been rescinded pursuant to subsection (a-1) of this section,"; and

(B) By striking the phrase "section 16-909.1(a)(2)" and inserting the phrase "subsection (a)(2) of this section" in its place.

(4) Subsection (c) is amended by striking the phrase "section 16-909.1(a)(1) or (a)(2)" and inserting the phrase "subsection (a)(1) or (a)(2)" in its place.

(e) Section 16-909.3. is amended to read as follows:

"§ 16-909.3. Paternity acknowledgment program for birthing hospitals.

"(a) For the purposes of this section, the term "birthing hospital" means a hospital that has an obstetric care unit or provides obstetric services, or a birthing center.

"(b)(1) Each public and private birthing hospital in the District of Columbia shall operate a program that, immediately before and after the birth of a child, provides to each unmarried woman who gives birth at the hospital and the alleged putative father, if present in the hospital:

"(A) Written materials concerning paternity establishment;

"(B) Forms necessary to acknowledge paternity voluntarily that meet the federal requirements;

"(C) A written and oral description (the oral description may be videotaped or audiotaped) of the alternatives to, the legal consequences of, and the rights and responsibilities that arise from, signing a voluntary acknowledgment of paternity;

Note, Section
16-909.3

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"(D) Written notice that a voluntary acknowledgment of paternity form is not effectuated unless the mother and putative father each sign the form, and a notary or witness authenticates the signatures;

"(E) The opportunity to speak, either by telephone or in person, with hospital or IV-D agency staff who are trained to clarify information and answer questions about paternity establishment;

"(F) Access to the services of a notary on the premises of the birthing hospital; and

"(G) The opportunity to acknowledge paternity voluntarily in the hospital.

"(2) The Mayor shall provide to each birthing hospital the materials described in paragraph (1)(A) through (D) of this subsection, in sufficient amounts to be distributed to each unmarried mother giving birth in the hospital and to each putative father present in the hospital.

"(c) The birthing hospital shall transmit each completed voluntary acknowledgment of paternity form to the Registrar of Vital Records within 14 days of completion. The Registrar shall promptly record identifying information from the form and permit the IV-D agency timely access to the identifying information and any other documentation recorded from the form that the IV-D agency needs to determine if a voluntary acknowledgment of paternity has been recorded and to seek a support order on the basis of the recorded voluntary acknowledgment of paternity.

"(d) The Mayor shall provide to the staff of each birthing hospital training, guidance, and written instructions necessary to operate the paternity acknowledgment program required by this section.

"(e) The Mayor shall assess the program of each birthing hospital each year."

(f) New sections 16-909.4 and 16-909.5 are added to read as follows:

"§ 16-909.4. Voluntary paternity acknowledgment program for birth records agency.

"(a) The Registrar of Vital Records shall offer to any person seeking to file or amend a birth certificate that does not include a father's name:

"(1) Written materials concerning paternity establishment;

"(2) Forms necessary to acknowledge paternity voluntarily that meet the federal requirements;

"(3) A written and oral description of the alternatives to, the legal consequences of, and the rights and responsibilities that arise from, signing a voluntary acknowledgment of paternity (the oral description may be videotaped or audiotaped);

"(4) Written notice that a voluntary acknowledgment of paternity form is not effectuated unless the mother and putative father each sign it and a notary or witness authenticates their signatures;

Note, Section
16-909.3

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"(5) The services of a notary on the premises;

"(6) The opportunity to speak, by telephone or in person, with staff of the IV-D agency or Registrar who are trained to clarify information and answer questions about paternity establishment; and

"(7) The opportunity to acknowledge paternity voluntarily at the birth records agency.

"(b) The Registrar of Vital Records shall establish procedures for the recording in the records of the Registrar, and for the transmittal to the IV-D agency of completed voluntary acknowledgments of paternity, and of information contained in an acknowledgment that may be used in the establishment or enforcement of a support order."

"§ 16-909.5. Location of other voluntary paternity establishment services.

Note, Section
16-909.3

"The Mayor is authorized to establish voluntary paternity establishment services at entities other than hospitals, or the Vital Records Office, by publishing a notice of such location in the D.C. Register. The Mayor may only designate entities that meet the applicable federal requirements and comply with the same requirements that apply to birthing hospitals as set forth in section 16-909.3."

(g) Section 16-911(a)(5)(O) is amended by striking the phrase "Aid to Families with Dependent Children" and inserting the phrase "Temporary Assistance for Needy Families" in its place.

Note, Section
16-911

(h) Section 16-914(a)(3)(P) is amended by striking the phrase "Aid to Families with Dependent Children" and inserting the phrase "Temporary Assistance for Needy Families" in its place.

Note, Section
16-914

(i) Section 16-916 is amended as follows:

Note, Section
16-916

(1) Subsection (a) is amended by inserting the phrase "that either or both parents shall pay for the unreimbursed medical expenses of the child, and that a parent shall obtain medical insurance for the child whenever that insurance is available at a reasonable cost," before the phrase "and the court may decree".

(2) Subsection (c) is amended by inserting the phrase "that either or both parents shall pay for the unreimbursed medical expenses of the child," before the phrase "that the parent obtain medical insurance".

Note, Section
16-916.1

(j) Section 16-916.1 is amended as follows:

(1) Subsection (b)(7) is amended by striking the phrase "an Aid to Families with Dependent Children ("AFDC")" and inserting the phrase "a Temporary Assistance for Needy Families" in its place.

(2) Subsection (i) is amended by striking the phrase "absent an agreement between the parties" and inserting in its place the phrase "if payment of such expenses has not been addressed in the support order or in an agreement between the parties".

(3) Subsection (o)(2) is amended to read as follows:

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"(2) Every 3 years, in cases being enforced under title IV, part D of the Social Security Act, approved January 4, 1975 (88 Stat. 2351; 42 U.S.C. § 651 *et seq.*), the IV-D agency shall notify both the non-custodial and the custodial parent of the right to a review, and, if appropriate, a modification of their support order under the guideline. The IV-D agency shall establish a procedure for informing the noncustodial and custodial parent if a modification is warranted under the guideline. Upon the request of either parent or, if the obligee receives public assistance, upon the request of either parent or the IV-D agency, the Superior Court shall modify a support order without requiring any showing of a change in circumstances, notwithstanding any other provision of law, if the order differs by 15% or more from the central guideline figure calculated by applying the guideline to the parties' current circumstances. Nothing in this paragraph shall be construed to limit the ability of a party to seek a modification of a support order upon a showing of a material and substantial change in the needs of the child or the ability of the obligor to pay."

(k) A new section 16-925 is added to read as follows:

Note, Section
16-924

"§16-925. Privacy protection for victims of domestic violence.

"(a) The Mayor shall promulgate rules and establish procedures to implement safeguards, applicable to all confidential information handled by the IV-D agency or executive branch agencies in cooperative agreements with the IV-D agency, to protect the privacy rights of parties in IV-D agency proceedings. These safeguards shall include the following:

"(1) Prohibitions against the unauthorized use or disclosure of information relating to paternity, support, or custody actions in IV-D agency proceedings;

"(2) Prohibitions against the release of information concerning the whereabouts of one party or a child to another party, if a protection order has been entered (in the District or in another jurisdiction) to protect the party or the child whose whereabouts are being sought from the party seeking disclosure;

"(3) Prohibitions against release of information concerning the whereabouts of one party or a child to another party if the Mayor has reason to believe that the release of the information may result in physical or emotional harm to the party or the child whose whereabouts are being sought;

"(4) Requirements to notify the Secretary of the U.S. Department of Health and Human Services when the Mayor 1) has reasonable evidence of domestic violence or child abuse against a party or a child, or 2) when the disclosure of information concerning the whereabouts of the party or the child could be harmful to the party or the child; and

"(5) In cases where the Secretary of the U.S. Department of Health and Human Services has informed the IV-D agency that the Department has been notified that there is reasonable evidence of domestic violence or child abuse, requirements to determine whether disclosure of information concerning a party's or child's whereabouts to any other person would be harmful to a party or the child, and if so, to prohibit the disclosure.

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"(b) The Superior Court shall establish procedures to implement safeguards, applicable to all confidential information possessed by the Superior Court, to protect the privacy rights of parties in paternity or support proceedings. These safeguards shall include:

"(1) Prohibitions against the unauthorized use or disclosure of information relating to paternity, support, or custody actions in Superior Court proceedings;

"(2) Prohibitions against the release of information concerning the whereabouts of one party or a child to another party, if a protection order has been entered (in the District or in another jurisdiction) to protect the party or the child whose whereabouts are being sought from the party seeking disclosure;

"(3) Prohibitions against the release of information concerning the whereabouts of one party or a child to another party if the Superior Court has reason to believe that the release of information may result in physical or emotional harm to the party or the child whose whereabouts are being sought;

"(4) Requirements to notify the Secretary of the U. S. Department of Health and Human Services when the Superior Court 1) has reasonable evidence of domestic violence or child abuse against a party or a child, or 2) when the disclosure of information concerning the whereabouts of the party or the child could be harmful to the party or the child; and

"(5) In cases where the Secretary of the U.S. Department of Health and Human Services has informed the Superior Court that the Department has been notified that there is reasonable evidence of domestic violence or child abuse, requirements to determine whether disclosure of information concerning a party's or child's whereabouts to any other person would be harmful to a party or the child, and if so, to prohibit the disclosure.

