

SENATE AMENDMENT 1 TO sb31.

deleting "for" on line 9 of page 2 and substituting "or"

AND

by deleting lines 3 through 15 of page 3 in their entirety and substituting:

"(f) (1) In paternity proceedings, when a complaint for paternity is filed in a chancery court, or juvenile division thereof, of one (1) chancery district and the final adjudication is rendered by the court and, six (6) months subsequent to the final adjudication, the mother, father, or physical custodian have established a residence in a county of another chancery district, further action upon such case may be brought in the county where the mother, father or physical custodian reside as provided herein. The court where the paternity adjudication is rendered shall retain jurisdiction for a minimum of six (6) months following adjudication of paternity.

(2) At the request of the person seeking to transfer the case to another chancery district, upon proper motion and affidavit, notice and payment of a refiling fee, the court shall enter an order transferring the case and the refiling fee and charging the clerk of the court to transmit forthwith certified copies of all records pertaining to the case to the clerk of court in the chancery district where the case is being transferred.

(3) An affidavit shall accompany the motion to transfer and recite that the parent(s), the physical custodian, and the Office of Child Support Enforcement, as appropriate, have been notified in writing that a request has been made to transfer the case to another chancery district.

(4) Notification pursuant to this section must inform each recipient that any objection must be filed within twenty (20) days from the date of receipt of the affidavit and motion for transfer.

(5) The chancery clerk receiving a transferred case shall, within fourteen (14) days of receipt, set up a case file, docket the case, and afford the case full faith and credit as if the case had originated in that judicial district."

AND

by inserting "- Administrative orders for paternity testing" on line 19 of page 3 between "orders" and "."

AND

by deleting "(b)" on line 23 of page 3 and substituting "(b)(1)"

AND

by deleting "presumed mother, that he" on line 27 of page 3 and substituting "mother, as appropriate, that he or she"

AND

by inserting "and the mother" on line 28 of page 3 between "father" and "of"

AND

by deleting lines 32 through 36 of page 3 in their entirety and substituting:

"(2) In all cases brought pursuant to Title IV-D of the federal Social Security Act, upon request of the mother, alleged father, or the Office of Child Support Enforcement, the Office of Child Support Enforcement may issue an administrative order for paternity testing which requires the mother, alleged father, and"

AND

by deleting "(1)" on line 2 of page 4 and substituting "(A)"

AND

by deleting "presumed" on line 3 of page 4

AND

by deleting "(2) Said paternity" on line 5 of page 4 and substituting "(B) Paternity"

AND

by deleting "(3)" on line 8 of page 4 and substituting "(C)"

AND

by deleting ";" on line 10 of page 4 and substituting "to be"

AND

by deleting "said administrative hearing shall be" on line 11 of page 4

AND

by deleting "(i)" on line 13 of page 4 and substituting "(3) (A)"

AND

by deleting "or" on line 15 of page 4 and substituting "of"

AND

by deleting "presumed" on line 15 of page 4

AND

by deleting "(ii)" on line 17 of page 4 and substituting "(B)"

AND

by deleting "presumed" on line 19 of page 4

AND

by deleting lines 21 through 24 of page 4 in their entirety and substituting:

"costs of administrative paternity testing, but those costs shall be assessed against the alleged father if paternity is established or against the mother if the alleged father is excluded as the biological father. Recovery by the Office of Child Support Enforcement through all available processes shall be initiated, including income withholding, when appropriate."

AND

by deleting "within twenty (20) days after receiving" on line 31 of page 4

AND

by deleting "the paternity testing results" on line 32 of page 4

AND

by inserting ", as appropriate" on line 34 of page 4 between "thereof" and "."

AND

by deleting "(d)" on line 35 of page 4 and substituting "(c)"

AND

by deleting "(e)" on line 3 of page 5 and substituting "(d)"

AND

by deleting "(f)" on line 7 of page 5 and substituting "(e)"

AND

by deleting "(g)" on line 10 of page 5 and substituting "(f)"

AND

by deleting "charts" on line 12 of page 5 and substituting "chart"

AND

by deleting "(g)" on line 12 of page 8 and substituting "(g) (1)"

AND

by deleting lines 19 through 21 of page 8 in their entirety and substituting the following:

"234.

