

AB 1058 Presentation - List of Authorities

Collection Mechanism	Federal Authority	State Authority
Income Withholding Order (IWO)	-	Family Code <ul style="list-style-type: none"> • FC § 17500(b) "Responsibility of Department and Local Child Support Agency for Collection and Enforcement; Administering Wage Withholding; Submission of Delinquencies; Delinquency Existing at Time Case is Opened" California Code of Regulations <ul style="list-style-type: none"> • 22 CCR § 110296 "Earnings"
National Medical Support Notice (NMSN)	Federal Policy Letters <ul style="list-style-type: none"> • OCSE PIQ-02-03 "Medical Support Enforcement Policy Clarifications" dated December 20, 2002 	Family Code <ul style="list-style-type: none"> • FC § 3773(b) "Title IV-D Cases Where Support Enforcement Services are Provided by Local Child Support Agency" California Code of Regulations <ul style="list-style-type: none"> • 22 CCR § 116100(a) and (d) "Preparing and Serving an Income Withholding Order -General Requirements and Timeframes"
Real Property Liens	-	Family Code <ul style="list-style-type: none"> • FC § 4506(c) "Certification of Abstract of Judgment; Contents; Form; Notice of Support Judgment" California Code of Regulations <ul style="list-style-type: none"> • 22 CCR § 116130 "Recording/Creating Real Property Liens"
Credit Reporting	United States Code <ul style="list-style-type: none"> • 15 USC § 1681b(a)(4) "Permissible Purposes of Consumer Reports" • 15 USC § 1681i(a)(1)(A)(B) "Procedure in Case of Disputed Accuracy" • 15 USC § 1681s-2(a)(5)(A) and (a)(8) "Responsibilities of Furnishers of Information to Consumer Reporting Agencies" California of Federal Regulations	Family Code <ul style="list-style-type: none"> • FC § 4701 "Statewide Automated System for Reporting" California Code of Regulations <ul style="list-style-type: none"> • 22 CCR § 110244 "Day" • 22 CCR § 116140(a) and (i) "Reporting Child Support Obligations and Arrearages - General Requirements and Timeframes"

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	<ul style="list-style-type: none"> • 16 USC § 660.2 (c)" Definitions." 	
Child Support Warning Notice (CSWN)	<p>United States Code</p> <ul style="list-style-type: none"> • 42 USC § 654(31) "State Plan for Child and Spousal Support" <p>Code of Federal Regulations</p> <ul style="list-style-type: none"> • 45 CFR § 303.72(e)(1) "Requests for Collection of Past-Due Support by Federal Tax Refund Offset" • 45 CFR § 303.102(e) "Collection of Overdue Support by State Income Tax Refund Offset" 	<p>Family Code</p> <ul style="list-style-type: none"> • FC § 17522(c) "Delinquent Support Obligors; Collection or Lien Enforcement by Levy" • FC § 17525(a) "Notice of Support Delinquency; Contents" • FC § 17526(a) "Statement of Arrearages; Review" • FC § 17800 "Process; Forms and Procedures; Complaint Time Limitations" <p>California Code of Regulations</p> <ul style="list-style-type: none"> • 22 CCR § 110244 "Day" • 22 CCR § 120101(b)(1) "Right to Complaint Resolution"
Employment Development Department (EDD) Intercept	<p>United States Code</p> <ul style="list-style-type: none"> • 42 USC § 666(c)(1)(G)(i)(I) "Requirement of Statutorily Prescribed Procedures to Improve Effectiveness of Child Support Enforcement" 	<p>Code of Civil Procedure</p> <ul style="list-style-type: none"> • CCP § 704.130(c) "Disability or Health Insurance Benefits; Exemption" <p>Family Code</p> <ul style="list-style-type: none"> • FC § 17518(e) and (h) "Unemployment Compensation Benefits"
Federal Offset Intercept	<p>United States Code</p> <ul style="list-style-type: none"> • 26 USC § 6103 (a) and (p)(4)(C) and (D) "Confidentiality and Disclosure of Returns and Return Information" <p>Federal Policy Letters</p> <ul style="list-style-type: none"> • OCSE AT-10-04 "Collection and Enforcement of Past-Due Child Support Obligations" dated June 11, 2010 	<p>California Code of Regulations</p> <ul style="list-style-type: none"> • 22 CCR § 111430 "Safeguarding and Confidentiality of Child and Spousal Support Information"
Franchise Tax Board (FTB) Interagency Intercept	<p>United States Code</p> <ul style="list-style-type: none"> • 42 USC § 666(a)(3)(A) and (c)(1)(G)(i)(III) "Requirement of Statutorily Prescribed Procedures to Improve Effectiveness of Child Support Enforcement" 	<p>Family Code</p> <ul style="list-style-type: none"> • FC § 17500 (a)-(c) "Responsibility of Department and Local Child Support Agency for Collection and Enforcement; Administering Wage Withholding; Submission of

