

# HOUSE RESEARCH

## Bill Summary

**FILE NUMBER:** H.F. 110

**DATE:** March 11, 2003

**Version:** Second Engrossment

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**Subject:** Recodification of marriage dissolution and custody laws, and recodification and reform of child support laws

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### Overview

H. F. 110 recodifies current Minnesota laws relating to marriage dissolution, legal separation, annulment, maintenance, property division, custody, parenting time, and visitation, and recodifies and reforms Minnesota laws relating to child support, currently located in chapter 518.

**Structural changes.** The most obvious changes made by the bill relate to the reorganization of current law. Current laws relating to marriage dissolution, legal separation, annulment, maintenance, property division, custody, parenting time, visitation, and child support are interspersed throughout chapter 518 in an illogical fashion.

H. F. 110 would create three new chapters of Minnesota Statutes:

- Article 1: Chapter 517A: Marriage Dissolution, Legal Separation, and Annulment (including laws on property division and maintenance)
- Article 2: Chapter 517B: Custody, Parenting Time, and Visitation
- Article 3: Chapter 517C: Child Support

This new structure reorganizes existing laws in a more logical manner and will help users of the law find relevant provisions more easily.

H. F. 110 also divides, wherever possible, sections of the current law into shorter statutory sections and subdivisions. The benefit of this structural change is that each separate section and subdivision has its own headnote. These headnotes will help users find relevant provisions of the law more easily.

**Stylistic changes.** H. F. 110 also contains a number of stylistic changes to make the laws easier to read and use. These articles rewrite provisions of current law, where necessary, to clarify and simplify confusing or ambiguous provisions.

**Substantive changes.** H. F. 110 does make several substantive changes to current law. The only substantive changes in article 1, which recodifies current laws relating to marriage dissolution, legal separation, and annulment, is the addition of language requiring a court to conduct a six-month review of child support and parenting time orders if the parties request the review and language implementing a marriage dissolution fee. There are no substantive changes in Article 2, which recodifies current laws relating to custody, parenting time, and visitation.

Article 3, which recodifies current laws relating to child support, contains the majority of the substantive changes in the bill. Although all of the text in Article 3 is "new" language, many of the provisions are derived from current provisions in chapter 518 relating to child support. These sections are reorganized in a more logical fashion and are categorized as follows:

- general provisions (title, definitions, child support orders, etc.)
- calculating child support;
- modifying a child support order;
- role of the public authority (the government agency responsible for child support enforcement);
- paying child support; and
- enforcing a child support order.

Article 3 also contains several substantive changes to current child support laws. Specifically, this article establishes a new methodology for calculating child support that uses an "income shares" model. This approach means that child support, including the basic needs, child care needs, and medical support of a child, is calculated using the parents' *combined* income. Under current law, only the obligor's income is considered when calculating child support. Article 3 also calculates child support using gross income. A derivation of net income is used under current law. Article 3 also includes a provision that allows a parent to deduct an amount from their income for a "legally dependent child" (that is, a child who lives with the parent but is not a subject of the current child support action and for whom the parent has a legal duty to support).

In addition, Article 3 requires the Commissioner of Human Services to compute and publish a schedule for basic support based on 2001 data from the United States Department of Agriculture report on expenditures on children by families. Article 3 requires that the basic support of the parents be reduced by 20 percent, thus acknowledging the parents' additional costs relating to maintaining separate households. Article 3 also includes a provision that addresses how a court must order support when the parties' parenting time approximates joint physical custody. This provision codifies the judicially-created standard known as the *Hortis/Valento* formula. Article 3 also includes a self-support adjustment to the amount of child support ordered that is designed to leave an obligor with sufficient income for self-support, and a minimum support amount for low-income obligors.

Article 3 reforms current law regarding child care support and medical support. Article 3 also provides that a court may order an obligee to account for the child support received and spent if an obligor establishes specific allegations of abuse or misapplication of the child support received and that the child's needs are not being met. Finally, Article 3 requires the Commissioner of Human Services to create and publish a worksheet to assist in calculating child support and make an interactive version of the worksheet available on the Department of Human Services' web site.

*Summaries.* The remainder of this bill summary consists of summaries of Articles 1 and 2, and a detailed section-by-section summary of Article 3. Because, with two exceptions, Articles 1 and 2 do not intend to be a substantive revision of current law and instead, reorganize and make stylistic changes to current law, a detailed section-by-section summary of these articles is not included.

The summary of Article 3 includes a chart summarizing the changes to the child support laws, including the proposed new codification section, a short description of the provision, the statutory derivation in current law for the provision, if any, and an explanation of any changes made to current law, if any.

### **Article 1: Marriage Dissolution, Legal Separation, and Annulment**

This article recodifies Minnesota's laws in chapter 518 relating to marriage dissolution, legal separation, and annulment, including laws on maintenance and property division.