(2) If the name of the adjudicated or presumed father appears on the birth certificate of the child, the court shall issue an order requiring the birth certificate to be amended to delete the name of the father."

AND

by deleting Sections 10 and 11 in their entirety on lines 24 through 36 of page 9 and on lines 1 through 17 of page 10 and substituting:

"SECTION 10. Arkansas Code Annotated § 9-12-312 is amended to read as follows:

"9-12-312. Alimony - Child support - Bond - Method of payment.

(a)(1) When a decree is entered, the court shall make such orders concerning the alimony of the wife or the husband and the care of the children, if there are any, as are reasonable from the circumstances of the parties and the nature of the case. Unless otherwise ordered by the court or agreed to by the parties, the liability for alimony shall automatically cease upon the earlier of:

(A) The date of the remarriage of the person who was awarded the alimony; or

(B) The establishment of a relationship that produces a child or children and results in a court order directing another person to pay support to the recipient of alimony, which circumstances shall be considered the equivalent of remarriage; or

(C) The establishment of a relationship that produces a child or children and results in a court order directing the recipient of alimony to provide support of another person who is not a descendant by birth or adoption, which circumstances shall be considered the equivalent of remarriage.

(2) In determining a reasonable amount of support, initially or upon review to be paid by the noncustodial parent, the court shall refer to the most recent revision of the family support chart. It shall be a rebuttable presumption for the award of child support that the amount contained in the family support chart is the correct amount of child support to be awarded. Only upon a written finding or specific finding on the record that the application of the support chart would be unjust or inappropriate, as determined under established criteria set forth in the family support chart, shall the presumption be rebutted.

(3) The family support chart shall be revised at least once every four (4) years by a committee to be appointed by the Chief Justice of the Arkansas Supreme Court to ensure that the support amounts are appropriate for child support awards. The committee shall also establish the criteria for deviation from use of the chart amount.

(4) The Arkansas Supreme Court shall approve the family support chart and criteria upon revision by the committee for use in this state and shall publish same through per curiam order of the court.

(5)(A) The court may provide for the payment of support beyond the eighteenth birthday of the child to address the educational needs of a child whose eighteenth birthday falls prior to graduation from high school so long as such support is conditional on the child remaining in school.

(B) The court may also provide for the continuation of support for a person suffering from a handicapping condition which affects the ability of the person to live independent from the custodial parent.

(b) In addition to any other remedies available, alimony may be awarded, under proper circumstances, to either party in fixed installments for a specified period of time, subject to the contingencies of the death of either party, the remarriage of the receiving

party, or such other contingencies as are set forth in the award, so that the payments qualify as periodic payments within the meaning of the Internal Revenue Code.

(c) (1) Where the order provides for payment of money for the support and care of any children, the court, in its discretion, may require the person ordered to make the payments to furnish and file with the clerk of the court a bond or post security or give some other guarantee in such amount and with such sureties as the court shall direct.

(2) The bond, security, or guarantee is to be conditioned on compliance with that part of the order of the court concerning the support and care of the children.

(3) If such action is taken due to a delinquency under the order, proper advance notice to the noncustodial parent shall be given.

(d) All orders requiring payments of money for the support and care of any children shall direct the payments to be made through the registry of the court unless the court, in its discretion, determines that it would be in the best interest of the parties to direct otherwise. However, in all cases brought pursuant to Title IV-D of the Social Security Act, the court shall order that all payments be made through the Arkansas Child Support Clearinghouse in accordance with § 9-14-801, et seq.

