

SESSION OF 2009

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2201

As Amended by House Committee on
Judiciary

Brief*

HB 2201 would require restrictions on a professional license holder when the person owes past due child support equal to or greater than three months of child support. Notice of the person's arrearage must be given to the licensing body. Under the bill, the debtor must have failed to comply with a payment plan previously established by the court or agreed upon by the parties before notice can be served on the licensing body.

Any notice to the licensing body would be required to have a copy of the court order finding the licensee in contempt of court in a child support proceeding. A showing of compliance from the court by the licensee would result in an immediate termination of proceedings against the licensee. If a licensee has been suspended or not renewed, and the notice of compliance has been provided, or the licensee otherwise qualifies for the license, the licensing body would be required to reinstate the license or issue the renewal license.

Background

Representative Anthony Brown, the requestor of the bill, appeared in support of the bill. Janis DeBoer, Director, Department of Social and Rehabilitation Services Child Support Enforcement Program, provided information to the Committee and addressed the usefulness of the measures in the bill. April Holman, Kansas Action for Children, expressed support for the bill.

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

The House Committee expanded the notice provision regarding arrearage and added the past due three months of support language to the bill. Other changes were technical and clarifying in nature.

The fiscal note on the original bill indicates that the Judiciary notes that, if enacted, the bill may have a fiscal effect but it would not be noticeable. The four regulatory boards contacted said that the bill would have no effect on their operations. For the Child Support Enforcement program (CSE) in the Department of Social and Rehabilitation Services (SRS), the bill would create a second method for imposing professional license sanctions for nonpayment of child support. Current law allows the professional license sanction to be imposed only when the debtor is found in contempt of court of non-payment of support. The bill would allow the sanction to be requested in other kinds of support enforcement, provided the support debtor owes at least \$1,000 in past due support. Enactment of this bill would not require additional expenditures by CSE, but it is expected to produce additional child support collections. It is estimated that this bill would generate activity in 350 additional cases per year, resulting in an average of \$500 additional collections per case, for a total increase of \$175,000 in collections per year. It is estimated that the increased collections would persist at the same level for five or more years. Based on past experience, state revenue would equal 8.0 percent of the increase in collections. About 75.0 percent of the additional collections would be disbursed directly to families. Although this increase in household incomes would tend to reduce demand for public assistance, the amount and specific programs affected cannot be estimated. The remainder of the increase would be distributed to other states and the federal government, as required by Title IV-D of the Social Security Act. The increase in revenue resulting from this bill, if enacted, is estimated as follows. The portion of revenues to SRS is the state share.

<u>Revenue</u>	<u>FY 2010</u>	<u>FY 2011</u>	<u>FY 2012</u>
Collections to families	\$ 131,250	\$ 131,250	\$ 131,250
Collections to other states and federal government	29,750	29,750	29,750
State share of collections – SRS fee fund	<u>14,000</u>	<u>14,000</u>	<u>14,000</u>
 TOTAL	 <u>\$ 175,000</u>	 <u>\$ 175,000</u>	 <u>\$ 175,000</u>