#### **Section**

- 1 1** **Marital dissolution fee.** Amends § 357.021, by adding subd. 8. Authorizes court administrators to collect a \$25 fee in each proceeding seeking dissolution of a marriage or legal separation. Requires the court administrator to forward the fee to the commissioner of finance for deposit in the general fund. Under Article 3, section 75, this funding is appropriated from the general fund to the commissioner of human services and state supreme court administrator for implementation costs of the Minnesota Child Support Act. Also provides that this subdivision is effective July 1, 2003, and sunsets June 30, 2005.
- 2 2** **Six-month review.** Adds § 517A.29. Requires a request for six-month review hearing form to be attached to a decree of dissolution or legal separation or an order initially establishing child custody, parenting time, or support rights. Requests the state court administrator to prepare the request for hearing form. If a parent requests a hearing within six months, requires a court to review whether child support is current and whether both parties are complying with the parenting time provisions of the order. Provides that the obligor has the burden to present evidence at the hearing to establish that child support payments are current. Also requires the commissioner of human services to develop a form to submit payment information to the parties and court.
- 3 3** **Maintenance payment enforcement.** Adds § 517A.36. Clarifies that the enforcement requirements and procedures in Article 3 apply to maintenance obligations that are or were combined with a child support obligation. Also clarifies that certain enforcement requirements and procedures in Article 3 do not apply to maintenance obligations.
- 4-47** **Changes to current law.** Makes technical and stylistic changes to current law. Reorganizes and relocates provisions of current law more logically to make the provisions easier to find. Strikes provisions relating to child support incorporated in Article 3.
- 48 48** **Revisor's instruction.** Instructs the revisor to renumber certain sections in chapter 518 to reorganize the chapter, and make necessary cross-reference changes.
- 49** **Repealer.** Repeals sections 518.14, subdivision 2 (attorney fees and costs); 518.24 (security; sequestration; contempt); 518.55, subdivision 4 (determining a controlling order); 518.62 (temporary maintenance); 518.64, subdivisions 4, 4a, and 5 (modification of child support); and 518.68 (required notices). These provisions are recodified in this article and Article 3.

## Article 2: Custody, Parenting Time, and Visitation

This article recodifies Minnesota's laws in chapter 518 relating to custody, parenting time, and visitation.

### Section

- 1 1**      **Definitions.** Adds § 517B.01. Under the recodification, this section will include the definitions of custody and parenting time from section 518.003, subdivisions 3 and 5.
- 2-7**      **Reorganized provisions.** Reorganizes and relocates provisions from sections 518.17, 518.177, and 518.185 of current law. Clarifies and updates language and makes minor technical changes.
- 8-42**      **Changes to current law.** Makes technical and stylistic changes to current law. Reorganizes and relocates provisions of current law more logically to make the provisions easier to find.
- 43 43**      **Revisor's instruction.** Instructs the revisor to number certain sections in chapter 518 to reorganize the chapter, and make necessary cross-reference changes.
- 44**      **Repealer.** Repeals sections 518.17 (custody and support of children on judgment); 518.1752 (grandparent visitation); and 518.185 (affidavit practice). These provisions are recodified, without substantive changes, in this article.

### Article 3: Child Support

This article recodifies and reforms Minnesota's laws in chapter 518 relating to child support.

Section	New Codification Section	Description	Derivation Section	Comments/Changes <sup>1</sup>
1 1	517C.01	Title	None	Adds title to act.
2 2	517C.02	Definitions	Various	Combines all child support definitions with general applicability into one section. Some special definitions with limited applicability are used later in the chapter. Omits definitions relating to maintenance and marital property (currently defined in section 518.54) that are included in Article 1 (chapter 517A).
	517C.02, subd. 1	Scope of definitions	518.54, subd. 1	Minor technical changes
	517C.02, subd. 2	Definition of arrears	518.54, subd. 13; 518.6111, subd. 1, para. (d)	Clarifies and updates language
	517C.02, subd. 3	Definition of basic support	None	New term describing the dollar amount a court orders for a child's housing, food, clothing, transportation, education costs, and other expenses relating to the child's care.
	517C.02, subd. 4	Definition of business day	518.6111, subd. 1, para. (c)	
	517C.02, subd. 5	Definition of child	518.54, subd. 2	
	517C.02, subd. 6	Definition of child support	518.54, subd. 4	Omits reference in current law to support money. Clarifies that child support includes an amount for basic support, child care support, and medical support.
	517C.02, subd. 7	Definition of deposit account	518.54, subd. 2a	
	517C.02, subd. 8	Definition of financial institution	518.54, subd. 2b	
	517C.02, subd. 9	Definition of obligee	518.54, subd. 7	Minor technical changes. Omits reference in current law to maintenance.
	517C.02, subd. 10	Definition of obligor	518.54, subd. 8	Omits reference in current law to maintenance. Provides that a custodial parent may be an obligor for purposes of medical support.
	517C.02, subd. 11	Definition of payment	518.5851, subd. 4	Minor technical changes. Omits reference in current law to maintenance.
	517C.02, subd. 12	Definition of payor of funds	518.6111, subd. 1, para. (b)	Minor technical changes
	517C.02, subd. 13	Definition of public authority	518.54, subd. 9	Clarifies language
	517C.02, subd. 14	Definition of support order	518.54, subd. 4a	Minor technical changes. Clarifies language.
	517C.02, subd. 15	Definition of tribunal	518.5851, subd. 5	
	517C.02, subd. 16	Definition of unclaimed support funds	518.5851, subd. 7	
	517C.02, subd. 17	Definition of IV-D case	518.54, subd. 14	