(e) (1) (A) Except as set forth in subdivision (5) of this subsection, all orders directing payments through the registry of the court or through the Arkansas Child Support Clearinghouse shall set forth a fee to be paid by the noncustodial parent or obligated spouse in the amount of ~~one dollar (\$1.00) for each payment or accumulation of payments received, or an annual fee to be set by the court of not more than twenty four dollars (\$24.00) per year, but not both a fee per payment or payments and an annual fee~~ forty-eight dollars (\$48) per year. ~~If the court sets an annual fee, it~~ The fee shall be collected from the noncustodial parent or obligated spouse at the time of the first support payment and during the anniversary month of the entry of the order each year thereafter, or twelve dollars (\$12) per quarter at the option of the obligated parent, until no children remain minor and the support obligation is extinguished and any arrears are completely liquidated.

(B) Until January 1, 1998, all orders directing payments through the registry of the court or through the Arkansas Child Support Clearinghouse shall set forth a fee to be paid by the noncustodial parent or obligated spouse in the amount of twenty-four dollars (\$24) per year.

(2) The clerk, upon direction from the court and as an alternative to collecting the annual fee during the anniversary month each year after entry of the order, may prorate the first fee collected at the time of the first payment of support under the order to the number of months remaining in the calendar year and thereafter collect all fees as provided in this subsection during the month of January of each year.

(3) Payments made for this fee shall be made on an annual basis in the form of a check or money order payable to the clerk of the court or such other legal tender which the clerk may accept. This fee payment shall be separate and apart from the support payment, and under no circumstances shall the support payment be reduced to fulfill the

payment of this fee.

(4) Upon the nonpayment of the annual fee by the noncustodial parent within ninety (90) days, the clerk may notify the payor under the order of income withholding for child support who shall withhold the fee in addition to any support and remit such to the clerk.

(5) In counties where an annual fee is collected and the court grants at least two thousand five hundred (2,500) divorces each year, the court may require that the initial annual fee be paid by the noncustodial parent or obligated spouse prior to the filing of the order.

(6) All moneys collected by the clerk as a fee as provided in this subsection shall be used by the clerk's office to offset administrative costs as a result of this subchapter. At least twenty percent (20%) of the moneys collected annually shall be used to purchase, maintain, and operate an automated data system for use in administering the requirements of this subchapter. The acquisition and update of software for the automated data system shall be a permitted use of these funds. All fees collected under this subsection shall be paid into the county treasury to the credit of the fund to be known as the Support Collection Costs Fund. Moneys deposited in this fund shall be appropriated and expended for the uses designated in this subdivision by the quorum court at the direction of the clerk of the court.

(f) The clerk of the court shall maintain accurate records of all support orders and payments made under this section and shall post to individual child support account ledgers maintained in the clerk's office all payments received directly by the Office of Child Support Enforcement and reported to the clerk by the Office of Child Support Enforcement. The Office of Child Support Enforcement shall provide the clerk with sufficient information to identify the custodial and noncustodial parents, a docket number, and the amount and date of payment. The clerk shall keep on file the information provided by the Office of Child Support Enforcement for audit purposes.

(g) The clerk may accept the support payment in any form of cash or commercial paper, including personal check, and may require that the custodial parent or nonobligated spouse be named as payee thereon.

~~_____ (h) (1) The clerk of the court may contract with the Office of Child Support Enforcement of the Revenue Division of the Department of Finance and Administration for services other than the clerk's statutory functions for all Title IV D child support payments made through the registry of the court.~~

~~_____ (2) The clerk of the court shall participate in the statewide automated data system for the collection, distribution, and receipt of child support payments pursuant to the plan developed and implemented by the Office of Child Support Enforcement.~~

~~_____ (i) (1) The Arkansas Circuit Clerks Association and the Office of Child Support Enforcement, in conjunction, shall devise a suitable statewide automated data system upon approval of federal 90-10 enhanced funding, in which all seventy five (75)~~

~~counties shall participate, for the collection, distribution, and receipt of child support payments.~~

~~(2) All necessary computer hardware, software, service agreements, and training required to effect, operate, and maintain the Title IV D portion of the automated data system shall be provided by the Office of Child Support Enforcement at no cost to the counties."~~

