

# House Research Act Summary

**CHAPTER:** 238

**SESSION:** 2010 Regular Session

**TOPIC:** Child support

**Date:** April 16, 2010

**Analyst:** Lynn Aves

This publication can be made available in alternative formats upon request. Please call 651-296-6753 (voice); or the Minnesota State Relay Service at 1-800-627-3529 (TTY) for assistance. Summaries are also available on our website at: [www.house.mn/hrd](http://www.house.mn/hrd).

---

## Overview

This is the Department of Human Services bill related to child support. It modifies information that is to be disclosed to the public authority for child support enforcement, grants authority for redirection of child support in specified cases, and extends the life of child support judgments to 20 years.

### Section

- 1 Access to information.** Amends §256.978, subd. 2. Provides that when the public authority responsible for child support enforcement requests information from employers, utility companies, insurance companies, labor organizations, and financial institutions in order to locate a parent, additional information that can be provided to the public authority is the home telephone, work telephone, mobile telephone, and email address. Under current law the place of residence, employment status, wage and benefit information, and Social Security number is to be provided.
- 2 Administrative authority.** Amends §518A.46, subd. 5. Adds that the public authority, without obtaining an order from a judicial or administrative tribunal, may redirect basic support, medical support, and child care support to the caregiver for the child when the child has been placed with the caregiver under a voluntary placement agreement, when a court order placing the child does not address the redirection of support, or when the caregiver is receiving public assistance for the child.
- 3 Administrative redirection of support.** Amends §518A.46, by adding subd. 7. Paragraph (a) requires the public authority to provide written notice of the redirection to the obligee, obligor, and caregiver. Also requires the agency to inform the parties of their right to contest the redirection.

Paragraph (b) instructs the public authority to redirect proportional shares if the support

order is for more than one child and not all children reside with the same caregiver.

Paragraph (c) lists the grounds for contesting the redirection of support.

Paragraph (d) sets out the requirements for contesting the redirection of support.

Paragraph (e) requires the public authority, if no one has contested the redirection, to redirect the support to the caregiver the first day of the month following the expiration of the time to contest. Prohibits redirection if a party contests, until the issue is resolved.

Paragraph (f) provides the circumstances under which the public authority must end the redirection and direct support to the obligee: when the caregiver no longer receives public assistance for the child; the voluntary placement agreement expires; or the court order placing the child is no longer in effect.

- 4 **Judgments, Ten or 20 years.** Amends § 541.04. Extends the time limit from ten to 20 years in which an action can be commenced in the case of a child support judgment, including a judgment by operation of law.
- 5 **Entry and docketing; survival of judgment.** Amends § 548.09, subd. 1. Adds that a child support judgment, including a judgment by operation of law, survives for 20 years after its entry.
- 6 **Repealer.** Repeals sections 548.091, subd. 3b (Child support judgment administrative renewals), and 548.092 (Child support judgment by operation of law).
- 7 **Effective date.** Provides an effective date of January 1, 2011, for sections 2 to 6. States that sections 4 to 6 apply retroactively to child support judgments, including judgments by operation of law, that have not expired before January 1, 2011.