(l) The table of contents for chapter 23 is amended as follows:

(1) By adding a new phrase after "16-2343.3. Default order." to read as follows: "16-2343.4. No right to jury trial."; and

(2) By adding new phrases at the end of subchapter II to read as follows: "16-2349. Inclusion of Social Security numbers in paternity records. "16-2349.1. Child support pendente lite."

(m) Section 16-2342 is amended as follows:

(1) The heading is amended to read as follows: "§ 16-2342. Who may bring a complaint; time."

(2) The existing text is designated as subsection (b).

(3) A new subsection (a) is added to read as follows:

"(a) A proceeding to establish parentage may be brought by the District of Columbia, a child's mother, putative father, guardian, legal or physical custodian, the IV-D agency, the person whose parentage is to be determined, if an adult, or a licensed child-placing agency."

(4) A new sentence is added at the end of the newly designated subsection (b) to read as follows: "This section shall apply, as of August 16, 1984, to the establishment of

Note, Section
16-2342

paternity of a child for whom paternity has not been established or for whom a paternity action was brought but dismissed because a statute of limitations of less than 21 years was then in effect in the jurisdiction in which the action was brought."

(n) Section 16-2343 is amended as follows:

Note, Section
16-2343

(1) Subsection (a) is amended to read as follows:

"(a) When the Division has jurisdiction of actions or proceedings under section 11-1101, the court, on its own motion, may require, or, on the motion of a party, shall require, the child and all other parties to submit to medical or genetic tests, unless:

"(1) A party has established or is awaiting determination of a claim of good cause for failure to cooperate with paternity establishment pursuant to section § 3-217.9;

"(2) A legal finding of paternity has been made by a court or administrative entity of competent jurisdiction and has not been overturned on appeal, unless a party has made a showing pursuant to Superior Court Domestic Relations Rule 60(b) or section 16-909(c-1) (or the applicable rule of another jurisdiction, if the finding was made in another state) that supports setting aside the judgment, and genetic or medical testing would aid in resolving whether the judgment should be set aside;

"(3) The parties have signed a voluntary acknowledgment of paternity pursuant to section 16-909.1(a) or the law and procedures of another state, after December 23, 1997, and have not made a legally-effective rescission of the acknowledgment; or

"(4) The child's mother and putative father are or have been married and the child was born during the marriage, and no showing has been made pursuant to section 16-909(b) to overcome the rebuttable presumption of paternity."

(2) A new subsection (a-1) is added to read as follows:

"(a-1)(1) The IV-D agency shall require the child and all other parties to submit to medical or genetic tests, subject to exemptions for good cause pursuant to section 3-217.9, if:

"(A) A party submits a sworn statement alleging paternity and setting forth facts establishing a reasonable possibility of the requisite sexual contact between the parties; or

"(B) A party contests an original test result and seeks additional testing, upon request and advance payment by the contestant.

"(2) In all other cases, the IV-D agency may require the child and all other parties to submit to medical or genetic tests when paternity is contested, subject to exemptions for good cause pursuant to section 3-217.9."

(3) Subsection (b)(2) is amended by inserting the phrase ", the IV-D agency" after the word "court".

(4) Subsection (c)(1) is amended to read as follows:

"(1) Except as provided pursuant to subsection (a-1)(1)(B) of this section, the costs of any medical or genetic tests ordered by the IV-D agency shall be paid by the IV-D

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agency, subject to recoupment from the putative father if paternity is established. The costs of any medical or genetic tests not ordered by the IV-D agency, and the costs of any expert witness appointed by the court shall be paid by the parties."

(o) Section 16-2342.1 is amended as follows:

Note, Section
16-2342.1

(1) By designating the existing introductory paragraph as subsection (a); and

(2) By adding new subsections (b), (c), and (d) to read as follows:

"(b) Judicial or administrative proceedings are not required or permitted to ratify an unchallenged acknowledgment of paternity pursuant to section 16-909.1(a)(1).

"(c) The IV-D agency is authorized to obtain voluntary acknowledgments of paternity in a manner that complies with the same requirements that apply to birthing hospitals as set forth in section 16-909.3.

"(d) An acknowledgment shall be admissible in any judicial proceeding to determine parentage."

(p) Section 16-2343.1 is amended as follows:

Note, Section
16-2343.1

(1) Subsection (e) is amended to read as follows:

"(e) A conclusive presumption of paternity shall be created upon the result and an affidavit, from a laboratory of a genetic test of a type generally acknowledged as reliable by accreditation bodies designated by the Secretary of the U.S. Department of Health and Human Services and that is performed by a laboratory approved by such a body, that indicates a 99% probability that the putative father is the father of the child and the Division shall enter a judgment finding the parentage of the child."

(2) By adding a new subsection (f) to read as follows:

"(f) Bills for pregnancy, childbirth, and genetic testing are admissible as evidence without third party foundation testimony and shall constitute prima facie evidence of the amounts incurred for such services or for testing on behalf of the child."

(q) Section 16-2343.3 is amended to read as follows:

Note, Section
16-2343.3

"If a putative father fails to appear at a hearing in any case in which paternity is at issue, a default order shall be entered upon a showing that 1) the putative father was served with notice of the action by any method permitted pursuant to section 30-506(b), and 2) that the putative father received actual notice of the first, or any other hearing, where paternity is at issue which he failed to attend. An ex parte hearing shall not be required before the entry of a default order."

(r) A new section 16-2343.4 is added to read as follows:

"§ 16-2343.4. No right to jury trial.

"The parties to an action to establish paternity are not entitled to a jury trial."

Note, Section
16-2343.4

(s) Section 16-2345 is amended as follows:

Note, Section
16-2345

(1) By designating the existing text as subsection (a); and

(2) By adding a new subsection (b) to read as follows:

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"(b) Voluntary acknowledgments and adjudications of paternity by administrative processes that meet federal requirements and are obtained in accordance with sections 16-909.3 through 16-909.5 and 16-2342.1(c), shall be filed with the Registrar of Vital Records."

(t) Section 16-2348(a) is amended as follows:

Note, Section
16-2348

(1) By inserting the following sentence after the first sentence: "Any inspection shall be subject to the safeguards provided by section 16-925." ;

(2) By inserting the phrase "the IV-D agency," before the phrase "or authorized professional staff of the Superior Court,"; and

(3) By inserting the phrase "the IV-D agency and" before the phrase "the Corporation Counsel".

(u) A new section 16-2349 is added to read as follows:

Note, Section
16-2348

"§ 16-2349. Inclusion of Social Security numbers in paternity records.

"The Social Security number of the mother, father, and child who are parties to a paternity determination or acknowledgment shall be included in the Superior Court and IV-D agency records relating to the determination or acknowledgment."

(v) A new section 16-2349.1 is added to read as follows:

Note, Section
16-2348

"§ 16-2349.1. Child support pendente lite.

"Upon motion of a party in a paternity or support action or proceeding, the Superior Court shall issue an order of child support pending a determination of parentage if there is clear and convincing evidence of paternity. Evidence of paternity may include a genetic test result that does not create a conclusive presumption of paternity pursuant to section 16-909(b-1)(1)."

Sec. 6. An Act To require premarital examinations in the District of Columbia, and for other purposes, approved October 15, 1966 (80 Stat. 959; D.C. Code § 30-116 *et seq.*), is amended as follows:

(a) Section 1 (D.C. Code § 30-116) is amended by striking the word "records" and inserting the phrase "records, except as limited by section 1a" in its place.

Note, Section
30-116

(b) A new section 1a is added to read as follows:

Note, Section
30-116

"Sec. 1a. (a) Each applicant for a marriage license shall record on the application each Social Security number assigned to the applicant. The page containing the Social Security number shall be separate from the remainder of the application.

"(b) The page of the application containing the Social Security number shall be disclosed only:

"(1) For a purpose directly related to the establishment of paternity, or the establishment, modification, or enforcement of a support order; and

"(2) To the applicant, the other spouse, the child of the applicant or spouse, their attorneys of record, the IV-D agency, a District agency that has entered into a cooperative

agreement with the IV-D agency, the IV-D agency of another state, or a private entity with which the District has contracted regarding paternity and child support services."

Sec. 7. The District of Columbia Child Support Enforcement Amendment Act of 1985, approved February 24, 1987 (D.C. Law 6-166; D.C. Code § 30-501 *et seq.*), is amended as follows:

(a) Section 2 (D.C. Code § 30-501) is amended as follows:

(1) The existing paragraph (1) is redesignated as paragraph (1A).