AND

by appropriately renumbering Sections 12, 13, and 14 of the bill

AND

by inserting "extended" between "7" and "visitation" on line 33 of page 10

AND

by deleting "longer than" on line 33 of page 10 and substituting "._"

AND

by deleting lines 34 through 36 of page 10 in their entirety

AND

by deleting line 1 of page 11 in its entirety

AND

by deleting lines 6 through 18 of page 11 in their entirety and substituting:

"(a) (1) In child support proceedings, when a complaint for child support is filed in a chancery court, or juvenile division thereof, of one (1) chancery district and the final adjudication is rendered by the court and, six (6) months subsequent to the final adjudication, and the mother, father, or physical custodian have established a residence in a county of another chancery district, further action upon such case may be brought in the county where the mother, father or physical custodian reside as provided herein. The court where the child support adjudication is rendered shall retain jurisdiction for a minimum of six (6) months following adjudication of child support.

(b) (1) At the request of the person seeking to transfer the case to another chancery district, upon proper motion and affidavit, notice and payment of a refiling fee,

the court shall enter an order transferring the case and the refiling fee and charging the clerk of the court to transmit forthwith certified copies of all records pertaining to the case to the clerk of court in the chancery district where the case is being transferred.

(2) An affidavit shall accompany the motion to transfer and recite that the parent(s), the physical custodian, and the Office of Child Support Enforcement, as appropriate have been notified in writing that a request has been made to transfer the case to another chancery district.

(3) Notification pursuant to this section must inform each recipient that any objection must be filed within twenty (20) days from the date of receipt of the affidavit and motion for transfer.

(c) The chancery clerk receiving a transferred case shall, within fourteen (14) days of receipt, set up a case file, docket the case, and afford the case full faith and credit as if the case had originated in that judicial district."

AND

by inserting on line 20 of page 11 a new Section to read as follows:

"SECTION 14. Title 9, Chapter 14, Subchapter 1 of the Arkansas Code Annotated is amended by adding a new section to read as follows:

"9-14-109. Automatic assignment of rights.

(a) By accepting public assistance for or on behalf of a dependent child, which public assistance is provided by the Arkansas Department of Human Services under the Transitional Employment Assistance Program, i.e., Temporary Assistance for Needy Families, the recipient thereof shall be deemed to have assigned to the appropriate division of the Department of Human Services and the Arkansas Office of Child Support Enforcement any rights to child support from any other person as the recipient may have:

(1) In his own behalf or on behalf of any other family member for whom the recipient is receiving such assistance; and

(2) Accrued at the time such assistance, or any portion thereof, is accepted, to the extent possible under federal law.

(b) The appropriate division of the Department of Human Services shall give notice in writing to each applicant for such assistance. The notice shall state that acceptance of the assistance will invoke the provisions of subsection (a) of this section and will result in an automatic assignment under subsection (a) of this section."

AND

by deleting the quotation marks "" at the end of line 36 of page 12

AND

by inserting on line 1 of page 13 the following new subdivisions:

"(6) As used in this Title, including §§ 9-17-101 et seq., notice means any form of personal service authorized under Arkansas law.

(7) As used in this Title, and for all child support purposes, income means any periodic form of payment due to an individual, regardless of source, including wages, salaries, commissions, bonuses, workers' compensation, disability, payments pursuant to a pension or retirement program, and interest. The definition of income may be expanded by the Arkansas Supreme Court from time to time in the Guidelines for Child Support Enforcement."

AND

by deleting "(e)" on line 30 of page 13

AND

by overstriking lines 5 through 21 of page 14 in their entireties;

AND

by overstriking "(d)" on line 22 of page 14 and substituting therefor "(c)";

AND

by deleting "(e)" on line 31 of page 14 and substituting "(d)";

AND

by deleting "(d)" on line 31 of page 14 and substituting therefor "(c)";

AND

by deleting on line 1 of page 15 the language ", and any process server contracted" and substituting therefor the language "Process servers contracting";

AND

by deleting "to attend" on line 3 of page 16 and substituting "regarding"