<sup>1</sup>This column is intentionally left blank if there are no changes to current law in the new codification section.

<b>Section</b>	<b>New Codification Section</b>	<b>Description</b>	<b>Derivation Section</b>	<b>Comments/Changes <sup>1</sup></b>	
3	3	517C.04, subd. 1	Child support orders	518.57, subd. 1; 518.66	Clarifies and updates language
		517C.04, subd. 2	Provisions	None	Adds language clarifying current law that child support orders must provide for basic support, child care costs, and medical care.
		517C.04, subd. 3	Agreements	518.551, subd. 5, para. (a) & para. (i)	Clarifies that a court must review the parties' stipulation or agreement relating to child support to ensure that it serves the best interests of the child.
		517C.04, subd. 4	Specific dollar amount	518.551, subd. 5, para. (a)	Minor technical changes
		517C.04, subd. 5	Preference for monthly payment	None	Provides preference for ordering child support payments in an amount that reflects an obligor's monthly obligation.
		517C.04, subd. 6	Preference for static payment	518.57, subd. 2; 518.68, subd. 2, para. 4(f)	Provides preference for the same payment amounts throughout the year. (Current law provides that payment amounts may fluctuate during the year.)
		517C.04, subd. 7	Departure	None	Provides the circumstances in which a court may depart from the preferences in subdivisions 5 and 6.
		517C.04, subd. 8	Accounting for child support by obligee	None	Provides that a court may order an obligee to account for child support received if, upon a motion, an obligor establishes specific allegations of abuse or misapplication of the child support received and that a child's needs are not being met. Provides for possible remedies if the obligee does not make the court-ordered accounting or does not spend child support payments on behalf of the child. Also provides that a court may award attorney fees to the obligee if the court determines that an obligor's motion is brought in bad faith.
		517C.04, subd. 9	Child support to be distinguished from maintenance	518.55, subd. 1	Clarifies and updates language. Omits provisions in current law relating to maintenance awards that are included in Article 1 (chapter 517A).
		517C.04, subd. 10	Other custodians	518.57, subd. 4	
		517C.04, subd. 11	Either parent liable; marital misconduct	518.551, subd. 5, para. (a)	
4	4	517C.05, subd. 1	Temporary orders; motion; scope	518.131, subd. 1	Clarifies and updates language relating to the process a party may use to bring a motion for a temporary order during a child support proceeding. Omits references in current law to process used in marriage dissolution, maintenance, and custody proceedings. This language is reproduced, if applicable, in articles 1 and 2 for those proceedings.
		517C.05, subd. 2	Duration	518.131, subd. 5	Clarifies and updates language
		517C.05, subd. 3	Factors	518.131, subd. 7	Clarifies and updates language
		517C.05, subd. 4	Evidence	518.131, subd. 8	Clarifies and updates language
		517C.05, subd. 5	Limited effect	518.131, subd. 9, para. (a)	Clarifies and updates language
		517C.05, subd. 6	Revocation; modification	518.131, subd. 9, para. (b)	Clarifies and updates language
5	5	517C.06	Determination of controlling order	518.55, subd. 4	Provides that the public authority or a party may request a court to determine a controlling order when more than one order exists. (Current law vests this authority in the district court. This language would also permit child support magistrates to determine a controlling order.)