(2) A new paragraph (1) is added to read as follows:

"(1) "Business day" means Monday through Friday, excluding District and federal holidays."

(3) New paragraphs (8A) and (8B) are added to read as follows:

"(8A) "Entity" means a partnership, firm, association, corporation, sole proprietorship, company, organization, or other business, including a governmental and nonprofit organization.

"(8B) "IV-D agency" means the organizational unit of the District government, or successor organizational unit, that is responsible for administering or supervising the administration of the District's State Plan under title IV, part D, of the Social Security Act, approved January 4, 1975 (88 Stat. 2351; 42 U.S.C. § 651 *et seq.*), pertaining to parent locator services, paternity establishment, and the establishment, modification, and enforcement of support orders."

(4) Paragraph (13) is amended by striking the phrase "assistance granted under the District's Aid to Families with Dependent Children program pursuant to section 201(4) of the 1982 Public Assistance Act (D.C. Code, sec. 3-202(a)(4))" and inserting the phrase "aid as defined by section 101(6) of the District of Columbia Public Assistance Act of 1982, effective April 6, 1982 (D.C. Law 4-101; D.C. Code § 3-201.1(6))" in its place.

(5) New paragraphs (15A) and (15B) are added to read as follows:

"(15A) "Spousal support" means a legally enforceable obligation assessed against an individual for the support of a spouse or former spouse who is living with a child for whom the individual also owes support and that is sought, established, modified, or enforced by the IV-D agency.

"(15B) "Support order" means a judgment, decree, or order, whether temporary, final, or subject to modification, issued by a court or an administrative agency of competent jurisdiction, for the support and maintenance of a child, including a child who has attained the age of majority under the law of the issuing state, or a child and the parent with whom the child is living, which provides for monetary support, health care, arrearages, or reimbursement and which may include related costs and fees, interest and penalties, income withholding, attorneys' fees, and other relief."

Note, Section
30-501

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(b) A new section 3a is added to read as follows:

"Section 3a. Centralized Collection and Disbursement Unit.

Note, Section
30-502

"(a) The Superior Court is established as the centralized "Collection and Disbursement Unit" for the collection and disbursement of support payments and shall operate this unit either directly or through a contract or cooperative agreement with another entity.

"(b) The Collection and Disbursement Unit shall collect and disburse support payments under support orders in all cases enforced by the IV-D program and all other cases in which the support order was initially issued in the District on or after January 1, 1994, and in which the income of the noncustodial parent has been subject to withholding. Unit operations involving cases enforced by the IV-D program will be conducted in coordination with the automated system maintained by the IV-D agency.

"(c) The Collection and Disbursement Unit shall be the instrumentality for withholding earnings and other income under this act.

"(d) The Collection and Disbursement Unit shall use automated procedures, electronic processes, and computer-driven technology to the maximum extent feasible, efficient, and economical, for the collection and disbursement of support payments, including procedures:

"(1) For receipt of payments from parents, employers, and other states and for disbursements to custodial parents and other obligee's, the IV-D agency, and the agencies of other states;

"(2) For accurate identification of payments;

"(3) To ensure prompt disbursement of the custodial parent's share of any payment; and

"(4) To furnish to any parent, upon request, timely information on the current status of support payments under an order requiring payments to be made by or to the parent. The Collection and Disbursement Unit shall not be required to convert and maintain, in automated form, records of payments made prior to August 22, 1996, in cases subject to wage withholding that are enforced pursuant to the IV-D program.

"(e) The Collection and Distribution Unit shall distribute all amounts payable within 2 business days after receipt from the employer or other holder if sufficient information identifying the payee is provided. The Collection and Distribution Unit may delay the distribution of collections toward arrearages until any appeal with respect to such arrearages has been resolved.

"(f) The Collection and Distribution Unit shall use the automated system maintained by the IV-D agency to the maximum extent feasible to assist and facilitate the collection and disbursement of support payments, including, at a minimum:

"(1) Transmission of orders and notices to employers and other debtors for the withholding of income:

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"(A) Within 2 business days after receipt of notice of such withholding (including identification of the income source subject to withholding) from a court, a state, an employer, the Federal Parent Locator Service, or another source recognized by the District; and

"(B) Using uniform formats prescribed by federal regulation or policy;

"(2) Ongoing monitoring to promptly identify failures to make timely payment of support; and

"(3) Automatic use of enforcement procedures if payments are not timely made."

(c) Section 5(a) (D.C. Code § 30-504(a)) is amended by adding a new sentence at the end to read as follows: "A showing or proof of a change in circumstances shall not be required to modify a support order that is being reviewed pursuant to section 16-916.1 (o)(2)."

Note, Section
30-504

(d) Section 6 (D.C. Code § 30-505) is amended as follows:

Note, Section
30-505

(1) The introductory paragraph is amended by striking the phrase "All Court orders or decrees directing the payment of child or spousal and child support" and inserting the phrase "All support orders" in its place.

(2) Paragraph (2) is amended as follows:

(A) By striking the phrase "Court registry" and inserting the phrase "Collection and Disbursement Unit" in its place; and

(B) By striking the word "and" at the end.

(3) Paragraph (3) is amended to read as follows:

"(3) A provision that directs the parties to file and update with the IV-D agency and with the Collection and Disbursement Unit the information required by section 27b;".

(4) New paragraphs (4), (5), and (6) are added to read as follows:

"(4) Terms providing for the payment of the child's medical expenses, whether or not health insurance is available to pay for those expenses, which shall include a provision directing the obligor and obligee to notify the IV-D agency and the Collection and Disbursement Unit, of the following:

"(A) Any change in either the obligor's or the obligee's access to health insurance coverage for the child or the reasonableness of the costs of coverage; and

"(B) All health insurance policy information necessary to enroll the child in the health insurance to which the obligor or obligee has access;

"(5) Notice that if the obligor provides health insurance coverage for the child and changes to another employer that provides health care coverage, the IV-D agency or the Collection and Disbursement Unit will notify the new employer of the health insurance coverage provision in the support order (receipt of the notice by the employer shall operate to enroll the child in the obligor's health plan with his new employer, unless the obligor contests the notice in accordance with rules adopted by the Mayor or the Superior Court, as appropriate); and

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"(6) Notice that the amount and name of the obligor and obligee of all support orders entered, modified, registered, or enforced in the District after December 23, 1997, shall be reported to a consumer credit reporting agency, if the obligor's support obligations are over 30 days past due."

(e) A new section 6a is added to read as follows:

"Sec. 6a. Inclusion of Social Security numbers in child or spousal support records.

Note Section
30-505

"The Social Security number of each individual who is party to a support order shall be included in the Superior Court and IV-D agency records relating to the order."

(f) Section 7 (D.C. Code § 30-506) is amended as follows:

Note, Section
30-506

(1) Subsection (a) is amended in the first sentence by striking the word "child" the second time it appears in the sentence.

(2) A new subsection (b-1) is added to read as follows:

"(b-1) In any support enforcement action following entry of a support order, upon showing that a diligent effort which includes more than a search of IV-D agency and Collection and Disbursement records has been made to ascertain the location of a party, the Superior Court shall accept as adequate service on the party delivery by first-class mail of any pleading or notice to the most recent residential or employer address filed by the party with the IV-D agency or the Collection and Disbursement Unit pursuant to section 36."

(g) Section 8 (D.C. Code § 30-507) is amended as follows:

Note, Section
30-507

(1) Subsection (a) is repealed;

(2) Subsection (b) is amended as follows:

(A) The introductory paragraph is amended to read as follows:

"All support orders, whether they are original orders or modifications of existing orders, shall contain the following:";

(B) Paragraph (2) is amended by striking the word "Court" and inserting the phrase "Collection and Disbursement Unit" in its place.

(C) Paragraph (4)(B) is amended by striking the word "and" at the end.

(D) Paragraph (5) is amended to read as follows:

"(5) Terms providing for the payment of the child's medical expenses, whether or not health insurance is available to pay for those expenses, which shall include a provision directing the obligor and obligee to notify the IV-D agency, and the Collection and Disbursement Unit, of the following:

"(A) Any change in either the obligor's or the obligee's access to health insurance coverage for the child or in the reasonableness of the costs of coverage; and

"(B) All health insurance policy information necessary to enroll the child in the health insurance to which the obligor or obligee has access."

(E) New paragraphs (6), (7), and (8) are added to read as follows:

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"(6) Notice that if the obligor provides health insurance coverage for the child and changes to another employer that provides health care coverage, the IV-D agency or the Collection and Disbursement Unit will notify the new employer of the health insurance coverage provision in the support order, receipt of the notice by the employer from the IV-D agency or Collection and Disbursement Unit shall operate to enroll the child in the obligor's health plan with the new employer, unless the obligor contests the notice in accordance with rules adopted by the Mayor or the Superior Court, as appropriate;

"(7) Notice that the amount and name of the obligor and obligee of all support orders entered, modified, registered, or enforced in the District after December 23, 1997, shall be reported to a consumer credit reporting agency, if the obligor's support obligations are over 30 days past due; and

"(8) A provision that directs the parties to file and update with the IV-D agency and with the Collection and Disbursement Unit the information required by section 36."