AND

by deleting "testify and/or" on line 6 of page 16

AND

by inserting "or local government" between "State" and "agency" on line 27 of page 17

AND

by inserting "office," between "," and "or" on line 28 of page 17

AND

by inserting "or any local unit of government of this state" between "state" and "." on line 28 of page 17

AND

by deleting "The state" on line 2 of page 18 and substituting "State and local government"

AND

by deleting lines 27 through 31 of page 18 in their entirety

AND

by inserting two new sentences at the end of line 19 page 19 to read as follows: "For purposes of this subsection, the term account means a demand deposit account, checking or negotiable withdrawal order account, savings account, time deposit account, or money market mutual fund account. The Office of Child Support Enforcement is authorized to pay a reasonable fee to a financial entity for conducting an automated data match, not to exceed the actual costs incurred by the financial entity."

AND

by inserting on line 20 of page 19 two new subdivisions to read as follows:

- "(1) Prosecutions for violations of this section shall be in Pulaski County;
- (2) In any civil action to enforce the provisions of this subchapter, the prevailing

party may be allowed a reasonable attorney's fee to be assessed by the court."

AND

by overstriking on lines 4 through 8 of page 22 the following:

"(1) Whenever aid under §§ 20-76-410 or 20-77-109 is provided to a dependent child;
or

(2) Whenever a contract and assignment for child support services has been entered into for the establishment or enforcement of a child support obligation for which an assignment under § 20-76-410 is not in effect; or"

AND

by inserting on line 9 of page 22 the following language:

"(1) Whenever public assistance under the Transitional Employment Assistance Program, i.e., Temporary Assistance for Needy Families, or § 20-77-109 or § 20-77-307 is provided to a dependent child; or

(2) Whenever a contract and assignment for child support services has been entered into for the establishment or enforcement of a child support obligation for which an automatic assignment under § 9-14-109 is not in effect; or"

AND

by deleting "shall submit" on line 34 of page 23 and substituting "is the noncustodial parent or the physical custodian who submits"

AND

by deleting "must set out" on line 36 of page 23 and substituting "which sets out the"

AND

by deleting "mail" on line 2 of page 24 and substituting "submit"

AND

by deleting "ten (10)" on line 8 of page 24 and substituting "twenty (20)"

AND

by deleting "of such information or restricts or " on line 10 of page 24 and substituting "or otherwise restricts"

AND

by deleting "limits" on line 11 of page 24

AND

by overstriking "20-76-410" on line 1 of page 25 and substituting "9-14-109"

AND

by inserting a new Section 24 on line 11 of page 25 to read as follows:

"SECTION 24. Arkansas Code Annotated § 9-14-212 is amended to read as follows:

"9-14-212. Assigned support rights - ~~Non Aid to Families With Dependent Children Non-Temporary Assistance to Needy Families~~ application fee.

(a) The Office of Child Support Enforcement may charge a nonrefundable application fee of up to twenty-five dollars (\$25.00) to any person who contracts with the Office of Child Support Enforcement for any services under Title IV-D of the Social Security Act for whom an assignment under § ~~20-76-410~~ 9-14-109 is not in effect.

(b) The fee shall be known as a ~~non Aid to Families with Dependent Children Non-Temporary Assistance to Needy Families~~ application fee and shall be a flat fee in an amount to be determined by the manager which shall be paid by the applicant at the time the application for assistance is submitted.

(c) (1) ~~Non Aid to Families with Dependent Children Non-Temporary Assistance to Needy Families~~ services shall be provided to an applicant on a cost recovery/fee for services basis as provided under Title IV-D program requirements.

(2) (A) The Director of the Office of Child Support Enforcement shall establish and publish a schedule of such fees which shall be administratively incorporated into child support enforcement policy.

(B) Copies of the fee schedule shall be provided to all applicants for child support services.

