

Caleb Rohrer

From: Kacie Petersen
Sent: Monday, March 24, 2025 10:02 AM
To: Carlie Kotyza-Witthuhn
Subject: RE: HF 1316 committee report

Hello Representative Kotyza-Witthuhn,

Would you be willing to re-send this authorization with this small correction? The Chief Clerk's Office needs representative's first names included.

Pursuant to House rule 6.30 relating to committee reports, I, Rep. Carlie Kotyza-Witthuhn, Co-Chair of the Children and Families Finance and Policy Committee, hereby authenticate the following committee report coded H1316CR1, for H.F. No. 1316, with this email authorization serving as my signature.

Carlie Kotyza-Witthuhn
State Representative, MN 49B

Thank you,
Kacie

From: Carlie Kotyza-Witthuhn <Rep.Carlie.Kotyza-Witthuhn@house.mn.gov>
Sent: Friday, March 21, 2025 7:11 PM
To: Kacie Petersen <Kacie.Petersen@house.mn.gov>
Cc: Colie Colburn <colie.colburn@house.mn.gov>
Subject: Fwd: HF 1316 committee report

Pursuant to House rule 6.30 relating to committee reports, I, Rep. Kotyza-Witthuhn, Co-Chair of the Children and Families Finance and Policy Committee, hereby authenticate the following committee report coded H1316CR1, for H.F. No. 1316, with this email authorization serving as my signature.

Carlie Kotyza-Witthuhn
State Representative, MN 49B

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To receive my e-mail updates, subscribe here: <http://bit.ly/RepCarlieKWsubscribe>

Begin forwarded message:

From: Caleb Rohrer <Caleb.Rohrer@house.mn.gov>
Date: March 21, 2025 at 9:54:52 AM CDT
To: Carlie Kotyza-Witthuhn <Rep.Carlie.Kotyza-Witthuhn@house.mn.gov>, Nolan West <Rep.Nolan.West@house.mn.gov>
Cc: Elizabeth Laukka <Elizabeth.Laukka@house.mn.gov>
Subject: FW: HF 1316 committee report

Pursuant to House rule 6.30 relating to committee reports, I, Rep. Kotyza-Witthuhn, Co-Chair of the Children and Families Finance and Policy Committee, hereby authenticate the following committee report coded H1316CR1, for H.F. No. 1316, with this email authorization serving as my signature.

1.1 Kotyza-Witthuhn and West from the Committee on Children and Families Finance and
1.2 Policy to which was referred:

1.3 H. F. No. 1316, A bill for an act relating to child support; adding independent contractors
1.4 and payors to the centralized work reporting system; requiring payors to report independent
1.5 contractors to the centralized work reporting system; amending Minnesota Statutes 2024,
1.6 section 142A.29, subdivisions 1, 2, 3, 4, 6, 9.

1.7 Reported the same back with the following amendments:

1.8 Page 2, line 28, delete "January" and insert "July"

1.9 Page 3, lines 4, 14, and 21, delete "January" and insert "July"

1.10 Page 3, line 8, after "employer" insert "or payor"

1.11 Page 4, line 10, delete "January" and insert "July"

1.12 Page 4, delete section 6 and insert:

1.13 "Sec. 6. Minnesota Statutes 2024, section 518A.53, subdivision 5, is amended to read:

1.14 Subd. 5. **Payor of funds responsibilities.** (a) An order for or notice of withholding is
1.15 binding on a payor of funds upon receipt. Withholding must begin no later than the first
1.16 pay period that occurs after 14 days following the date of receipt of the order for or notice
1.17 of withholding. In the case of a financial institution, preauthorized transfers must occur in
1.18 accordance with a court-ordered payment schedule.

1.19 (b) A payor of funds shall withhold from the income payable to the obligor the amount
1.20 specified in the order or notice of withholding and amounts specified under subdivisions 6
1.21 and 9 and shall remit the amounts withheld to the public authority within seven business
1.22 days of the date the obligor is paid the remainder of the income. The payor of funds shall
1.23 include with the remittance the Social Security number of the obligor, the case type indicator
1.24 as provided by the public authority and the date the obligor is paid the remainder of the

income. A payor of funds may combine all amounts withheld from one pay period into one payment to each public authority, but shall separately identify each obligor making payment.

(c) A payor of funds shall not discharge, or refuse to hire, or otherwise discipline an employee as a result of wage or salary withholding authorized by this section. A payor of funds shall be liable to the obligee for any amounts required to be withheld. A payor of funds that fails to withhold or transfer funds in accordance with this section is also liable to the obligee for interest on the funds at the rate applicable to judgments under section 549.09, computed from the date the funds were required to be withheld or transferred. A payor of funds is liable for reasonable attorney fees of the obligee or public authority incurred in enforcing the liability under this paragraph. A payor of funds that has failed to comply with the requirements of this section is subject to contempt sanctions under section 518A.73. If the payor of funds is an employer or independent contractor and violates this subdivision, a court may award the obligor twice the wages lost as a result of this violation. If a court finds a payor of funds violated this subdivision, the court shall impose a civil fine of not less than \$500. The liabilities in this paragraph apply to intentional noncompliance with this section.

(d) ~~If a single employee is subject to multiple withholding orders or multiple notices of withholding for the support of more than one child,~~ The payor of funds shall comply with all of the withholding orders or notices to the extent that the total amount withheld from the obligor's income does not exceed the limits imposed under the Consumer Credit Protection Act, United States Code, title 15, section 1673(b), giving priority to amounts designated in each order or notice as current support as follows:

(1) if the total of the amounts designated in the orders for or notices of withholding as current support exceeds the amount available for income withholding, the payor of funds shall allocate to each order or notice an amount for current support equal to the amount designated in that order or notice as current support, divided by the total of the amounts designated in the orders or notices as current support, multiplied by the amount of the income available for income withholding; and

(2) if the total of the amounts designated in the orders for or notices of withholding as current support does not exceed the amount available for income withholding, the payor of funds shall pay the amounts designated as current support, and shall allocate to each order or notice an amount for past due support, equal to the amount designated in that order or notice as past due support, divided by the total of the amounts designated in the orders or notices as past due support, multiplied by the amount of income remaining available for income withholding after the payment of current support.

3.1 (e) When an order for or notice of withholding is in effect and the obligor's employment
3.2 is terminated, the obligor and the payor of funds shall notify the public authority of the
3.3 termination within ten days of the termination date. The termination notice shall include
3.4 the obligor's home address and the name and address of the obligor's new payor of funds,
3.5 if known.

3.6 (f) A payor of funds may deduct one dollar from the obligor's remaining salary for each
3.7 payment made pursuant to an order for or notice of withholding under this section to cover
3.8 the expenses of withholding.

3.9 **EFFECTIVE DATE.** This section is effective July 1, 2026.

3.10 Sec. 7. **REPEALER.**

3.11 Minnesota Statutes 2024, section 142A.29, subdivision 9, is repealed.

3.12 **EFFECTIVE DATE.** This section is effective July 1, 2026."

3.13 Correct the title numbers accordingly

3.14 With the recommendation that when so amended the bill be re-referred to the Committee
3.15 on Judiciary Finance and Civil Law.

3.16 This Committee action taken March 19, 2025

3.17, Co-Chair

3.18, Co-Chair