(h) Section 9 (D.C. Code § 30-508) is amended by adding a new subsection (d) to read as follows:

Note, Section
30-508

"(d) Nothing in this act shall be construed to require a judicial or administrative hearing before initiation of withholding if there are arrearages equal to 30 days of support, except as may be required pursuant to section 11 to resolve a properly filed objection to a notice of intent to withhold."

(i) Section 10 (D.C. Code § 30-509) is amended as follows:

Note, Section
30-509

(1) Subsections (a) and (b) are amended by striking the phrase "Clerk of the Court" wherever it appears and inserting the phrase "Collection and Disbursement Unit" in its place.

(2) Subsection (c) is amended as follows:

(A) Paragraph (4) is amended by striking the phrase "Clerk of the Court" and inserting the phrase "Collection and Disbursement Unit" in its place.

(B) The lead-in language for paragraph (7) is amended by striking the word "Court" and inserting the phrase "Collection and Disbursement Unit" in its place.

(C) Paragraph (7)(B) is amended as follows:

(i) By striking the word "home" and inserting the phrase "residential and mailing" in its place; and

(ii) By striking the word "and".

(D) Paragraph (7)(C) is amended to read as follows:

"(C) Name, address, and telephone number of all employers, including all names under which each employer does business, and, if the party is self-employed the party's business address and all names under which the party does business; and".

(E) A new paragraph (7)(D) is added to read as follows:

"(D) Driver's license number; and".

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(j) Section 11 (D.C. Code § 30-510) is amended as follows:

Note, Section
30-510

(1) Subsection (a) is amended by striking the word "Clerk" and inserting the phrase "Collection and Disbursement Unit" in its place.

(2) Subsection (d) is amended by striking the phrase "Clerk of the Court" and inserting the phrase "Collection and Disbursement Unit" in its place.

(3) Subsection (e)(5) is amended to read as follows:

"(5) If the Court determines that the amount to be withheld as a periodic payment exceeds the limits of 15 U.S.C. § 1673(b), the Court shall direct the Collection and Disbursement Unit to issue a notice of withholding to the holder that complies with those limits."

(k) Section 12 (D.C. Code § 30-511) is amended as follows:

Note, Section
30-511

(1) Subsection (a) is amended by striking the phrase "Clerk of the Court" and inserting the phrase "Collection and Disbursement Unit" in its place.

(2) Subsection (a-1) is amended by striking the phrase "Clerk of the Court" and inserting the phrase "Collection and Disbursement Unit" in its place.

(3) A new subsection (a-2) is added to read as follows:

"(a-2) Notwithstanding subsection (a) of this section, the Collection and Disbursement Unit may execute a withholding order by issuing to the holder a notice to withhold, including issuing the notice electronically, without providing prior notice to the child support or spousal support obligor in a case in which an original support order or a modification of a support order is effective after December 23, 1997."

(4) Subsection (b) is amended as follows:

(A) The lead-in language is amended by striking the phrase "(a) and (a-1)," and inserting the phrase "(a), (a-1), and (a-2)" in its place.

(B) Paragraph (2) is amended to read as follows:

"(2) That, if the holder is the obligor's employer, the holder must send the withheld amount to the Collection and Disbursement Unit at the same time the obligor is paid except as provided in section 13(a) and (e)."

(C) Paragraph (3) is amended by inserting the phrase "or, if applicable, an amount permitted under section 13(e)" after the word "costs".

(D) Paragraph (4) is amended by striking the word "Court" and inserting the phrase "Collection and Disbursement Unit" in its place.

(E) Paragraph (10) is amended by striking the word "Court" and inserting the phrase "Collection and Disbursement Unit" in its place.

(l) Section 13 (D.C. Code § 30-512) is amended as follows:

Note, Section
30-512

(1) Subsection (a) is amended to read as follows:

"(a) Except as provided in subsection (e) of this section, a holder required to withhold income shall withhold and make payment to the Collection and Disbursement Unit no later than

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7 business days after the date the amount would have been paid or credited to the obligor. Thereafter, the holder shall send the required withholding to the court on the same date that the obligor is compensated."

(2) Subsection (b) is amended by striking the word "Court" and inserting the phrase "Collection and Disbursement Unit" in its place.

(3) A new subsection (e) is added to read as follows:

"(e) Notwithstanding any other provision of this act, if an employer receives an income withholding order issued by another state, the employer shall apply the income withholding law of the state of the obligor's principal place of employment in determining:

"(1) The employer's fee for processing an income withholding order;

"(2) The maximum amount permitted to be withheld from the obligor's income;

"(3) The time periods within which the employer must implement the income withholding order and forward the child support payment;

"(4) The priorities for withholding and allocating income withheld for multiple child support obligee's; and

"(5) Any withholding terms or conditions not specified in the order."

(m) Section 15 (D.C. Code § 30-514) is amended by striking the word "Court" wherever it appears and inserting the phrase "Collection and Disbursement Unit" in its place.

Note, Section 30-514

(n) Section 16 (D.C. Code § 30-515) is amended by striking the word "Court" and inserting the phrase "Collection and Disbursement Unit" in its place.

Note, Section 30-515

(o) Section 17 (D.C. Code § 30-516) is amended as follows:

Note, Section 30-516

(1) Subsection (a) is amended by striking the word "Court" and inserting the phrase "Collection and Disbursement Unit" in its place.

(2) Subsection (b) is amended to read as follows:

"(b) Within 2 business days after the receipt of information regarding the obligor's new place of employment or within 2 business days after the date information regarding the obligor is entered into the District of Columbia Directory of New Hires pursuant to section 27e, whichever occurs first, the Collection and Disbursement Unit shall notify the obligor's new employer in accordance with the requirements of section 12 that the withholding is binding."

Note, Section 30-517

(p) Section 18 (D.C. Code § 30-517) is amended by striking the word "Court" wherever it appears and inserting the phrase "Collection and Disbursement Unit" in its place.

(q) Section 19 (D.C. Code § 30-518) is amended by striking the word "Court" wherever it appears and inserting the phrase "Collection and Disbursement Unit" in its place.

Note, Section 30-518

(r) Section 23 (D.C. Code § 30-522) is amended as follows:

Note, Section 30-522

(1) Subsection (a)(2) is amended by striking the phrase "Clerk of the Court" and inserting the phrase "Collection and Disbursement Unit" in its place.

(2) Subsection (a)(3) is amended by striking the word "Court" wherever it appears and inserting the phrase "Collection and Disbursement Unit" in its place.

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(3) Subsection (d) is amended by striking the phrase "Clerk of the Court" and inserting the phrase "Collection and Disbursement Unit" in its place.

(4) Subsection (e) is amended by striking the word "Court" and inserting the phrase "Collection and Disbursement Unit" in its place.

(5) Subsection (f) is amended to read as follows:

"(f) Entry of the order shall not confer jurisdiction on the Court for any purpose other than referring the matter to the Collection and Disbursement Unit for withholding of earnings or other income."

(6) Subsection (h) is amended by striking the word "Court" wherever it appears and inserting the phrase "Collection and Disbursement Unit" in its place.

(s) Section 24 (D.C. Code § 30-523) is amended as follows:

Note, Section
30-523

(1) Subsection (a) is amended by striking the phrase "an order of" and inserting the word "order" immediately after the word "support"; and

(2) By striking the phrase "Clerk of the Court" wherever it appears and inserting the phrase "Collection and Disbursement Unit" in its place.

(t) Section 25 (D.C. Code § 30-524) is amended to read as follows:

Note, Section
30-524

"(a) A lien is created by operation of law against the real and personal property of a child support or spousal support obligor who resides or owns property in the District for amounts of overdue support, as defined by section 466(e) of the Social Security Act, approved August 16, 1984 (98 Stat. 1306; 42 U.S.C. § 666(e)), that are owed by the obligor. In addition to withholding of earnings or other income, this lien shall be separate from and in addition to any other lien created by or provided for under law. The IV-D agency or the custodian to whom support is payable shall have the priority of a secured creditor.

"(b) The lien shall be enforceable from the date the lien is filed and recorded in the Office of the Recorder of Deeds of the District of Columbia. A lien may be enforced by the IV-D agency or the custodian to whom support is payable. This remedy does not affect the availability of other remedies provided by law.

"(c) If a lien has been filed in accordance with subsection (a) of this section, and a person having notice of the lien possesses nonexempt personal property of the obligor that may be subject to the lien, the property may not be paid over, released, sold, transferred, encumbered, or conveyed unless:

"(1) A release of lien is signed by the party who filed the lien; or

"(2) A court, after notice to the claimant and hearing, has ordered the release of the lien because arrearages do not exist.