(d) ~~Nothing in this section shall preclude cost recovery from the noncustodial parent for reimbursement to the applicant. In all IV-D cases, after Non-Temporary Assistance to Needy Families costs are charged to a recipient of IV-D services, such amounts shall constitute a judgment by operation of law against the noncustodial parent, which shall be recovered by the Office of Child Support Enforcement through income withholding, or any other available process for the collection of child support, and refunded to the custodial parent or the physical custodian, as appropriate.~~"

AND

by appropriately renumbering subsequent sections of the bill

AND

by overstriking "20-76-410" on line 15 of page 25 and substituting "9-14-109"

AND

by inserting a new Section on line 6 of page 26 to read as follows:

"SECTION 26. Arkansas Code Annotated § 9-14-214 is amended to read as follows:

"9-14-214. Assigned support rights - Award of fee in action.

(a) In any action brought on behalf of a person to whom a support obligation is owed under an assignment pursuant to § ~~20-76-410~~ 9-14-109 or pursuant to a contract for services under Title IV-D of the Social Security Act, the Office of Child Support Enforcement shall be awarded a fee in an amount equal to not less than three percent (3%) and not more than six percent (6%) of the overdue support.

(b) For purposes of this section, "overdue support" means a delinquency pursuant to an obligation created under a court order or an order of an administrative process established under state law for the support and maintenance of a minor child."

AND

by appropriately numbering subsequent sections of the bill

AND

by inserting "and costs" between "fees" and "to" on line 24 of page 27

AND

by deleting "" on line 30 of page 28

AND

by inserting on line 31 of page 28 the following:

"(4) Any person who may purchase any personal property owned by the noncustodial parent for value and without notice of the lien for support shall take the property free of

the lien."

AND

by inserting "- Work activities and incarceration" between "fees" and "." on line 34 of page 28

AND

by deleting "(d)" on line 12 of page 29 and substituting "(d)(1)"

AND

by deleting lines 17 through 36 of page 29 in their entirety and substituting the following:

"(2) If the obligated parent subject to such a plan is not incapacitated, the court may order the obligated parent to participate in work activities including, but not limited to, unsubsidized employment, subsidized private sector employment, subsidized public sector employment, work experience including work associated with the refurbishing of publicly assisted housing in the event that sufficient private sector employment is not available. The number of hours that the obligated parent must participate in work activities per week shall be set by the court in an appropriate order. Additionally, the court may order the obligated parent to spend a minimum number of hours engaged in applying for available positions that the obligor is qualified to fill and keep records of such activities as directed by the court.

(3) If the obligated parent can demonstrate enrollment and full participation in job-related training, which may include on-the-job-training, job search and job readiness assistance, community service programs, vocational education training not to exceed twelve (12) months duration, job skills training directly related to employment, education directly related to employment if the obligated parent has not received a high school diploma or General Education Development (GED) certificate, the court may substitute such participation in lieu of work activities as set out in subsection (e) herein.

(e) If the obligated parent who is not incapacitated refuses to pay past due support or refuses to engage in work activities or seek work activities as ordered by the court, the court may order the obligated parent to be incarcerated.

(f) In any action brought for the enforcement of a child support obligation, whenever the court orders an obligated parent to be incarcerated for failure to obey a previous order, the court may further direct that the obligated parent be temporarily released from confinement to engage in work activity, upon such terms and conditions as the court deems just."

AND

by inserting three new Sections on line 20 of page 30 to read as follows:

"SECTION 34. Arkansas Code Annotated § 9-14-239(h) is amended to read as follows:

"(h) (1) (A) Any noncustodial parent whose license or permanent license plate has been suspended may appeal to the chancery court, or the juvenile division thereof, as appropriate, of the county in which the child support order was entered or transferred, within thirty (30) days after the effective date of the suspension, by filing a petition with a copy of the notice of the suspension attached, or with a copy of the final administrative hearing decision of the office, with the clerk of the chancery court and causing a summons to be served on the administrator of the office.

(B) For persons paying child support pursuant to § 9-17-501 or § 9-17-502, the foreign order shall be registered by the office pursuant to § 9-17-601 et seq.

(2) The case shall be tried de novo in the chancery court, or the juvenile division thereof, as appropriate.