<b>Section</b>	<b>New Codification Section</b>	<b>Description</b>	<b>Derivation Section</b>	<b>Comments/Changes <sup>1</sup></b>
6 6	517C.07	Attorney fees; costs and disbursements	518.14, subd. 1	Clarifies and updates language
7 7	517C.10, subd. 1	Exchange of information; documentation	518.551, subd. 5b, para. (a)	Clarifies and updates language
	517C.10, subd. 2	Exchange of tax returns	518.551, subd. 5b, para. (b)	Clarifies and updates language
	517C.10, subd. 3	Notice of address or residence change	518.55, subd. 3	Clarifies and updates language
	517C.10, subd. 4	Notice to public authority; public assistance	518.551, subd. 5, para. (a)	
	517C.10, subd. 5	Failure of notice	518.551, subd. 6	Minor technical changes. Corrects cross references.
8 8	517C.11, subd. 1	Privacy protection; personal protection; social security numbers; tax returns	518.146	Corrects cross reference
	517C.11, subd. 2	Modification of certain requirements	518.55, subd. 3	Clarifies and updates language
	517C.11, subd. 3	Access to address for service of process	518.255, subd. 2	Minor technical changes
9 9	517C.12, subd. 1	Income; gross income	None	Provides that income means gross income for purposes of calculating child support. (Under current law, a derivation of an obligor's net income is used to calculate child support.)
	517C.12, subd. 2	Sources	518.54, subd. 6; 518.551, subd. 5, para. (b), cl. (1)	Clarifies language.
	517C.12, subd. 3	Commissions; bonuses	None	Provides that a court may include reliable and predictable commissions or bonuses in income calculations. (Under current law, a court may order that a percentage share of commissions or bonuses be paid to an obligee.)
	517C.12, subd. 4	Self-employment; independent contractors	518.551, subd. 5b, para. (f)	Minor technical changes
	517C.12, subd. 5	Public assistance exclusions	518.54, subd. 6	
	517C.12, subd. 6	Overtime	518.551, subd. 5, para. (b), cl. (2); 518.64, subd. 2, para. (c), cl. (2)	Provides that certain overtime employment not be considered when setting support. Clarifies and updates language.
	517C.12, subd. 7	Income of a spouse or other household member	518.551, subd. 5, para. (b), cl. (1); 518.64, subd. 2, para. (c), cl. (1)	Provides that income of spouse or other household member may not be considered when setting child support. Provides for discovery of a spouse's or household member's financial information if there is probable cause to believe that income is being improperly shielded from a party.
	517C.12, subd. 8	Prior child support or maintenance orders	518.551, subd. 5, para. (b)	Clarifies and updates language
	517C.12, subd. 9	Legally dependent child	None	Provides for a deduction from a party's income for a legally dependent child. Specifies the methodology for determining the deduction amount. Also requires the Commissioner of Human Services to publish a table annually that lists the amount of the deduction for each legally dependent child by family size.

Section	New Codification Section	Description	Derivation Section	Comments/Changes <sup>1</sup>
10 10	517C.13, subd. 1	Imputed income; nonappearance of a party	518.551, subd. 5b, para. (c)	Corrects cross reference
	517C.13, subd. 2	Voluntary unemployment or under-employment	518.551, subd. 5b, para. (d) and (e)	Clarifies and updates language. Provides that income imputation applies equally to obligors and obligees.
	517C.13, subd. 3	Insufficient information	518.551, subd. 5b, para. (e)	Corrects cross reference
	517C.13, subd. 4	Parent providing at-home child care	None	Specifies factors a court must consider when determining whether a parent who stays at home to care for a child is voluntarily unemployed or underemployed.
11 11	517C.14, subd. 1	Presumptive child support order; rebuttable presumption	518.551, subd. 5, para (i)	Corrects cross reference
	517C.14, subd. 2	Child's insurance benefit	518.551, subd. 5, para. (l)	Minor technical changes
12 12	517C.15, subd. 1	Basic support; schedule	None	Requires the court to order basic support divided between the obligor and obligee based on their proportionate share of the parties' combined monthly income (an income shares approach). Includes a basic support schedule constructed from 2001 United States Department of Agriculture (USDA) data on expenditures on children by families. Also requires the Commissioner of Human Services to compute and publish a basic support schedule
	517C.15, subd. 2	Separate household adjustment	None	After determining each party's basic support obligation, requires that the court reduce by 20 percent the basic support of both parents.
	517C.15, subd. 3	Joint physical custody	None	Codifies the <i>Hortis/Valento</i> formula, which evolved from a series of court cases interpreting the current child support guidelines in cases where parents have joint physical custody of a child.
	517C.15, subd. 4	Income cap on determining basic support	518.551, subd. 5, para. (b); 518.551, subd. 5, para. (k)	Provides for an income limit for application of the basic support schedule. Adds language permitting a court to order support in excess of the income limit if the child has a disability or other substantial, demonstrated need.
	517C.15, subd. 5	More than six children	None	Provides that a court need not specifically follow the guidelines in cases involving more than six children.
	517C.15, subd. 6	Report to legislature	None	Requires the Commissioner of Human services to report annually to the legislature on the basic support schedule. The report must include information on any changes to the USDA expenditure data used in constructing the basic support schedule and information on any new sources of economic data that could be used to construct a basic support schedule.
13 13	517C.16, subd. 1	Child care support; child care costs	None	Requires the court to order child care costs divided between the obligor and obligee based on their proportionate share of the parties' combined monthly income (an income shares approach). Omits formula from current law for allocating child care costs.