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	Code of Federal Regulations <ul style="list-style-type: none"> • 45 CFR § 303.102 "Collection of Overdue Support by State Income Tax Refund Offset" 	Delinquencies; Delinquency Existing at Time Case Is Opened
Passport Denial Program	United States Code <ul style="list-style-type: none"> • 42 USC § 652(k) "Duties of Secretary" Code of Federal Regulations <ul style="list-style-type: none"> • 22 CFR § 51.7 "Passport Property of the U.S. Government" Federal Policy Letters <ul style="list-style-type: none"> • OCSE AT-10-04 "Collection and Enforcement of Past-Due Child Support Obligations" dated June 11, 2010 	
License Suspension/Revocation	United States Code <ul style="list-style-type: none"> • 42 USC § 666(a)(16) "Requirement of Statutorily Prescribed Procedures to Improve Effectiveness of Child Support Enforcement" 	Family Code <ul style="list-style-type: none"> • FC § 17520 "License Applicants; Compliance with Support Orders; License Issuance, Renewal, and Suspension; Review"
Department of Industrial Relations (DIR) Data Match	-	Code of Civil Procedure <ul style="list-style-type: none"> • CCP § 704.160(c) "Workers; Compensation Claim or Award; Temporary Benefits; Exemption" Family Code <ul style="list-style-type: none"> • FC § 5206(d) "Earnings" Labor Code <ul style="list-style-type: none"> • Labor Code § 138.5 "Child Support Obligation Enforcement"
Insurance Match (CSLN, OCSS)	United States Code <ul style="list-style-type: none"> • 42 USC § 652(m)(1) "Duties of Secretary" 	Family Code <ul style="list-style-type: none"> • FC § 5206 "Earnings" Insurance Code

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		<ul style="list-style-type: none"> • INS §§ 13550-13555 "Insurance Payment Intercept Program"
Financial Institution Data Match (FIDM/MSFIDM)	<p>United States Code</p> <ul style="list-style-type: none"> • 42 USC § 666(a)(17) and (c)(1)(G)(ii) "Requirement of Statutorily Prescribed Procedures to Improve Effectiveness of Child Support Enforcement" <p>Code of Federal Regulations</p> <ul style="list-style-type: none"> • 45 CFR § 303.6(c)(2) "Enforcement of Support Obligations" 	<p>Family Code</p> <ul style="list-style-type: none"> • FC § 17453(i) "Financial Institution Data Match System; Guidelines; Governmental Access and Misuse of Information; Compilation of Records; Identifying Information; No Obligation or Liability Incurred; Notification of Obligors of Past-Due Support" • FC § 17500(c) "Responsibility of Department and Local Child Support Agency for Collection and Enforcement; Administering Wage Withholding; Submission of Delinquencies; Delinquency Existing at Time Case Is Opened"
Job Search Orders	-	<p>Family Code</p> <ul style="list-style-type: none"> • FC § 3558 "Child or Family Support Proceedings; Court-Ordered Job Training, Placement, or Vocation Rehabilitation; Documentation" • FC § 4505(a) "Default Due to Unemployment; Allegation by Parent; List of Places Applied for Employment"
Judgment Debtor Examination	-	<p>Code of Civil Procedure</p> <ul style="list-style-type: none"> • CCP § 708.110(a) and (d) "Order for Examination; Service; Contents" • CCP § 708.120(a) through (c), and (f) "Orders Where Property in Possession or Control of Third Party" • CCP § 708.160 "Venue for Examination" <p>Government Code</p> <ul style="list-style-type: none"> • GC § 70617(a)(6) "Uniform Fee for Filing Motion; Application, or Paper Requiring Hearing; No Fee for Certain Filing; Fee for Summary Judgment Motion"

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Bankruptcy	United States Code <ul style="list-style-type: none"> • 11 USC § 101(14A) "Definitions" • 11 USC § 362 "Automatic Stay" • 11 USC § 523(a)(5) "Exceptions to Discharge" • 11 USC § Rule 3001 "Proof of Claim" Federal Policy Letters <ul style="list-style-type: none"> • OCSE AT-06-05 "Issues Regarding Child Support Provisions of the New Federal Bankruptcy Law, P.L.109-8" dated September 22, 2006 	-
Civil Contempt	<ul style="list-style-type: none"> • Hicks v. Feiock (1988) 485 U.S. 624, at p. 635 	Code of Civil Procedure <ul style="list-style-type: none"> • CCP § 708.170 "Failure to Appear after Service of Order; Improper Service" • CCP § 1209.5 "Noncompliance with Order for Care or Support of Child" • CCP § 1209(a)(5) "Acts or Omissions Constituting; Stay of Sentence Pending Appeal"
Employer Contempt	-	Family Code <ul style="list-style-type: none"> • FC § 5241(a) through (d), and (f) "Willful Failure to Withhold or Forward Support; Penalties; Actions to Collect Withheld Sums Not Forwarded; Electronic Transfer and Employer Awareness" California Code of Regulations <ul style="list-style-type: none"> • 22 CCR § 116108 "Employer Non-Compliance -Notification Timeframes, Electronic Funds Transfer, and Documentation Requirements"
Alaska Permanent Fund Dividend	United States Code <ul style="list-style-type: none"> • 42 USC § 666(c)(1)(G) "Requirement of Statutorily Prescribed Procedures to 	Family Code <ul style="list-style-type: none"> • FC § 5206 "Earnings"

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	<p>Improve Effectiveness of Child Support Enforcement"</p> <p>Code of Federal Regulations</p> <ul style="list-style-type: none"> • 45 CFR § 303.7(c)(4)(ii) "Provision of Services in Intergovernmental IV-D Cases" 	
Lump Sum/Bonus Payments	<p>United States Code</p> <ul style="list-style-type: none"> • 15 USC § 1673(b) "Restriction on garnishment" 	<p>Family Code</p> <ul style="list-style-type: none"> • FC § 5206 "Earnings"
Thrift Savings Plan	<p>Code of Federal Regulations</p> <ul style="list-style-type: none"> • 5 CFR § 581.306(c) "Lack of moneys due from, or payable by, a governmental entity served with legal process; transfer of service of legal process to another governmental entity" 	-
Debt Reduction Program	-	<p>Family Code</p> <ul style="list-style-type: none"> • FC § 17415 "Referrals from county welfare department for support services" • FC § 17560 "Arrears Collection Enhancement Process; Development of Program; Acceptance of Offers in Compromise" <p>California Code of Regulations</p> <ul style="list-style-type: none"> • 22 CCR § 119191 "Compromise of Assigned Arrearages - Family Reunification"