

HB 1384 -- Child Support

Sponsor or Co-Sponsors: Harlan, Carnahan

Same as or similar to: Year:

Emergency Clause: No or Effective Date of:No

Use Summary For: Version:, Year:,

Verbatim:

Modify above as follows:

New summary as follows:

This bill establishes the Parental Child Support Responsibility Program within the Department of Social Services. The program allows custodial parents to receive parental child support responsibility payments for a qualified child in certain circumstances. The custodial parent must apply for participation in the program, establish the paternity of the child, obtain a child support order for the child, assign their right to collect under the child support order to the State of Missouri, and must opt not to receive cash assistance from the Temporary Assistance for Needy Families (TANF) program.

The Department of Social Services calculates the parental child support responsibility payment on the last calendar day of each month. The amount is the greater of the monthly child support payment made by the non-custodial parent, or the amount calculated under the provisions of this bill. Under this bill, the parental child support responsibility payment is equal to the

sum of \$285 for the first child, \$140 for the second child, and \$65 for each additional child. These amounts must be adjusted annually based on changes in the Missouri self-sufficiency standard or the consumer price index if the self-sufficiency standard is not available.

A custodial parent is not eligible for parental child support responsibility payments if his or her household income is more than 225% of the federal poverty level. The parental child support responsibility payment is decreased incrementally for households with incomes between 100% and 225% of the federal poverty based on an earned income disregard, until the parental child support responsibility payment reaches zero for incomes at 225% of the federal poverty level. If the parental child support responsibility payment amount is zero, then the custodial parent is entitled to receive only the court-ordered or administratively-ordered child support amount.

The expenditures for this program are limited to the amount appropriated or if no amount is specifically appropriated, the amount of general revenue necessary to meet the state maintenance of efforts requirements for the TANF program. If the funding for the program is not sufficient, the Department of Social Services can reduce the maximum federal poverty level, or prorate the monthly payments. The payments may not be less than the monthly

child support that is paid by the noncustodial parent.

The parental child support responsibility payments are primarily funded by child support paid by the noncustodial parent. The general assembly provides other necessary funding subject to appropriations. The State of Missouri retains the monthly payments made by the noncustodial parent in the amount specified in the child support order as reimbursement of the parental child support responsibility payment. If the noncustodial parent's payment is less than the amount in the child support order, or if the noncustodial parent makes no child support payment, the noncustodial parent owes the amount of the deficiency or the entire amount to the State of Missouri. Appropriations from general revenue for this program can be counted toward the state's maintenance of efforts for the TANF program.

A noncustodial parent who is more than two months behind in his or her child support obligations must be referred to the parent's fair share program. If a noncustodial parent is referred to the parent's fair share program and refuses to participate, or is not making progress, he or she is subject to all penalties available for failure to pay child support. A noncustodial parent who has been in the parent's fair share program for five years and who is not making at least the current child support payment is presumed to have failed the program and must be referred to the Department

of Social Services for penalties for failure to pay child support.

Amy V.