<b>Section</b>	<b>New Codification Section</b>	<b>Description</b>	<b>Derivation Section</b>	<b>Comments/Changes <sup>1</sup></b>
	517C.16, subd. 2	Low-income obligor	None	Specifies the child care support obligation for an obligor who meets the income eligibility requirements for child care assistance.
	517C.16, subd. 3	Determining costs	518.551, subd. 5, para. (b)	Minor technical changes. Corrects cross references.
	517C.16, subd. 4	Change in child care	518.551, subd. 5, para. (b)	Clarifies the procedure for collecting child care support when child care expenses end or resume.
14 14	517C.17, subd. 1	Medical support; definitions	518.171, subd. 1, para. (a); subd. 3, para. (a)	Defines health care coverage, health carrier, health plan, medical support, national medical support notice, public coverage, uninsured medical expenses, and unreimbursed medical expenses.
	517C.17, subd. 2	Order	518.171, subd. 1, para. (a)	Clarifies and updates language. Specifies information regarding medical support that a court must address when ordering child support.
	517C.17, subd. 3	Determining appropriate health care coverage	None	Provides criteria a court must consider in determining whether a party has appropriate health care coverage for a child. The criteria are whether coverage is accessible, comprehensive, and affordable, and the child's special medical needs, if any. Also provides that, if both parties have health care coverage available and the coverage is comparable with regard to accessibility and comprehensiveness, the least costly coverage is the appropriate coverage.
	517C.17, subd. 4	Ordering health care coverage	None	Adds provisions that a court must consider when determining whether to order an obligor or obligee to carry health care coverage for a child. Also specifies what a court must order when one or both parties have appropriate coverage, or neither party has appropriate coverage for a child.
	517C.17, subd. 5	Medical support costs; unreimbursed and uninsured medical expenses	518.171, subd. 1, paras. (c) & (d)	Provides that a court divide the costs of health care coverage and unreimbursed medical expenses between the parties based on each party's proportionate share of the parties' combined gross income (an income shares approach).
	517C.17, subd. 6	Notice or court order sent to party's employer, union, or health carrier	518.171, subd. 3	Clarifies and updates language.
	517C.17, subd. 7	Employer or union requirements	518.171, subd. 4; subd. 4a	Clarifies and updates language in current law.
	517C.17, subd. 8	Health plan requirements	518.171, subd. 4a; subd. 5, para. (b); subd. 6	Clarifies and updates language. Requires a health plan administrator to provide the public authority and parties with certain information about the health care coverage.
	517C.17, subd. 9	Employer or union liability	518.171, subd. 4, para. (d)	Clarifies and updates language
	517C.17, subd. 10	Contesting enrollment	518.171, subd. 4, para. (b)	Clarifies and updates language
	517C.17, subd. 11	Disenrollment; continuation of coverage; coverage options	518.171, subd. 5, para. (a)	Clarifies and updates language. Provides that a child enrolled in health care coverage pursuant to an order is entitled to the opportunity to elect continued coverage upon expiration of the order.
	517C.17, subd. 12	Spousal or former spousal coverage	518.171, subd. 2	Clarifies and updates language
	517C.17, subd. 13	Disclosure of	518.171, subd. 2a;	Clarifies and updates language. Adds provisions