"(d) The District shall accord full faith and credit to liens described in subsection (a) of this section that arise in another state, if the other state's IV-D agency, a party to a support action, or other entity seeking to enforce such a lien complies with the procedural rules relating

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to recording or serving liens that arise in the District, except that judicial notice or hearing prior to enforcement of the lien shall not be required."

Note, Section
30-524.1

(u) Section 25a(a) (D.C. Code § 30-524.1(a)) is amended to read as follows:

"(a) In the case of orders being enforced by the IV-D agency, the Mayor may intercept a lottery prize winning, including a lump sum or periodic payment that is derived from a previously claimed prize, of an individual who owes delinquent support, as defined in section 466(e) of the Social Security Act, approved August 16, 1984 (98 Stat. 1310; 42 U.S.C. § 666(e))."

Note, Section
30-525

(v) Section 26 (D.C. Code § 30-525) is amended as follows:

(1) Strike the word "child" wherever it appears.

(2) Subsection (a) is amended to read as follows:

"(a) The IV-D agency shall report to a consumer credit reporting agency, as defined in 15 U.S.C. 1681a(f), each support order that was entered, modified, registered, or is being enforced in the District, if the obligor's support obligations are over 30 days past due."

(3) New subsections (a-1) through (a-3) are added to read as follows:

"(a-1) The IV-D agency shall develop standards for consumer credit reporting that shall be consistent with credit reporting industry standards and reporting format.

"(a-2) A report of a support order shall include, at a minimum, the amount of the obligation, the amount paid, the amount overdue (if any), and the names of the obligor and obligee. The IV-D agency shall update this information on a quarterly basis.

"(a-3) The IV-D agency is responsible for the accuracy of information provided pursuant to this section. The information shall be based upon the data available at the time the information is provided to a consumer credit reporting agency. The IV-D agency and the credit reporting agency shall follow reasonable procedures to ensure accuracy of the information provided. The IV-D agency shall not be liable for any consequences of the failure of an obligor or the obligee to contest the accuracy of the information within the time allowed under subsection (c) of this section."

(4) Subsection (c) is amended to read as follows:

"(c) The IV-D agency shall send notice of the publication or initial consumer credit report by first-class mail to the last known addresses of the obligor and obligee at least 30 days before the publication or initial report. The notice shall inform the obligor and obligee of their right to contest the accuracy of the information to be released."

(5) New subsections (d), (e), (f), and (g) are added to read as follows:

"(d) The IV-D agency shall provide the obligor and the obligee with an opportunity to contest in writing the accuracy of the information in a consumer credit report or publication. If the IV-D agency receives a written objection contesting the accuracy of the information, the IV-D agency shall request the credit reporting agency receiving the information to note on the

report that the information is being disputed, until the IV-D agency determines the accuracy of the information.

"(e) The only grounds for contesting the accuracy of the information in a consumer credit report or publication are errors in the identities of the obligor or obligee, the amount of the support order, the amount of payment or arrears, or any other fact reported to the credit reporting agency.

"(f) The IV-D agency may enter into a cooperative agreement with another District government agency, the Superior Court, or a private entity to carry out all or part of the functions required of the IV-D agency under this section.

Note, Section
30-525.1

(w) Section 26a (D.C. Code § 30-525.1) is amended as follows:

(1) Subsection (a) is amended as follows:

(A) By inserting the phrase "to an obligor who fails to comply with a subpoena or warrant relating to paternity or child support proceedings after receiving notice, or" before the phrase "to an obligor who is receiving income" in the first and second sentences; and

(B) By striking the word "A" from the beginning of the second sentence and inserting the phrase "Notwithstanding any other law or regulation, a" in its place."

(2) Subsection (b) is amended to read as follows:

"(b) Notwithstanding any other law or regulation, no professional, business, recreational, or sporting license shall be renewed or issued in the District to an obligor who fails to comply with a subpoena or warrant relating to paternity or child support proceedings after receiving notice, or to an obligor who is receiving income and who owes overdue child support in an amount equal to at least 60 days of support payments. Notwithstanding any other law or regulation, a professional, business or recreational or sporting license that has been issued to an obligor who fails to comply with a subpoena or warrant relating to paternity or child support proceedings after receiving notice, or to an obligor who is receiving income and who owes overdue child support in an amount equal to at least 60 days of support payments, shall be revoked."

(3) New subsections (b-1), (b-2), and (b-3) are added to read as follows:

"(b-1) As used in this section, the terms "professional license" and "business license" include any approval, certificate, registration, permit, statutory exemption, or other form of permission to practice a profession or trade, or to operate a business, as granted by a commission, agency, or a professional licensing body of the government of the District of Columbia. The terms "recreational license" and "sporting license" include any approval, certificate, registration, permit, statutory exemption, or other form of permission to hunt, fish, use playing fields, participate in an athletic league, operate a boat or other recreational vehicle for a nonbusiness purpose, or operate or own a weapon for a nonbusiness purpose, as granted by a commission, agency, or a licensing body of the government of the District of Columbia.

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"(b-2) The obligor shall be entitled to an administrative hearing before the Mayor in accordance with procedures promulgated by the Mayor pursuant to the rulemaking provisions of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Code § 1-1501 *et seq.*) ("APA"), prior to any proposed denial, refusal to renew, or revocation of a license.

"(b-3) Upon receipt of a notice from the Mayor that a license is subject to denial, refusal to renew, or revocation, the licensing agency shall, within 30 days, deny, refuse to renew, or revoke the license. The obligor may appeal the final decision of the Mayor to the Superior Court in accordance with the methods and standards of appeal set forth in sections 10 and 11 of the APA."

(4) Subsection (c) is amended to read as follows

"(c) The Mayor shall provide 30-days' written notice to the obligor before denying issuance or renewal, or revoking the car registration or driver's, professional business, recreational, or sporting license of an obligor pursuant to this section. The notice shall specify:

"(1) That the obligor, has the right to a hearing before the Mayor;

"(2) How, when, and where the notice can be contested;

"(3) The amount of arrears owed, if any;

"(4) The date on which the obligor failed to comply with a subpoena or warrant, if applicable, and the nature of the obligor's noncompliance;

"(5) That the licensing authority will deny issuance or renewal, or revoke the registration or license, 30 days after the issuance of a decision against the obligor by the Mayor following the hearing unless:

"(A) In the case of an obligor who is receiving income and who owes overdue child support in an amount equal to at least 60 days of support, the obligor pays the arrearage in full, or the obligor agrees to and complies with a payment schedule that requires the obligor to make monthly child support payments toward overdue support in an amount equal to 25% of the obligor's current monthly child support obligation as long as the obligor is receiving income, subject to the limitations of the Consumer Credit Protection Act, approved May 29, 1968 (82 Stat. 146; 15 U.S.C. § 1601 *et seq.*) (if the obligor becomes noncompliant with the payment schedule after 30 days but before the arrears are paid in full, denial or revocation shall take place immediately and without further notice);

"(B) In the case of an obligor who has failed to comply with a subpoena or warrant related to paternity or child support proceedings, the obligor complies with all process required by the Superior Court or IV-D agency for 30 days; or

"(C) In the case of an obligor who is receiving income and who owes at least 60 day's of overdue child support and has failed to comply with a subpoena or warrant related to paternity or child support proceedings, the obligor complies with both subparagraphs (A) and (B) of this paragraph; and

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"(6) That the obligor shall not be entitled to an additional hearing or review regarding the denial or revocation of the license."

(5) Subsection (d) is amended as follows:

(A) Paragraph (2) is amended by striking the phrase "with," and inserting the phrase "with, if the basis for denial or revocation is failure to pay overdue child support," in its place.

(B) Paragraph (3) is amended by striking the phrase "income; and" and inserting the phrase "income, if the basis for denial or revocation is failure to pay overdue child support;" in its place.

(C) A new paragraph (3A) is added to read as follows:

"(3A) Whether the obligor failed to comply with a subpoena or warrant relating to paternity or child support proceedings after receiving notice; and"

(D) Paragraph (4) is amended by striking the phrase "professional or business" and inserting the phrase "professional, business, recreational, or sporting license," in its place.

(6) Subsection (e) is amended to read as follows:

"(e) If the Clerk of the Court has notified the Mayor that an obligor has failed to comply with a subpoena or warrant relating to paternity or child support proceedings or that an obligor is receiving income and owes child support in an amount equal to at least 60 days of support, and the obligor presents no evidence under subsection (d) of this section that the obligor has complied with the terms described in subsection (c)(4)(A), (B), or (C) of this section, as applicable, the obligor's license or registration shall be revoked, or the request for the issuance or renewal of the license or registration shall be denied."

(7) A new subsection (g) is added to read as follows:

"(g) No liability shall be imposed on a licensing authority for refusing to renew, refusing to issue, or revoking a registration or license if the action is in response to a court or administrative order pursuant to this section."

