

**HOUSE . . . . . No.**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

**Alice K. Wolf**

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

**An Act to bring child support home.**

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Steven J. D'Amico	4th Bristol
Tom Sannicandro	7th Middlesex
Alice K. Wolf	25th Middlesex

# The Commonwealth of Massachusetts

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In the Year Two Thousand and Nine  
\_\_\_\_\_

## AN ACT TO BRING CHILD SUPPORT HOME.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1           SECTION 1. Section 21 of Chapter 18 of the General Laws, as appearing in the 2006 Official  
2 Edition, is hereby amended by inserting after the first sentence the following:-- In enforcing its  
3 subrogation rights, the department shall not require any recipient to assign support arrears which accrued  
4 before the family began receiving assistance.

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6           SECTION 2. Section 2 of chapter 118 of the General Laws, as so appearing, is hereby amended by  
7 inserting at the end of the first paragraph the following:-- Child support collections shall be paid to a  
8 recipient of benefits under this chapter to the extent that the federal government will waive or not have a  
9 claim to a federal share of such collections pursuant to 42 U.S.C. section 657. Any amounts paid to the  
10 family under this provision shall be disregarded in determining the amount of assistance provided to the  
11 family.

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13           SECTION 3. Subsection (b) of section 2 of chapter 119A of the General Laws, as so appearing, is hereby  
14 amended by inserting at the end the following:-- Pursuant to Title IV, Part D of the Social Security Act, in  
15 the case of former recipients of assistance, the IV-D agency shall pay to the family all support payments  
16 collected, including payments on arrears assigned to the state and payments collected through federal tax  
17 refund offset.

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19 SECTION 4. The Commonwealth shall discontinue any assignments, made between October 1, 1997 and  
20 the effective date of this section, of rights to support obligations accruing before the date on which a  
21 recipient began to receive public assistance. The IV-D agency shall treat support amounts collected  
22 pursuant to such discontinued assignments as if the amounts had never been assigned and shall distribute  
23 the amounts to the recipient.

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25 SECTION 5. Notwithstanding any general or special law to the contrary, the IV-D agency may collect  
26 child support paid on behalf of current or former recipients of transitional aid to families with dependent  
27 children benefits funded solely with state funds, and if such collections are made, the Commonwealth  
28 shall apply the same policies with regard to payment and disregard of such collections as are applied to  
29 current or former recipients of benefits funded in whole or in part with federal funds.

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31 SECTION 6. The department of revenue shall submit a report on or before July 1, 2009 to the chairs of  
32 the house and senate committees on ways and means and the chairs of the joint committee on revenue  
33 setting forth in detail the steps the department has taken and plans to take to implement sections 1 through  
34 5 effective October 1, 2009; provided further, that said report shall include a timetable for accomplishing  
35 each of the steps the department determines is necessary to implement sections 1 through 5 effective  
36 October 1, 2009.

37

38 SECTION 7. Sections 1 through 5 shall take effect on October 1, 2009.