



State of Wisconsin

LEGISLATIVE REFERENCE BUREAU

Appendix A

LRB BILL HISTORY RESEARCH APPENDIX

 The drafting file for

2013 LRB-4552/P1 (For: DHS)


has been transferred to the drafting file for

2015 LRB-0313 (For: DOA)



RESEARCH APPENDIX -
PLEASE KEEP WITH THE DRAFTING FILE

Date Transfer Requested: 09/25/2014 (Per: PJK)

 The attached draft was incorporated into the new draft listed above. For research purposes the attached materials were added, as an appendix, to the new drafting file. If introduced this section will be scanned and added, as a separate appendix, to the electronic drafting file folder.

2013 DRAFTING REQUEST

Bill

Received: **8/22/2014** Received By: **pkahler**
Wanted: **As time permits** Same as LRB:
For: **Children and Families** By/Representing: **Kim Swissdorf**
May Contact: Drafter: **pkahler**
Subject: **Dom. Rel. - miscellaneous** Addl. Drafters:
Extra Copies:

Submit via email: **YES**
Requester's email: **KimM.Swissdorf@wisconsin.gov**
Carbon copy (CC) to: **Peggy.Hurley@legis.wisconsin.gov**

Pre Topic:

No specific pre topic given

Topic:

Tax intercept of delinquent receipt and disbursement fees in non-IV-D cases

Instructions:

See attached

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 8/25/2014	csicilia 8/28/2014		_____			
/P1			rschluet 8/28/2014	_____	lparisi 8/28/2014		State

FE Sent For:

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2013 DRAFTING REQUEST

Bill

Received: 8/22/2014 Received By: pkahler
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Pre Topic:

No specific pre topic given

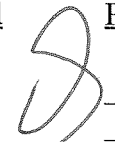
Topic:

Tax intercept of delinquent receipt and disbursement fees in non-IV-D cases

Instructions:

See attached

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	Plgjs 8/28 14		8-28-14			

FE Sent For:

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me

**Department of Children and Families
2015-17 Biennial Budget
Statutory Language Request**

Topic: State Tax Intercept of Non-IV-D Centralized Receipt and Disbursement Fees

Current Language:

Section 49.855 allows the Department of Children and Families to certify delinquent centralized receipt and disbursement (CR&D) fees for cases that are receiving child support services (IV-D cases, statutory language is “upon application under s. 59.53(5)”).

Proposed Change:

Expand the authority of DCF under 49.855 to allow the Department to certify delinquent CR&D fees for cases not receiving child support services (Non-IV-D cases).

Justification:

An annual \$75 CR&D fee is charge to parents who owe child support (noncustodial parents). This fee is charged whether or not the family is receiving child support services through local child support agencies.

DCF has the authority to intercept state taxes of noncustodial parents for delinquent CR&D fees if the family is receiving child support services. DCF should be allowed the same opportunity to intercept state tax refunds for delinquent CR&D fees for noncustodial parents if the family is not receiving child support services.

*Can they do this already?
(Peggy wondered)*

Desired Effective Date: Upon enactment

Agency Contact: Kim Swissdorf
261-0616



State of Wisconsin
2013 - 2014 LEGISLATURE



LRB-4552/9

PJK
rm
gjs

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

Dr note
(a 8-25)

SA
high

gen cat

delinquent

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2

AN ACT relating to: certifications to the Department of Revenue of payments of the centralized receipt and disbursement fees that are delinquent.

Analysis by the Legislative Reference Bureau

state

Under current law, the Department of Children and Families (DCF) must certify to the Department of Revenue (DOR), for purposes of collection through intercepting income tax refunds, delinquent payments of child support, family support, maintenance, past support, medical expenses, birth expenses, and centralized receipt and disbursement fees, which must be paid annually by persons who are obligated to pay support or maintenance. These certifications by DCF must be made upon application by a county child support agency. Consequently, certifications of these delinquent payments affect only persons receiving services from county child support agencies. This bill provides that DCF must also, at least annually, certify to DOR delinquent payments of centralized receipt and disbursement fees that DCF has not certified upon application by a county child support agency. Thus, DCF must also certify delinquent centralized receipt and disbursement fees that are owed by persons not receiving services from county child support agencies.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1