<b>Section</b>	<b>New Codification Section</b>	<b>Description</b>	<b>Derivation Section</b>	<b>Comments/Changes <sup>1</sup></b>
		information	518.171, subd. 7	regarding when the parties, employer, union, or plan administrator must give certain information relating to the health care coverage to the public authority.
	517C.17, subd. 14	Child support enforcement services.	518.171, subd. 9	Clarifies and updates language
	517C.17, subd. 15	Enforcement	518.171, subd. 8; 518.171, subd. 10,	Clarifies and updates language
	517C.17, subd. 16	Income withholding; offset	None	Adds provisions specifying procedures for income withholding and offsets to income.
	517C.17, subd. 17	Collecting unreimbursed and uninsured medical expenses	None	Adds provisions specifying the procedures for collecting unreimbursed and uninsured medical expenses.
	517C.17, subd. 18	Enforcing an order for medical support arrears	None	Adds provisions regarding the procedures to enforce and collect medical support arrears.
15 15	517C.18	Self-support adjustment; minimum basic support amount	None	Specifies the amount a court must order when the sum of an obligor's basic support, child care support, and medical support obligation leaves the obligor with less than 120 percent of the federal poverty guidelines amount for one person. Also requires a minimum basic support amount of \$50 per month for one or two children or \$75 per month for three or more children.
16 16	517C.19	Worksheet	None	Requires the Commissioner of Human Services to create and publish a worksheet to assist in calculating child support. Also requires the Commissioner to make an interactive version of the worksheet available on the DHS web site.
17 17	517C.20, subd. 1	Deviations; general factors	518.551, subd. 5, para. (c)	Minor technical changes. Corrects cross references. Also provides that a court may consider whether a child spends between 33 and 45 percent of overnights with an obligor pursuant to court order or with the consent of the obligee, which results in an increased financial burden to the obligor, when setting or modifying child support or in determining when to deviate from the guidelines.
	517C.20, subd. 2	Debt owed to private creditors	518.551, subd. 5, para. (d) to (g)	Minor technical changes. Corrects cross references.
	517C.20, subd. 3	Evidence	518.551, subd. 5, para. (h)	Minor technical changes
	517C.20, subd. 4	No deviation when payments are made to the public authority except for extreme hardship	518.551, subd. 5, para. (j)	Minor technical changes
	517C.20, subd. 5	No departure based on joint legal custody	518.17, subd. 6	Minor technical changes
18 18	517C.21, subd. 1	Written findings; no deviation	518.551, subd. 5, para (i)	Minor technical changes
	517C.21, subd. 2	Deviation	518.551, subd. 5, para (i)	Corrects cross references
	517C.21, subd. 3	Written findings required in every case	518.551, subd. 5, para (i)	Minor technical changes. Corrects cross references.
19 19	517C.22	Guidelines review	518.551, subd. 5c	Requires review of child support guidelines no later than 2006. Omits obsolete date in current law.

<b>Section</b>	<b>New Codification Section</b>	<b>Description</b>	<b>Derivation Section</b>	<b>Comments/Changes <sup>1</sup></b>
20 20	517C.23	Education trust fund	518.551, subd. 5d	
21 21	517C.25, subd. 1	Modification; general; authority	518.64, subd. 1	Clarifies and updates language.
	517C.25, subd. 2	Guidelines remain applicable	None	Provides that the guidelines remain applicable when a court modifies a child support order.
	517C.25, subd. 3	Evidentiary hearing not required	518.64, subd. 2, para. (f)	Minor technical change. Omits reference in current law to maintenance.
	517C.25, subd. 4	Form	518.64, subd. 5	Minor technical changes. Omits reference in current law to maintenance.
22 22	517C.26	Reopening an order	518.145, subd. 2	Minor technical changes
23 23	517C.27, subd. 1	Change in custody or parenting time; official change in custody; child support suspended	518.18, para (f)	Minor technical changes
	517C.27, subd. 2	Unofficial change in custody; child support obligation satisfied	518.57, subd. 3	Minor technical changes
	517C.27, subd. 3	30-day change; child support reduced	518.551, subd. 5e	Corrects cross reference
24 24	517C.28, subd. 1	Substantial change in circumstances, earnings or needs; factors	518.64, subd. 2, para. (a); 518.64, subd. 4a	Minor technical changes. Corrects cross references. Also provides that implementation of this chapter is not a basis for modification unless the requirements under this section are met.
	517C.28, subd. 2	Presumptions	518.64, subd. 2, para. (b)	Minor technical changes. Corrects cross references.
25 25	517C.29	Modification effective date; retroactive modification permitted only in limited circumstances; child care exception	518.64, subd. 2, para. (d)	Clarifies and updates language
26 26	517C.30, subd. 1	Termination of child support; death of obligor	518.64, subd 4	
	517C.30, subd. 2	Automatic termination	518.64, subd 4a	Minor technical changes
27 27	517C.31, subd. 1	Cost-of-living adjustments; general	518.641, subd. 1	Minor technical change. Omits reference in current law to maintenance.
	517C.31, subd. 2	Waiver	518.641, subd. 1	
	517C.31, subd. 3	Index; amount	518.641, subd. 1	Clarifies and updates language
	517C.31, subd. 4	Effective date	518.641, subd. 1	Clarifies and updates language
	517C.31, subd. 5	Notice	518.641, subd. 2	Clarifies and updates language
	517C.31, subd. 6	Procedure for contesting adjustment	518.641, subd. 2a	Clarifies and updates language
	517C.31, subd. 7	Hearing	518.641, subd. 3	
	517C.31, subd. 8	Form	518.641, subd. 2a	Minor technical changes
	517C.31, subd. 9	Rules	518.641, subd. 1, para. (b)	
28 28	517C.35, subd. 1	Assignment; general	518.551, subd. 1, paras. (b) & (d)	Clarifies and updates language
	517C.35, subd. 2	Judgments	518.551, subd. 9,	Clarifies and updates language

