

AN ACT

To repeal sections 454.530 and 454.536, RSMo,
and to enact in lieu thereof two new sections
relating to child support payments and
records.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF MISSOURI,
AS FOLLOWS:

Section A. Sections 454.530 and 454.536, RSMo, are repealed
and two new sections enacted in lieu thereof, to be known as
sections 454.530 and 454.536, to read as follows:

454.530. 1. On or before October 1, 1999, the division of
child support enforcement shall establish and operate a state
disbursement unit to be known as the "Family Support Payment
Center" for the receipt and disbursement of payments pursuant to
support orders for:

(1) All cases enforced by the division pursuant to section
454.400; and

(2) Any case required by federal law to be collected or
disbursed by the payment center including, but not limited to,
cases in which a support order is initially issued on or after
January 1, 1994, in which the income of the obligor is subject to
withholding; and

(3) Beginning July 1, 2001:

(a) Any other case with a support order in which payments
are ordered or directed by a court or the division to be made to

the payment center or in which the income of the obligor is subject to withholding; and

(b) Any case prior to July 1, 2001, in which support payments are ordered paid to the clerk of the court as trustee pursuant to section 452.345, RSMo.

2. The family support payment center shall be operated by the division, in conjunction with other state agencies pursuant to a cooperative agreement, or by a contractor responsible directly to the division. Notwithstanding any other provision of law to the contrary, after notice by the division or the court that issued the support order to the obligor that all future payments shall be made to the payment center, the payment center shall become trustee for payments made by parents, employers, states and other entities, and all future payments shall be made to the payment center. The payment center shall disburse payments to custodial parents and other obligees, the state or agencies of other states. If the payment center is operated by a contractor and the contractor receives and disburses the payments, the contractor shall have an annual audit conducted by an independent certified public accountant. The audit will determine whether funds received are disbursed or otherwise accounted for, and make recommendations as to the procedures and changes that the contractor should take to protect the funds received from misappropriation and theft. A copy of the audit shall be delivered to the division, the office of administration

and the office of the state courts administrator.

3. Except as otherwise provided in sections 454.530 to 454.560, the payment center shall disburse support payments within two business days after receipt from the employer or other source of periodic income, if sufficient information identifying the payee is provided. As used in sections 454.530 to 454.560, "business day" means a day state government offices are open for regular business. Disbursement of payments made toward arrearages may be delayed until the resolution of any timely appeal with respect to such arrearage or upon order of a court.

4. The family support payment center shall establish an electronic funds transfer system for the transfer of child support payments. Any person or employer may, without penalty, choose to receive payments from or disburse payments to the payment center by check or draft instead of by electronic transfer.

5. Notwithstanding any other law, no child support check, correspondence related to child support, or any other child support documents shall contain the Social Security numbers of the child support obligor, obligee, or the child entitled to support unless required under federal law or by order of a court of competent jurisdiction. Nothing in this section shall prohibit the Social Security numbers of child support obligors, obligees, and children entitled to support from being retained as a confidential record not subject to public disclosure.

454.536. 1. The division shall maintain or cause to be maintained records showing payments and disbursements made by the payment center. The records shall be maintained in the automated child support system established pursuant to this chapter. The records shall include the amount of current support due and the total amount due for past unpaid support, and payment and disbursement records previously maintained by the circuit clerks of this state.

2. The circuit clerk shall certify the records of past payments and disbursements to the payment center at the time payments are directed to be made to the center. The payment and disbursement records of the circuit clerks, as shown on the automated child support system, shall be deemed certified by the clerks. The division or circuit clerk shall record or cause to be recorded other credits against a support order. Credits allowed pursuant to this section shall include, but not be limited to, abatements pursuant to section 452.340, RSMo, in-kind payments pursuant to section 454.432, amounts collected from an obligor from federal and state income tax refunds, state lottery payments, Social Security payments, unemployment and workers' compensation benefits, income withholdings authorized by law, liens, garnishment actions, and any other amounts required to be credited by state law.

3. In a case that is not a IV-D case, the division shall only record payments that are received by the payment center,

with all other credits recorded by the clerk. The division may change the name and address information as shown on the automated child support system based on information received by the payment center. In cases in which payments are to be made to the payment center, obligors and obligees shall notify the payment center of any changes in their names or addresses. Such notice shall be sufficient notice for the division for purposes of section 454.413.

4. The Social Security numbers contained in any of the records maintained under this section shall not be subject to public disclosure unless required under federal law or by order of a court of competent jurisdiction.