Note, Section
30-526

(x) Section 27 (D.C. Code § 30-526) is amended to read as follows:

"(a) Neither the District nor its officers or employees shall be responsible for any injury resulting from the improper enforcement of a lien or for improper enforcement of a notice of income withholding, except that the District, its officers, and employees shall be liable for damages caused by gross negligence in the enforcement of liens or withholdings.

"(b) A holder who complies with an income withholding notice that is regular on its face shall not be subject to civil liability to any individual or agency for conduct in compliance with that notice.

"(c) No public or private entity shall be liable for injury resulting from providing access to records under section 27c(a)(2) through (4)."

Note, Section

(y) New sections 27b, 27c, 27d, 27e, 27f, 27g, 27h, 27i, 27j, and 27k are added to read as follows: 30-526.1

"Sec. 27b. Filing of identifying information by parties to paternity and support proceedings.

"(a) Upon the first personal appearance before the IV-D agency or the Court in a paternity or child support matter, or upon entry of an order of paternity or child support whichever is earlier, each party to a paternity or child support proceeding in the District of Columbia shall file and update as necessary with the IV-D agency and with the Collection and Disbursement Unit the following information:

"(1) Name;

"(2) Residential and mailing addresses and telephone numbers;

"(3) Name, address, and telephone number of all employers, including all names under which each employer does business, and, if the party is self-employed, the party's business address and all names under which the party does business;

"(4) Social Security number; and

"(5) Driver's license number."

"(b) Provision of information pursuant to subsection (a) of this section shall be subject to the safeguards provided to victims or potential victims of domestic violence provided in D.C. Code § 16-925 and subject to any applicable privacy protections under federal or District law."

"(c) A party shall update any information required pursuant to subsection (a) of this section within 10 days of any change in that information.

"Sec. 27c. Authority of IV-D agency to expedite paternity and support processes.

"(a) The IV-D agency may take the following actions relating to paternity establishment or the establishment, modification, or enforcement of support orders without obtaining an order from any judicial or other administrative tribunal:

"(1) Order genetic testing relating to the establishment of paternity;

"(2) Issue an administrative subpoena to an individual or public or private entity (including a financial institution) for financial or other information needed to establish, modify, or enforce a support order, which may include information from a public utility or cable television company that provides the name and address of a customer or a customer's employer as well as information in paragraph (3) of this subsection;

"(3) Require a public or private entity in the District to provide promptly, in response to a request from the District's IV-D agency or any other state's IV-D agency, information on the employment status, number of hours worked, title, employment start date, employment termination date (if applicable), whether the employee ever quit voluntarily, location of work site, compensation, and benefits (including access to health insurance) of any employee of the entity, or of one of its contractors;

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"(4) Obtain prompt access, including automated access, to information in the following records maintained or possessed by the District government, subject to any applicable privacy provisions under District or federal law:

"(A) Vital records maintained by the Registrar and the court;

"(B) Tax and revenue records;

"(C) Records of real and titled personal property;

"(D) Records of occupational, professional, recreational, and sporting licenses issued under any District law or regulation;

"(E) Records concerning the ownership and control of corporations, partnerships, and other business entities;

"(F) Employment security records, subject to such restrictions as the Mayor may, by regulation, prescribe pursuant to the District of Columbia Unemployment Compensation Act, approved August 28, 1935 (49 Stat. 946; D.C. Code § 46-101 *et seq.*);

"(G) Records concerning public assistance, as defined in section 101(6) of the District of Columbia Public Assistance Act of 1982, effective April 6, 1982 (D.C. Law 4-101; D.C. Code § 3-201.1) ("Public Assistance Act"), subject to confidentiality restrictions set forth in the Public Assistance Act or prescribed by the Mayor;

"(H) Records maintained by the Department of Public Works Bureau, Bureau of Motor Vehicle Services;

"(I) Records maintained by the Department of Corrections; and

"(J) Social security numbers on file if submitted in an application;

"(5) Direct an obligor or other payor to substitute for the payee of a support order, the appropriate governmental entity, upon notice to the obligor (or other payor) and obligee by first-class mail to their last known address, if the support is subject to:

"(A) An assignment to pay the District government under the District of Columbia Public Assistance Act, effective April 6, 1982 (D.C. Law 4-101; D.C. Code § 3-201.1 *et seq.*), title IV, part E of the Social Security Act, approved June 17, 1980 (94 Stat. 501; 42 U.S.C. § 670 *et seq.*), or section 1912 of the Social Security Act, approved October 25, 1977 (91 Stat. 1196; 42 U.S.C. § 1396k); or

"(B) A requirement to pay support through the Collection and Disbursement Unit;

"(6) Order income withholding, including the amount of periodic support payments and any additional amount for overdue support payments;

"(7) When there is a support arrearage, secure assets to satisfy any current support obligation and the support arrearage by:

"(A) Intercepting or seizing periodic or lump-sum payments from:

"(i) Any District agency, including payments for unemployment compensation, worker's compensation, and other non-means-tested public benefits; and

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"(ii) Judgments, settlements; and lotteries (interception or seizure of lottery prize winnings shall be made pursuant to section 25a);

"(B) Attaching and seizing assets owned by the support obligor and held in financial institutions or held in a financial institution by another on behalf of the support obligor;

"(C) Attaching public and private retirement funds to the extent permitted by federal law; and

"(D) Imposing liens pursuant to section 25 and, when appropriate, forcing the sale of property and distribution of proceeds;

"(8) Increase the amount of periodic support payments to include amounts for arrearages, subject to 15 U.S.C. § 1673, to secure overdue support; and

"(9) Enter agreements with financial institutions pursuant to section 13 of the Child Support and Welfare Reform Compliance Temporary Amendment Act of 1998.

"(b) The IV-D agency shall provide to any person or entity, other than another agency of the District government, that is subject to IV-D actions under subsection (a) of this section prior notice of any action under subsection (a) of this section, an opportunity to contest the action with the IV-D agency, and an opportunity for judicial appeal on the record. Sections 10 and 11 of the District of Columbia Administrative Procedure Act, effective October 21, 1968 (82 Stat. 1208; D.C. Code §§ 1-1509 and 1-1510, respectively), shall apply to such a contest, except that judicial appeal shall take place in the Superior Court.

"(c) A person or entity shall honor an administrative subpoena issued pursuant to subsection (a)(2) of this section to the same extent as a judicial subpoena issued by the Family Division of the Superior Court. If any person or entity neglects or otherwise fails to comply with a subpoena issued pursuant to subsection (a)(2) of this section, the IV-D agency may report this failure to the Superior Court of the District of Columbia, or one of its judges, and the Superior Court and its judges are empowered to compel obedience to the subpoena to the same extent that they may compel obedience to subpoenas issued by the Superior Court.

"(d) As an alternative to judicial enforcement pursuant to subsection (c) of this section, the IV-D agency may impose a civil penalty of up to \$1,000 per incident for failure to comply with a subpoena under subsection (a)(2) of this section, or for failure to comply with a request for information under subsection (a)(3) of this section. The IV-D agency may double the penalty if the failure to comply persists for more than 30 days from the date by which the subpoena or request required compliance. The Mayor IV-D agency may enter a penalty pursuant to this subsection as a judgment in the Superior Court which shall be enforceable by the Corporation Counsel of the District of Columbia.

"(e) An administrative subpoena pursuant to subsection (a)(2) of this section may be served by first-class mail.

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"(f) A District agency shall promptly provide information in response to a request by the IV-D agency pursuant to subsection (a)(4) of this section. If a District government agency fails to provide information requested by the IV-D agency pursuant to subsection (a)(4) of this section, the Mayor shall promptly direct the agency to comply within a period specified by the Mayor.

"(g) The Superior Court may issue an ex parte order to enforce any power asserted by the IV-D agency pursuant to subsection (a) of this section upon petition by the IV-D agency.

"(h) No public or private entity providing the IV-D agency with information or access to information pursuant to this section shall be liable under any District law to any person for providing the information or access.

"(i) The IV-D agency shall promulgate rules pursuant to title 1 of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Code § 1-1501 *et seq.*), to implement this section.

"Sec. 27d. Recognition and enforcement of authority of other state IV-D agencies.

"Except as otherwise provided in this title, the IV-D agency shall recognize and enforce the authority of a IV-D agency in another state to take the actions specified in section 27c(a) if those actions were taken in accordance with the laws and procedures of the other state."

"Sec. 27e. Access to locate systems.

"The IV-D agency shall develop procedures to ensure that all federal and state agencies engaged in child support enforcement activities under title IV-D of the Social Security Act have access to any system used by the District to locate an individual for purposes related to motor vehicles or law enforcement.

"Sec. 27f. Directory of New Hires.

"(a) The Mayor shall establish and maintain a District of Columbia Directory of New Hires, which shall contain information supplied in accordance with subsection (b) of this section.