<b>Section</b>	<b>New Codification Section</b>	<b>Description</b>	<b>Derivation Section</b>	<b>Comments/Changes <sup>1</sup></b>	
			para. (a)		
29	29	517C.35, subd. 3 517C.36, subd. 1	Property lien Party status; obligee receives public assistance; public authority is a party	518.57, subd. 1 518.551, subd. 9, paras. (a) & (b)	Clarifies and updates language
		517C.36, subd. 2	No public assistance; application for services	518.551, subd. 9, para. (b)	Clarifies and updates language. Corrects cross reference.
30	30	517C.37, subd. 1	Role of the public authority; public authority does not represent obligor or obligee	518.255, subd. 1, para. (a)	
		517C.37, subd. 2	Written notice	518.255, subd. 1, para. (b)	Clarifies and updates language
		517C.37, subd. 3	Power to represent other public authorities	518.551, subd. 1, para. (b)	Clarifies and updates language
31	31	517C.38	Service fees	518.551, subd. 7	Clarifies and updates language
32	32	517C.39	Public authority procedures for child support and parentage orders	518.5513, subd. 1	Clarifies and updates language. Corrects cross reference.
33	33	517C.40	Nonattorney employee duties	518.5513, subd. 2, para. (a) to (d)	Minor technical changes
34	34	517C.41	Pleadings; case information sheet; filing information	518.5513, subd. 3	Minor technical changes
35	35	517C.42	Noncontested matters	518.5513, subd. 4	
36	36	517C.43	Administrative authority; parentage support	518.5513, subd. 5	Corrects cross references
37	37	517C.44, subd. 1	Sharing of information; data; general	518.5513, subd. 6	Minor technical change. Corrects cross reference.
		517C.44, subd. 2	Data disclosed to an attorney of the public authority	518.255, subd. 1, para. (c) and (d)	Corrects cross reference
		517C.44, subd. 3	Prohibited disclosure	518.005, subd. 5	
38	38	517C.45	Sufficiency of notice	518.111	
39	39	517C.50, subd. 1	Child support payment center; central collection unit; creation	518.5852	Minor technical changes. Clarifies and updates language.
		517C.50, subd. 2	Creditor collections	518.5851, subd. 6	Minor technical change
		517C.50, subd. 3	Credit for payment	518.551, subd. 1, para. (c)	
40	40	517C.51	Mandatory payment of obligations to central collections unit	518.5853	Minor technical changes. Corrects cross references.
41	41	517C.52; subd 1	Income withholding; general; application	518.6111, subd. 2	Corrects cross references

<b>Section</b>	<b>New Codification Section</b>	<b>Description</b>	<b>Derivation Section</b>	<b>Comments/Changes <sup>1</sup></b>
	517C.52, subd. 2	Order	518.6111, subd. 3	Corrects cross references
	517C.52, subd. 3	Notice; income withholding and collection services	518.6111, subd. 4	Minor technical changes
	517C.52, subd. 4	Contract for service	518.6111, subd. 15	Clarifies and updates language
	517C.52, subd. 5	Electronic transmission	518.6111, subd. 18	Minor technical changes
	517C.52, subd. 6	Timing of automated enforcement remedies	518.6111, subd. 19	Minor technical changes. Corrects cross reference.
42 42	517C.53	Waiver of income withholding	518.6111, subd. 16	Clarifies and updates language. Corrects cross reference
43 43	517C.54, subd. 1	Payor of funds responsibilities; activation	518.6111, subd. 5, para. (a)	
	517C.54, subd. 2	Procedure	518.6111, subd. 5, para. (b)	Minor technical changes. Corrects cross references.
	517C.54, subd. 3	Retaliation prohibited	518.6111, subd. 5, para. (c)	Minor technical change. Corrects cross reference.
	517C.54, subd. 4	Updated orders	518.6111, subd. 9, para. (b)	Minor technical changes
	517C.54, subd. 5	Notification of termination	518.6111, subd. 5, para. (e)	Minor technical changes
	517C.54, subd. 6	Expenses	518.6111, subd. 5, para. (f)	Corrects cross reference
44 44	517C.55	Lump-sum payments	518.6111, subd. 11	Clarifies and updates language
45 45	517C.56, subd. 1	Payor of funds liability; liability to obligee	518.6111, subd. 5, para. (c)	Minor technical changes. Corrects cross references.
	517C.56, subd. 2	Nonliability for compliance	518.6111, subd. 17	Clarifies and updates language. Corrects cross reference.
46 46	517C.57	Employer contempt	518.615	Clarifies and updates language. Corrects cross references.
47 47	517C.58, subd. 1	Priority of income withholding orders; maximum withholding; priority	518.6111, subd. 9, para. (a)	Clarifies and updates language. Corrects cross reference.
	517C.58, subd. 2	Multiple orders	518.6111, subd. 5, para. (d)	Minor technical changes
48 48	517C.59, subd. 1	Subsequent income withholding; application	518.6111, subd. 7, para. (a)	Minor technical change
	517C.59, subd. 2	Public authority provides child support enforcement services	518.6111, subd. 7, para. (b)	Clarifies and updates language. Corrects cross references.
	517C.59, subd. 3	Public authority does not provide child support enforcement services	518.6111, subd. 7, para. (c)	Clarifies and updates language.
	517C.59, subd. 4	Notice	518.6111, subd. 7, para. (d)	Minor technical changes.
	517C.59, subd. 5	Contest	518.6111, subd. 8	Minor technical changes.
49 49	517C.60	Income withholding; arrears order	518.6111, subd. 10	Clarifies and updates language. Corrects cross reference.
50 50	517C.61	Interstate income	518.6111, subd. 12	Minor technical changes

