



House Appropriations Committee:

February 9, 2017

**HB 2068: Child Support Enforcement**

Testimony by:

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Kansas Department for Children and Families

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**Testimony of:**

Trisha Thomas, Director of Child Support Services  
Kansas Department for Children and Families

**Testimony on:**

HB 2068, Child Support Enforcement (with balloon amendment)

**Chair Waymaster, Vice Chair Davis, Ranking Member Wolfe Moore and Members of the Committee:**

Thank you for the opportunity to provide testimony in support of HB 2068 with a balloon amendment to modify the current bill. This amendment proposes additional measures that would be helpful to the Kansas Department for Children and Families (DCF) Child Support Services (CSS) program, and more importantly helpful to families across our state.

CSS increased collections last federal fiscal year by \$5,865,552 (FFY 2016 over FFY 2015), with a total of \$204.3 million collected last year. Currently, CSS serves 142,000 Kansas families. The below recommendations and amendments will help us better serve families and ensure that children are being adequately supported through additional collections.

**Comments on HB 2068 As-Written:**

Section 1 of current bill regarding driver's license suspension: CSS recommends that this section regarding license revocation be removed, since currently CSS has the ability to restrict a non-custodial parent's driver's license. A restriction, as opposed to a suspension, still gives the non-custodial parent the ability to drive to work so he/she can support himself/herself and the individual's family. We are supportive of changing the driver's license restriction statute to notify the custodial parent when a non-custodial parent's driver's license has been sanctioned and changing the requirement to use first class mail.

Section 2 of current bill regarding registration of vehicles: CSS recommends several changes to this section, including changing the timeframe from 15 days to 60 days with \$500 in arrears. Additionally, CSS recommends that the language not include the court trustee cases until we have a new and federally-certified child support information system. Until CSS has a child support computer system where the court trustee cases can be added and matched, it would be extremely difficult, not automated, and very expensive for CSS to help the court trustees conduct matches with other agencies. Both CSS and the court trustees are working toward the same goal (help families obtain child support), so we hope to be able to assist the trustees with vehicle registration suspensions once we have a federally-certified child support information system.

We would also recommend several changes to clarify information exchanged between DCF and the Kansas Department of Revenue (KDOR), determine how that information

can be used, clarify the ability for CSS to have a secondary lien and define how KDOR handles liens and titles when working with CSS.

Section 3 of current bill regarding interest: Given the current limitations of the child support computer system, this change to figure accruing interest should become effective only upon certification of a new child support system. We will continue to enforce child support interest that is reduced to a judgement.

Section 4 of current bill regarding professional licenses: CSS recommends keeping current statutory language at three months, and changing the proposed \$10,000 amount to \$5,000, to include more non-custodial parents with lower orders. Currently there is only the requirement to be three months in arrears to take someone's license, the current bill language would move that to six months or \$10,000 in arrears. To reiterate, we would recommend keeping the language at three months and moving the \$10,000 down to \$5,000.

Section 5 of current bill regarding hunting/fishing license revocation: CSS recommends changing the timeframe from 15 days to 60 days with \$500 in arrears. In addition, CSS recommends that the language not include the court trustee cases until we have a new and federally-certified child support information system. We would also suggest removing the additional notice to the licensee.

Section 6 of current bill regarding boat/vessel registration: CSS believes that this section is not needed as we can already proceed with boat/vessel registration suspensions under the current statute KSA 32-918 where "(a) Upon request of the secretary for children and families, the secretary of wildlife, parks and tourism shall not allow any license, permit, stamp, tag or other issue of the Kansas department of wildlife, parks and tourism." There is no restrictive wording that would exempt boats, which have to be licensed through the Kansas Department of Wildlife, Parks, and Tourism (KDWPT). Since boats are registered through the KDWPT, we believe that the reference to "any license" includes boat registrations. CSS is currently working with KDWPT to implement this.

If this section is retained, CSS would request changes to the notice provision, setting the amounts similar to hunting and fishing license restrictions at 60 days, with \$500 in arrears, and removing the requirement to include the court trustees until we have a new and federally-certified child support system. We would also recommend including an approved payment plan as one of the reasons we would provide a release from these suspensions.

Section 7 of current bill regarding professional licenses: CSS would want to add "approved payment plan" as one of the options in order to provide a release to return a professional license.

**Proposed Child Support Balloon Amendment:**

Workers Compensation: CSS proposes to ensure we can use the income withholding order (IWO) process and hold up to 50 percent of income for both CSS and the court trustees. This is feasible to implement now without having a new computer system in place.

Mandatory Work and Fatherhood Program: CSS proposes giving a judge in a contempt action the ability to order attendance at a work-readiness, fatherhood or other beneficial program instead of jail. CSS has seen great successes with these types of programs, including additional child support collections and more positive involvement in the child's life by the non-custodial parent.

Domestic Relations Affidavit (DRA): CSS proposes to clarify that the DRA short form can be used and that the DRA is not required before proceeding in a DCF case for initial child support orders or modifications.

Thank you for the opportunity to provide our support for HB 2068 with the proposed changes and balloon amendment.