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*Legislative Service Commission*

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(As Passed by the General Assembly)

**Sens. Kearns, Schafrath, Drake, Mumper, Gardner**

**Reps. O'Brien, Willamowski, Winkler**

**Effective date: \***

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**ACT SUMMARY**

**SUPPORT CHANGES**

**Calculation**

- Modifies the worksheets that are required to be used to calculate child support.
- Requires a court or child support enforcement agency (CSEA) that requires a parent to pay child support for a time period prior to the date it issues or modifies a current support order to calculate the support amount for that period on the basis of the child support schedule, worksheets, and laws in effect, and the incomes of the parents as they previously existed.
- Prohibits a court or CSEA from determining a parent receiving means-tested public assistance benefits to be voluntarily unemployed or underemployed and prohibits a court or CSEA from imputing income to that parent, unless failure to do so would be unjust, inappropriate, and not in the best interest of the child.
- Requires a court to specifically state in a child support order the facts that are the basis for a deviation from the amount determined under the child support guidelines, if the court grants the deviation based on "any relevant factor."

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\* *The Legislative Service Commission had not received formal notification of the effective date at the time this analysis was prepared.*

- Makes changes to the following definitions used in calculating child support: "gross income," ordinary and necessary expense incurred in generating gross receipts," and "potential income."
- Eliminates the conversion and authorization deadline for centralized collection and disbursement of support amounts.
- Permits an action by an obligee, or a CSEA or court on behalf of an obligee, against the state to withhold from amounts owed or to be owed to an obligor payments due under a support order if the obligor is an officer or employee of the state, under contract with the state, or owed or to be owed money by the state.

### Arrearage

- Permits a CSEA, with respect to support orders issued, and arrearages arising, on and after the act's effective date, to take certain actions, including collecting federal or state income tax refunds and lump sum payments, to collect the arrearage amount from an obligor even if the obligor is timely paying off the arrearage under the support order.
- Provides that an arrearage amount added to an amount specified in a withholding or deduction notice or order issued to collect current support and arrearages must equal at least 20% of the amount owed for current support in the order unless, for good cause shown, a lesser percentage is required.
- Provides that termination of an administrative child support order does not abate a CSEA's authority to take action to collect arrearages under the order.
- Requires that an amount withheld or deducted from an obligor's income or accounts to collect an arrearage under a terminated support order be at least equal to the amount withheld or deducted under the order.

### Administrative review

- Makes changes to the procedure for administrative review and modification of child support orders.

- Changes the criteria used for determining when a review of a child support order is not required in cases in which the obligee (person to whom support is paid) has assigned the right to receive the child support.
- Adds as a new criteria for determining when a review of a child support order is not required that both the obligor and obligee live outside Ohio.

**Other support changes**

- Makes changes to the law governing designation of which parent may claim the children who are the subject of a child support order as dependents for federal tax purposes.
- Makes changes to the law governing the requirement of health insurance coverage for children who are the subject of a child support order.
- Eliminates the requirement that a CSEA make quarterly statistical reports to county commissioners concerning certain support enforcement activities.
- Eliminates the option of courts and CSEAs, when issuing an order for child support pursuant to a parentage determination, presumption of paternity, or acknowledgment of paternity, to order that child support be paid in a lump-sum payment.
- Requires the purchase agreement of an annuity purchased to pay support under a child support order issued pursuant to a parentage determination, presumption of paternity, or acknowledgment of paternity to provide that any remaining principal will be transferred to the ownership of the child when the child reaches age 18.
- Clarifies that all support payments must be made to the Division of Child Support (the act changes the name to "Office of Child Support") in the Ohio Department of Job and Family Services (ODJFS) or a CSEA, as appropriate under law.
- Makes changes to the law governing collection and distribution of support and monthly administration of support orders.
- Establishes a procedure to permit state tax refunds owed to obligees to be intercepted and paid to obligors for amounts of overpaid child support.