Section	New Codification Section	Description	Derivation Section	Comments/Changes <sup>1</sup>	
		withholding			
51	51	517C.62, subd. 1	Order terminating income withholding; general procedure	518.6111, subd. 13	Clarifies and updates language
		517C.62, subd. 2	Termination by the public authority	518.6111, subd. 14	Clarifies and updates language
52	52	517C.63	Child support deposit account; financial institutions	518.6111, subd. 6	Minor technical changes
53	53	517C.64	Escrow account	518.614	Clarifies and updates language. Corrects cross references.
54	54	517C.65	Trustee	518.61	Clarifies and updates language. Omits provision in current law permitting the public authority to represent a person entitled to receive support or maintenance because the provision contradicts current law and policy. Also omits provision in current law permitting a county attorney to institute a proceeding against a person who is beyond the jurisdiction of the court because the provision is superfluous and unnecessary.
55	55	517C.66	Overpayments	518.642	Minor technical changes. Omits references in current law to maintenance.
56	56	517C.67	Alternate notice of court order	518.646	Clarifies and updates language
57	57	517C.70	Child support and parenting time are independent	518.612	Clarifies and updates language
58	58	517C.705	Six-month review	None	Adds language providing that a request for six-month review hearing form must be attached to an order or decree initially establishing child support. This language is consistent with the six-month review requirements in section 517A.29.
59	59	517C.71, subd. 1	Payment agreements; general requirements	None	Adds language clarifying the requirements for payment agreements in cases where an obligor has child support arrears.
		517C.71, subd. 2	Considerations	518.553	Minor technical changes
60	60	517C.72	Seek employment orders	518.616	Clarifies and updates language. Corrects cross reference.
61	61	517C.73	Order for community services	518.551, subd. 5a	Minor technical changes. Corrects cross reference.
62	62	517C.74	Contempt proceedings for nonpayment of support	518.617	Clarifies and updates language. Corrects cross references. Omits references in current law to maintenance.
63	63	517C.745	Security; sequestration; contempt	518.24	Corrects cross reference. Omits references in current law to maintenance.
64	64	517C.75	Driver's license suspension	518.551, subd. 13	Reorganizes current law. Clarifies and updates language.
65	65	517C.76	Occupational license suspension	518.551, subd. 12	Reorganizes current law. Clarifies and updates language.
66	66	517C.77	Data on suspensions for support arrears	518.551, subd. 13a	Corrects cross references
67	67	517C.78	Recreational license suspension	518.551, subd. 15	Clarifies and updates language

<b>Section</b>	<b>New Codification Section</b>	<b>Description</b>	<b>Derivation Section</b>	<b>Comments/Changes <sup>1</sup></b>
68 68	517C.79	Motor vehicle lien	518.551, subd.14	Reorganizes current law. Clarifies and updates language.
69 69	517C.80	Publication of names of delinquent child support obligors	518.575	Minor technical changes
70 70	517C.81	Collection; arrears	518.6195	Clarifies and updates language. Corrects cross references.
71 71	517C.82	Collection; revenue re-capture	518.6196	
72	517C.83	Case reviewer	518.618	Minor technical change
73	517C.84	Attorney fees; collection costs	518.14, subd. 2	Clarifies and updates language
74	517C.99	Required notices	518.68	Clarifies and updates language. Corrects cross references.
75		Appropriations		Appropriates \$770,000 in fiscal year 2004 from the general fund to the commissioner of human services and \$355,000 to the supreme court administrator in fiscal year 2005 to fund implementation costs of the Minnesota Child Support Act. Makes this section effective July 1, 2003.
76		Revisor's instruction		Instructs the revisor to make necessary cross-reference changes in statutes and rules.
77		Repealer		Repeals child support laws from chapter 518 that are recodified in, or omitted from, article 3.
78		Effective date		Unless otherwise specified, makes the Minnesota Child Support Act effective July 1, 2004.