"(b) Except as specified in subsections (e), (f), and (g), within 20 days of the date an employee begins employment in the District of Columbia, or is rehired, the employer shall supply the following information to the District of Columbia Directory of New Hires:

"(1) Name of the employee;

"(2) Address of the employee;

"(3) Social Security number of the employee;

"(4) Name of the employer;

"(5) Address of the employer; and

"(6) Employer identification number issued to the employer under section 6109 of the Internal Revenue Code of 1986.

"(c) An employer may, at the employer's option, supply the following information to the District of Columbia Directory of New Hires:

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- "(1) Name of an employer contact person;
- "(2) Telephone number of an employer contact person;
- "(3) Availability of medical insurance coverage for the employee and the date on which the employee became or will become eligible for the coverage, if appropriate;
- "(4) Date of birth of the employee;
- "(5) Date of hire of the employee, defined as the first day that the employee performed services for compensation; and
- "(6) Employee's salary, wages, or other compensation.

"(d) Each report required by subsection (b) of this section shall be:

- "(1) Made on a W-4 Internal Revenue Service form, or, at the option of the employer, an equivalent form;
- "(2) Transmitted by first-class mail, magnetically or electronically;
- "(3) Entered into the database of the District of Columbia Directory of New Hires within 5 business days of receipt of the report from the employer; and
- "(4) Forwarded by the IV-D agency to the National Directory of New Hires within 3 business days of entry of the information under paragraph (3) of this subsection.

"(e) An employer that transmits reports to the District of Columbia Directory of New Hires magnetically or electronically may transmit reports in up to 2 monthly transmissions not less than 12 days nor more than 16 days apart.

"(f) Within 2 business days after the date a report under subsection (b) of this section is entered into the District of Columbia Directory of New Hires, the IV-D agency shall transmit a notice to the employer of the employee directing the employer to withhold from the income of the employee an amount equal to the monthly (or other periodic) child support obligation (including any past due child support obligation of the employee) unless the employee's income is not subject to withholding.

"(g) An employer that has employees in the District and in at least one other state and transmits reports magnetically or electronically may comply with subsection (b) of this section by designating either the District or a state in which the employer has employees and transmitting reports on new hires only to either the District or that state. Any employer transmitting reports pursuant to this subsection shall provide the United States Department of Health and Human Services with written notice of the jurisdiction the employer has designated.

"(h) Any department, agency, or instrumentality of the United States shall comply with this section to the extent permitted by section 453A(b)(1)(C) of the Social Security Act, approved August 22, 1996 (110 Stat. 2105; 42 U.S.C. § 653(i)).

"(i) An employer who fails to comply with this section shall be subject to a civil penalty of \$25 for each employee with respect to whom the employer failed to comply or the employer shall be subject to a civil penalty of \$500 for each employee with respect to whom the employer failed to comply if the noncompliance was the result of a conspiracy between the employer and

the employee not to supply the required report or to supply a false or incomplete report. The employer shall be penalized each calendar month until the employer complies. Penalties pursuant to this subsection shall be enforced in the Superior Court by the Corporation Counsel of the District of Columbia.

"(j) The Mayor may contract for services to carry out this section.

"(k) The Mayor shall promulgate rules pursuant to title 1 of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Code § 1-1501 *et seq.*) ("APA"), to implement the provisions of this section, including establishment of a procedure for an employer to challenge the imposition of a civil penalty pursuant to subsection (i) of this section with a right to appeal the decision to the Superior Court in accordance with the manner and standards for appeals as set forth in section 11 of the APA.

"(l) For purposes of this section:

"(1) "Employee" means a person who is an employee within the meaning of chapter 24 of the Internal Revenue Code of 1986, but does not include an employee of a federal or state agency performing intelligence or counterintelligence functions if the head of such agency has determined that reporting pursuant to this section could endanger the safety of the employee or compromise an ongoing investigation or intelligence mission;

"(2) "Employer" has the meaning given to such term in section 3401(d) of the Internal Revenue Code of 1986, and includes any governmental entity and any labor organization as defined under section 2(5) of the National Labor Relations Act, including a hiring hall.

"(3) "New hire" means an employee for whom an employer is required to complete a new Internal Revenue Service Form W-4.

"(m) Information collected for the District of Columbia Directory of New Hires may be used by a federal agency, a state or District agency, or a private entity under contract with a government agency to:

"(1) Establish paternity;

"(2) Establish, modify, and enforce a support order;

"(3) Administer worker's compensation and unemployment insurance programs;

and

"(4) Verify eligibility for public assistance programs.

"Sec. 27g. Administrative enforcement in interstate cases.

"(a) The IV-D agency shall respond within 5 business days to a request made by another state to enforce a support order. For purposes of this section, "business day" means a day on which District government offices are open for regular business.

"(b) The IV-D agency may request the child support agency of a state or jurisdiction outside of the District of Columbia established pursuant to title IV-D of the Social Security Act to enforce a support order entered in the District of Columbia or in another state or jurisdiction.

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The request shall include sufficient information to enable the jurisdiction to which the request is transmitted to compare the information about the case to the information in that jurisdiction's database.

"(c) A request by the IV-D agency to another jurisdiction under subsection (b) of this section and a request to the IV-D agency under subsection (a) of this section shall constitute a certification by the requesting jurisdiction of the amount of arrears accrued under the support order. Such a request shall also constitute a certification that it has complied with all procedural due process requirements that apply to the case.

"(d) The IV-D agency shall maintain records of the number of requests received under this section and the number of cases for which the IV-D agency collected support in response to the requests and the amount collected.

"(e) If a jurisdiction provides assistance to another jurisdiction with respect to a case pursuant to this section, neither jurisdiction shall consider the case to be transferred to the case load of the other jurisdiction.

"Sec. 27h. Fraudulent transfers.

In any case in which the IV-D agency knows of a transfer by a child support judgment debtor pursuant to the Uniform Fraudulent Transfer Act of 1995, effective February 9, 1996 (D.C. Law 11-83; D.C. Code § 28-3301 *et seq.*), with respect to which a prima facie case is established, the IV-D agency shall seek to void the transfer or obtain a settlement in the best interest of the child support creditor.

"Sec. 27i. Court ordered work requirements.

"In any case in which an individual owes past-due support with respect to a child receiving assistance under TANF, the IV-D agency may request the court to issue an order that requires the individual to pay support in accordance with a plan approved by the Superior Court, or, if the individual subject to such a plan and is not incapacitated, to participate in such work activities as defined in section 407(d) of the Social Security Act as the court or the IV-D agency deems appropriate.

"Sec. 27j. Automated procedures.

"The IV-D agency shall have in operation a single District-wide automated data processing and information retrieval system which has the capability to perform the tasks specified by title IV-D of the Social Security Act.

"Sec. 27k. Jurisdiction.

"The IV-D agency and any administrative or judicial tribunal with authority to hear child support and paternity cases shall exert District-wide jurisdiction over the parties."

(z) Section 28 (D.C. Code § 30-527) is amended to read as follows:

"The Mayor, pursuant to title 1 of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Code § 1-1501 *et seq.*), shall issue rules

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to implement the provisions of this act and the Child Support and Welfare Reform Compliance Temporary Amendment Act of 1998."

Sec. 8. Section 46(c) of the Cable Television Communications Act of 1981, effective August 21, 1982 (D.C. Law 4-142; D.C. Code § 43-1845(c)), is amended as follows:

Note, Section
43-1845

(a) By inserting the phrase "and the organizational unit in the District that is responsible for administering or supervising the administration of the District's State Plan under title IV, part D of the Social Security Act, approved January 4, 1975 (88 Stat. 2351; 42 U.S.C. § 651 *et seq.*) ("IV-D agency"), before the phrase "any data"; and

(b) By inserting the phrase ", except by the IV-D agency" before the period at the end.

Sec. 9. Section 8 of chapter 150 of An Act Making appropriations to provide for the expenses of the District of Columbia for the fiscal year ending June thirtieth, nineteen hundred and fourteen, approved (37 Stat. 982; D.C. Code § 43-501 *et seq.*), is amended by adding a new paragraph (31A) to read as follows:

Note, Section
43-530

"(31A) A public utility shall provide to the organizational unit of the District government, or any successor organizational unit, that is responsible for administering or supervising the administration of the District's State Plan under title IV, part D of the Social Security Act, approved January 4, 1975 (88 Stat. 2351; 42 U.S.C. § 651 *et seq.*), in response to an administrative subpoena issued pursuant to section 27c(a)(2), financial or other information concerning a customer that is necessary to establish, modify, or enforce a child support order or a spousal support order in which the spouse or former spouse is living with a child for whom the spousal support obligor also owes support."

Sec. 10. Section 13(f) of the District of Columbia Unemployment Compensation Act, approved August 28, 1935 (49 Stat. 946; D.C. Code § 46-114(f)), is amended by inserting the phrase "and other child and spousal support or paternity establishment services" after the phrase "parent locator services."