(3) The chancery and juvenile judges are vested with jurisdiction to determine whether the petitioner is entitled to a license or permanent license plate or whether the decision of the hearing officer should be affirmed, modified, or reversed."

SECTION 35. Arkansas Code Annotated § 9-14-240(c) is amended to read as follows:

"(c) (1) Income withholding for child support may be terminated without petitioning the court by filing with the clerk of the court and submitting to the obligor's employer an affidavit attested to by the obligor, the custodial parent or physical custodian, and the Office of Child Support Enforcement.

(2) The affidavit shall state:

(A) The name and address of the obligor and the custodial parent or physical custodian;

(B) The name and address of the obligor's employer;

(C) The style of the court case and number;

(D) That one (1) of the conditions set forth in § 9-14-237(a) has been met;

(E) The date that income withholding for child support shall terminate;

(F) That there are no child support arrearages; and

(G) That the Office of Child Support Enforcement, by its agent, designee, or contractor, whose name and address is provided, has determined that no debt to the state is owing in the cause based on an assignment of rights under §§ ~~20-76-410~~ 9-14-109 and 20-77-109."

SECTION 36. Arkansas Code Annotated § 9-14-803 is amended to read as follows:

"9-14-803. Data.

(a) The clerk of the court shall provide to the office information on all child support payments paid through the registry of the court concerning the categories of cases listed in subsection (b) of this section, including, but not limited to, the name, address, social security number, and employer of the plaintiff and defendant when available to the clerk through the court records.

(b)(1) All child support payments owed in the below-listed cases shall be paid through the clearinghouse.

(2) The clerk of the court shall provide the payment records of the below-listed cases to the office within five (5) working days following receipt of written notice by the office of one (1) of the listed contingencies:

(A) When there is a current assignment of rights pursuant to § ~~20-76-410~~ 9-14-109, § 20-77-109, or § 20-77-307 to the office by the custodial parent, and in cases where the custodial parents execute an application for Title IV-D services;

(B) In monitoring cases pursuant to 45 C.F.R. § 302.57, and in cases where a party to the case requests that payments be made through the clearinghouse;

(C) In cases where there are arrearages owed to the custodial parent and arrearages owed to the state pursuant to an assignment as set out in § ~~20-76-410~~ 9-14-109, § 20-77-109, or § 20-77-307, and the clerk of the court is unable to split the child support payment between the custodial parent and the state;

(D) In all Title IV-D cases, or in multiple cases involving the Title IV-D office, where income withholding is ordered and the obligated parent has more than one (1) child support case and the clerk of the court is unable to split the child support payment between the obligated parent's cases on a pro rata basis as required by state and federal laws and regulations.

(c) Upon receipt of an assignment or notice from the office that a case is transferred to the clearinghouse, the clerk of the court shall enter all case data into the Arkansas Child Support Tracking System, said system to be provided to the clerk of the court by the office.

(d) Any child support payment records provided by the clerk of the court pursuant to this section to the office shall be attested to and certified by the clerk of the court in writing as the true and accurate payment record of the noncustodial parent."

AND

by appropriately renumbering subsequent sections of the bill

AND

by deleting on line 33 of page 30 the word "state" and substituting therefor the word

"State";

AND

by inserting on line 1 of page 31 a new subdivision (2) to read as follows:

"(2) All child support cases once paid through the clearinghouse, Title IV-D and non-Title-IV-D clearinghouse cases, shall continue to be paid through the clearinghouse in accordance with § 9-14-805.";

AND

by deleting on line 1 of page 31 the number "(2)" and substituting therefor the number "(3)";

AND

by deleting on line 4 of page 31 the language "September 30, 1999" and substituting therefor the language "October 1, 1999";

AND

by deleting on lines 7 and 8 of page 31 the language "pursuant to § 20-76-410" and substituting therefor the following language: "of child support to the Office of Child Support Enforcement or the Department of Human Services";

AND

by deleting on line 14 of page 31 the number "(3)" and substituting therefor the number "(4)";

AND

by inserting "or transferred" between "entered" and "within" on line 3 of page 33