

## 2005 DRAFTING REQUEST

### Assembly Amendment (AA-SB182)

Received: 03/30/2006

Received By: pkahler

Wanted: Soon

Identical to LRB:

For: Terry Musser (608) 266-7461

By/Representing: Connie Chesnik

This file may be shown to any legislator: NO

Drafter: pkahler

May Contact:

Addl. Drafters:

Subject: Dom. Rel. - child support

Extra Copies:

Submit via email: YES

Requester's email: Rep.Musser@legis.state.wi.us

Carbon copy (CC:) to: connie.chesnik@dwd.state.wi.us

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#### Pre Topic:

No specific pre topic given

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#### Topic:

Allow child support enforcement by tax intercept

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#### Instructions:

See Attached

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#### Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	pkahler 03/30/2006	jdye 03/31/2006		_____			
/1			jfrantze 03/31/2006	_____	sbasford 03/31/2006	sbasford 03/31/2006	

FE Sent For:

<END>

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/?	pkahler	1/3/06 3/31/06	3/31/06	3/31/06			

FE Sent For:

<END>

3-30

Connie Chesnik by phone

fr Rep Messer draft an amendment  
to SB182 (Senate adopted  
SS A 2)

that includes tax intercept as  
an enforcement activity that  
can be done w/o the  
6 month delay



"Kay" jld

~~PRELIMINARY DRAFT NOT READY FOR INTRODUCTION~~

**ASSEMBLY AMENDMENT ,  
TO 2005 SENATE BILL 182**

SOON  
(in 3-30)  
D-photo

as shown by senate  
substitute amendment 2,

1 At the locations indicated, amend the bill as follows:

2 1. Page 6, line 19: delete lines 19 to 23, as affected by senate amendment 1,  
3 and substitute:

4 "(4) PROHIBITION ON SUPPORT ENFORCEMENT. (a) *Definition*. In this subsection,  
5 "child or family support enforcement activities" does not include any of the following:

6 1. Entering information on the statewide support lien docket under s. 49.854  
7 regarding a payer who fails to pay any court-ordered amount of support.

8 2. Any activities under s. 49.85 or 71.93 related to obtaining a setoff from a  
9 person's state tax refund.

10 3. Income withholding under s. 767.265, except that "child or family support  
11 enforcement activities" includes income withholding for any arrearages that may  
12 accrue under an order under sub. (2) (d)."



**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRBa2878/dn

PJK:A:...

*JL*

Note that in the bill, income withholding<sup>✓</sup> is not “child or family support enforcement activities” except for income withholding for any arrearages<sup>✓</sup> accruing under an order that revises the support amount because of active duty. Thus, collection of arrearages under an order revising support due to active duty would be subject to the ~~6~~<sup>at six</sup>-month (or more) prohibition on enforcement activities. Do you want to include the same type of exception for tax intercept, if that is not a problem under federal law?

In this amendment, I added “child or family” before “support enforcement activities” in two places in the bill, since the phrase is a defined term.

Pamela J. Kahler  
Senior Legislative Attorney  
Phone: (608) 266-2682  
E-mail: pam.kahler@legis.state.wi.us

**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRBa2878/1dn  
PJK:jld:jf

March 31, 2006

Note that in the bill, income withholding is not “child or family support enforcement activities” except for income withholding for any arrearages accruing under an order that revises the support amount because of active duty. Thus, collection of arrearages under an order revising support due to active duty would be subject to the six-month (or more) prohibition on enforcement activities. Do you want to include the same type of exception for tax intercept, if that is not a problem under federal law?

In this amendment, I added “child or family” before “support enforcement activities” in two places in the bill, since the phrase is a defined term.

Pamela J. Kahler  
Senior Legislative Attorney  
Phone: (608) 266-2682  
E-mail: [pam.kahler@legis.state.wi.us](mailto:pam.kahler@legis.state.wi.us)

## Barman, Mike

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**From:** Barman, Mike  
**Sent:** Tuesday, April 04, 2006 2:45 PM  
**To:** Rep.Musser  
**Subject:** LRB 05a2878/1 (attached - requested by Connie?)

**Attachments:** 05a2878/1



05a28781.pdf (12  
KB)

## Barman, Mike

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**From:** Barman, Mike  
**Sent:** Tuesday, April 04, 2006 2:53 PM  
**To:** Rep.Musser  
**Subject:** Requested D-Note

**Attachments:** 05a2878/1dn



05a28781dn.pdf  
(10 KB)