Note, Section
46-114

Sec. 11. Title 47 of the District of Columbia Code is amended as follows:

(a) Section 47-1805.4 is amended by adding a new subsection (i) to read as follows:

Note, Section
47-1805.4

"(i) Disclosure for paternity and support purposes. Notwithstanding any other provision of this section, the Mayor shall disclose, upon written or automated request, tax return or other related tax and revenue information to the agency that is responsible for administering or supervising the administration of the District's State Plan under title IV, part D, of the Social Security Act, approved January 4, 1975 (88 Stat 2351;42 U.S.C. § 651 *et seq.*), or the equivalent agency in another state. The Mayor shall only disclose a tax return or other related tax and revenue information that pertains to a child or spousal support obligor or obligee, a person

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seeking a paternity, child support, or spousal support order, or a person against whom a paternity, child support, or spousal support order is being sought. Tax return information that the Mayor obtains pursuant to a reciprocal exchange with a federal or state taxing authority shall be disclosed only with the consent of the taxing authority, to the extent that consent is required by federal law or the state law governing the taxing authority. Information shall be disclosed pursuant to this subsection only for purposes directly related to paternity establishment, or the establishment, modification, or enforcement of a child or spousal support order. For purposes of this subsection, the term "spousal support" pertains only to an obligation in which the spouse or former spouse is living with a child for whom the spousal support obligor also owes support."

(b) Section 47-2801 is amended by inserting after the second sentence the following new sentence: "The Social Security number of each applicant for a license shall be recorded on the application."

Note Section
47-2801

Sec. 12. Section 7(b) of the District of Columbia Traffic Act of 1925, approved March 3, 1925 (43 Stat. 1121; D.C. Code § 40-301(b)), is amended by inserting the phrase ", social security number" immediately after the word "name".

Note, Section
40-301

Sec. 13. Financial institution data matches.

(a) For purposes of this section:

Note, Section
26-1123

(1) "Account" means a demand deposit account, checking or negotiable withdrawal order account, savings account, time deposit account, or money-market mutual fund account.

(2) "Financial institution" means the institution as defined in section 469A(d)(1) of the Social Security Act, approved August 22, 1996 (110 Stat. 2105; 42 U.S.C. § 669A(d)(1)).

(2) "IV-D agency" means the organizational unit of the District government, or any successor organizational unit, that is responsible for administering or supervising the administration of the District's State Plan under title IV, part D of the Social Security Act, approved January 4, 1975 (88 Stat. 2351; 42 U.S.C. 651 *et seq.*), pertaining to parent locator services, paternity establishment, and the establishment, modification, and enforcement of child support orders and spousal support orders in which the spouse or former spouse is living with a child for whom the spousal support obligor also owes support.

(b) A financial institution doing business in the District shall:

(1) Upon the request of the IV-D agency enter into agreements with the IV-D agency to develop and operate a data-match system in which the financial institution is required to provide for each calendar quarter the name, record address, Social Security number or other taxpayer identification number, and other identifying information (including account number) for each noncustodial parent who maintains an account at the institution, individually or jointly,

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and who owes past-due child or spousal support that is enforced by the IV-D agency, as identified by the Mayor by name and Social Security number or other taxpayer identification number, and

(2) Encumber or surrender assets held by the institution on behalf of a noncustodial parent who is subject to a child support lien pursuant to section 25 of the Child Support Enforcement Amendment Act of 1985, effective February 24, 1987 (D. C. Law 6-166; D.C. Code § 30-524), in response to a notice of lien or levy from the Superior Court or the IV-D agency.

(c) The IV-D agency may pay a reasonable fee to a financial institution for conducting the data match provided for in subsection (b) of this section not to exceed the actual costs incurred by such financial institution.

(d) A financial institution shall not be liable under any District law for:

(1) Any disclosure of information to the IV-D agency under subsection (b) of this section;

(2) Encumbering or surrendering, in response to a notice of lien or levy issued by the IV-D agency, any assets it holds; or

(3) Any other action taken in good faith to comply with subsection (b) of this section.

(e) A financial institution that intentionally fails to comply with subsection (b) of this section shall be subject to a penalty of \$5,000 for each failure to conduct a data match with data that the IV-D agency submits or attempts to submit to the financial institution. For purposes of this subsection, a single data submission may include data concerning multiple obligors. Penalties pursuant to this subsection shall be enforced in the Superior Court by the Corporation Counsel of the District of Columbia.

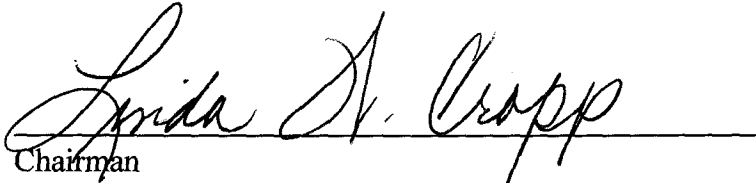
(f) The IV-D agency shall disclose a person's financial records obtained from a financial institution only for the purpose of, and to the extent necessary in, establishing, modifying, or enforcing a child support obligation of that person. Unauthorized disclosure may result in the awarding of civil damages pursuant to section 469A(c) of Social Security Act, approved August 22, 1996 (110 Stat. 2105;42 U.S.C. 659A(c)).

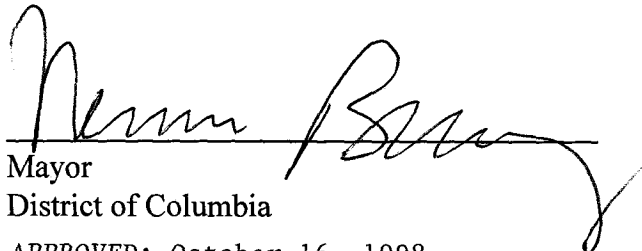
Sec. 14. The fiscal impact of "Child Support and Welfare Reform Compliance Second Temporary Amendment Act of 1998" is significant at a cost in excess of \$500,000 annually. These new costs would fund federally mandated programs to increase the efficiency of the District's child support enforcement program, including (1) a Directory of New Hires (\$124,817), (2) voluntary establishment of paternity program (\$114,000), (3) medical and genetic testing (\$222,291), and notices of support orders to credit agencies (\$65,858). Failure to pass this legislation would subject the District to penalties which would result in a reduction in the District's TANF grant awards of up to \$46 million for continued non-compliance.

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Sec. 15. (a) This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), approval by the Financial Responsibility and Management Assistance Authority as provided in section 203(a) of the District of Columbia Financial Responsibility and Management Assistance Act of 1995, approved April 17, 1995 (109 Stat. 116; D.C. Code § 47-392.3(a)), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Code § 1-233(c)(1)), and publication in the District of Columbia Register.

(b) This act shall expire after 225 days of its having taken effect.


Chairman
Council of the District of Columbia


Mayor
District of Columbia
APPROVED: October 16, 1998



COUNCIL OF THE DISTRICT OF COLUMBIA

COUNCIL PERIOD TWELVE

RECORD OF OFFICIAL COUNCIL VOTE

B12-657

Docket No. _____

ITEM ON CONSENT CALENDAR

ACTION & DATE

ADOPTED FIRST READING, 7-7-98

VOICE VOTE

APPROVED

RECORDED VOTE ON REQUEST

THOMAS

ABSENT _____

ROLL CALL VOTE - Result _____

Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB
Chmn. Cropp					Chavous					Schwartz				
Allen					Evans					Smith, Jr.				
Ambrose					Jarvis					Thomas, Sr.				
Brazil					Mason									
Catania					Patterson									

X - Indicates Vote

AB - Absent

NV - Present not Voting

CERTIFICATION RECORD

[Signature]
Secretary to the Council

October 6, 1998
Date

ITEM ON CONSENT CALENDAR

ADOPTED FINAL READING, 9-22-98

ACTION & DATE

APPROVED

VOICE VOTE

RECORDED VOTE ON REQUEST

MASON

ABSENT _____

ROLL CALL VOTE - Result _____

Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB
Chmn. Cropp					Chavous					Schwartz				
Allen					Evans					Smith, Jr.				
Ambrose					Jarvis					Thomas, Sr.				
Brazil					Mason									
Catania					Patterson									

X - Indicates Vote

AB - Absent

NV - Present not voting

CERTIFICATION RECORD

[Signature]
Secretary to the Council

October 6, 1998
Date

ITEM ON CONSENT CALENDAR

ACTION & DATE

VOICE VOTE

RECORDED VOTE ON REQUEST

ABSENT _____

ROLL CALL VOTE - Result _____

Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB
Chmn. Cropp					Chavous					Schwartz				
Allen					Evans					Smith, Jr.				
Ambrose					Jarvis					Thomas, Sr.				
Brazil					Mason									
Catania					Patterson									

X - Indicates Vote

AB - Absent

NV - Present not Voting

CERTIFICATION RECORD

Secretary to the Council

Date