

SENATE BILL No. 195

By Committee on Judiciary

2-11

1 AN ACT concerning the Kansas family law code; relating to the
2 enforcement of support orders; reporting of support arrearages to
3 consumer credit reporting agencies; distribution of support payments;
4 rules and regulations; amending K.S.A. 2014 Supp. 23-3121 and 23-
5 3123 and repealing the existing sections.
6

7 *Be it enacted by the Legislature of the State of Kansas:*

8 Section 1. K.S.A. 2014 Supp. 23-3121 is hereby amended to read as
9 follows: 23-3121. (a) As used in this section, "consumer reporting agency"
10 means any person which, for monetary fees or dues or on a cooperative
11 nonprofit basis, regularly engages in whole or in part in the practice of
12 assembling or evaluating consumer credit information or other information
13 on consumers for the purpose of furnishing consumer reports to third
14 parties and which uses any means or facility of interstate commerce for the
15 purpose of preparing or furnishing consumer reports.

16 (b) The secretary for children and families shall develop procedures
17 for making information concerning support arrearages owed or assigned to
18 the secretary or owed to any person who has applied for services pursuant
19 to K.S.A. 39-756, and amendments thereto, available to consumer
20 reporting agencies ~~upon their request. The procedures shall provide for the~~
21 ~~information to be made available to such agencies in any case in which the~~
22 ~~support arrearage is \$1,000 or more unless the secretary determines that~~
23 ~~providing the information is not appropriate in a particular case. The~~
24 ~~procedures may additionally provide for the information to be available to~~
25 ~~such agencies if the amount of the support arrearage is less than \$1,000.~~

26 ~~(c) The secretary may charge a consumer reporting agency requesting~~
27 ~~support arrearage information a fee not to exceed the actual cost to the~~
28 ~~secretary in providing such information pursuant to rules and regulations~~
29 ~~adopted by the secretary for children and families.~~

30 ~~(d)~~ (c) Prior to providing any information concerning an obligor's
31 arrearage to a consumer reporting agency, the secretary shall provide
32 advance notice to the obligor who owes support by first-class mail to the
33 obligor's last known address, concerning the proposed release of
34 information to a consumer reporting agency and of the methods available
35 for contesting the accuracy of the information as provided for in K.S.A.
36 50-710, and amendments thereto.

1 Sec. 2. K.S.A. 2014 Supp. 23-3123 is hereby amended to read as
2 follows: 23-3123. (a) On and after July 1, ~~2015~~ 2020, notwithstanding any
3 other law to the contrary, for any order of support required to be paid
4 through the central unit for collection and disbursement of support
5 payments designated pursuant to K.S.A. 2014 Supp. 39-7,135, and
6 amendments thereto, regardless of when such order was entered or
7 modified, amounts collected by such central unit shall be distributed in
8 accordance with rules and regulations adopted by the secretary of the
9 department for children and families. Such rules and regulations shall be
10 based on child support distribution requirements as set forth in part D of
11 title IV of the federal social security act, 42 U.S.C. § 651 et seq., as
12 amended, and federal regulations promulgated pursuant thereto.

13 (b) Prior to July 1, ~~2015~~ 2020, the secretary ~~of the department~~ for
14 children and families shall adopt rules and regulations to implement the
15 provisions of this section. Such rules and regulations shall not become
16 effective until July 1, ~~2015~~ 2020.

17 Sec. 3. K.S.A. 2014 Supp. 23-3121 and 23-3123 are hereby repealed.

18 Sec. 4. This act shall take effect and be in force from and after its
19 publication in the statute book.