1 **SECTION 1.** 49.855 (1) of the statutes is renumbered 49.855 (1) (a) and amended
2 to read:

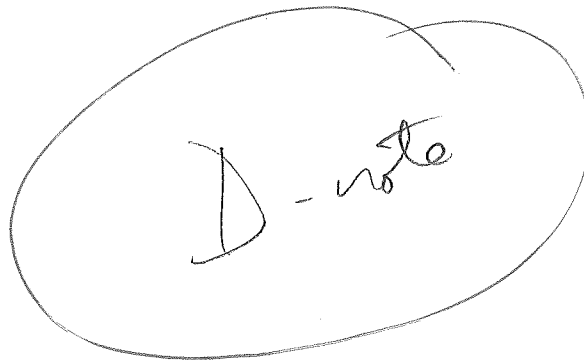
3 49.855 (1) (a) If a person obligated to pay child support, family support,
4 maintenance, or the receiving and disbursing fee under s. 767.57 (1e) (a) is
5 delinquent in making any of those payments, or owes an outstanding amount that
6 has been ordered by the court for past support, medical expenses, or birth expenses,
7 upon application under s. 59.53 (5) the department of children and families shall
8 certify the delinquent payment or outstanding amount to the department of revenue
9 and, at,

10 (b) At least annually, the department of children and families shall certify to
11 the department of revenue delinquent payments of the receiving and disbursing fee
12 under s. 767.57 (1e) (a) not certified under par. (a) and shall provide to the
13 department of revenue any certifications of delinquencies or outstanding amounts
14 that it receives from another state because the obligor resides in this state.

History: 1981 c. 20, 391; 1983 a. 27; 1987 a. 27; 1987 a. 312 s. 17; 1987 a. 421; 1989 a. 31; 1989 a. 56 s. 259; 1991 a. 39; 1993 a. 16, 481; 1995 a. 27 s. 9126 (19); 1995 a. 201, 227, 279; 1995 a. 404 ss. 50 to 59; Stats. 1995 s. 49.855; 1997 a. 3, 27, 35, 237, 252; 1999 a. 9, 32; 2001 a. 16, 61, 105; 2005 a. 22, 25, 304; 2005 a. 443 s. 265; 2007 a. 20 ss. 1711 to 1718, 9121 (6) (a); 2007 a. 96; 2009 a. 113, 180.

15

(END)

A large, hand-drawn oval encircles the handwritten text "D-note". The "D" is a simple outline, and "note" is written in a cursive script.

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

LRB-4552/^{PI}dn
PJK:.....

rm not run

gjs

- date -

Kim:

Does this language accomplish your objective?

I required certifications "at least annually" of delinquencies in the centralized receipt and disbursement fees. Let me know if this is not acceptable.

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

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

LRB-4552/P1dn
PJK:cjs:rs

August 28, 2014

Kim:

Does this language accomplish your objective?

I required certifications "at least annually" of delinquencies in the centralized receipt and disbursement fees. Let me know if this is not acceptable.

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



State of Wisconsin
2013 - 2014 LEGISLATURE



LRB-4552/P1
PJK:cjs:rs

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

1 **AN ACT** *to renumber and amend* 49.855 (1) of the statutes; **relating to:**
2 certifications to the Department of Revenue of delinquent payments of
3 centralized receipt and disbursement fees.

Analysis by the Legislative Reference Bureau

Under current law, the Department of Children and Families (DCF) must certify to the Department of Revenue (DOR), for purposes of collection through intercepting state income tax refunds, delinquent payments of child support, family support, maintenance, past support, medical expenses, birth expenses, and centralized receipt and disbursement fees, which must be paid annually by persons who are obligated to pay support or maintenance. These certifications by DCF must be made upon application by a county child support agency. Consequently, certifications of these delinquent payments affect only persons receiving services from county child support agencies. This bill provides that DCF must also, at least annually, certify to DOR delinquent payments of centralized receipt and disbursement fees that DCF has not certified upon application by a county child support agency. Thus, DCF must also certify delinquent centralized receipt and disbursement fees that are owed by persons not receiving services from county child support agencies.