- Clarifies the law governing when child support orders may continue to require payment of support beyond the date the child reaches age 18.
- Makes changes to the laws governing termination of child support orders.
- Permits CSEAs to establish a system for registering administrative child support orders and requires those orders to be filed with the system or with the clerk of the common pleas court of the county served by the CSEA.
- Repeals the law requiring CSEA oversight of obligors ordered by a court or CSEA to participate in a TANF work activity as a method of enforcing a support order.
- Repeals various laws giving or preserving obligee remedies to enforce support orders in default, addressing county prosecutor actions to collect support, and addressing court authority to enforce orders.
- Repeals the provisions making failure to comply with a withholding or deduction notice issued to enforce an administrative child support order contempt of court.
- Makes changes to the Uniform Interstate Family Support Act (UIFSA) enacted in Ohio.
- Provides that an advanced notice is to be sent to an obligor only once for each period of default and provides a definition for "period of default."
- Changes the law governing determinations of when penalty interest is imposed pursuant to a court support order.
- Permits the parents' current and past income and personal earnings to be verified by electronic means when a court or CSEA calculates the amount of child support under a child support order.
- Eliminates the ability of the Office of Child Support in ODJFS to obtain information on the employer and assets of taxpayers in records maintained by the Ohio Department of Taxation.



## PARENTAGE CHANGES

### Paternity compliance plans

- Eliminates the requirement that CSEAs adopt paternity compliance plans and establish paternity compliance units.
- Eliminates the requirement that ODJFS annually make a report to the Speaker of the House and the President of the Senate concerning the paternity compliance plans and units as well as the progress CSEAs have made toward meeting federal requirements for quickly and efficiently establishing parent and child relationships.

### Paternity acknowledgment

- Provides that a presumption of paternity based on an acknowledgment of paternity arises when the acknowledgment is filed with the Division (Office) of Child Support and terminates when the acknowledgment becomes final.
- Makes a final acknowledgment of paternity a final and enforceable determination of paternity unless the acknowledgment is rescinded under the court rescision procedure for acknowledgments of paternity.
- Makes changes to the rescision procedures for acknowledgments of paternity.
- Provides that a legal guardian or custodian may not sign an acknowledgment of paternity.

### Paternity presumption

- Permits an acknowledgment of paternity signed by the man presumed to be the father of the child who is the subject of the acknowledgment to be notarized and sent to the Division (Office) of Child Support for filing.
- Eliminates presumptions of paternity that are based on (1) the marriage or attempted marriage of a man and the child's mother after the child's birth or (2) genetic tests indicating a 99% or greater probability that a man is the biological father of the child.



- Clarifies that a CSEA can order a mother, the child, and alleged father to submit to genetic testing to determine the parentage of the child in cases in which there is a statutory presumption that a particular man is the father.

**Parentage proceedings**

- Eliminates the ability to receive an administrative parentage determination from the CSEA of a county in which the child's parent resides.
- Requires, in cases in which a request for an administrative parentage determination is made to more than one CSEA, that the appropriate CSEA proceed with the request; that if more than one CSEA is appropriate, the first CSEA to receive the request proceed with it; and that a request be transferred to the appropriate CSEA when a request is made of an inappropriate CSEA.
- Requires a CSEA administrative officer to issue an order requiring genetic testing pursuant to a request for an administrative determination of parentage prior to conducting a conference with the mother and alleged father.
- Requires compliance with and clarifies applicability of the Ohio Rules of Civil Procedure governing proceedings to issue administrative child support orders, administrative parentage determinations requests, and administrative orders for genetic testing.
- Eliminates the inconclusive administrative paternity determination based on genetic tests showing less than 99% probability of paternity but that do not exclude paternity.
- Eliminates from the law governing administrative child support proceedings based on a presumption of paternity a provision that permits a person to raise the issue of parentage in a later court or administrative proceeding if the determination was not made with respect to that person in the child support proceeding or pursuant to a final acknowledgment of paternity.
- Eliminates the requirement that a judgment of parentage direct the father to pay all or any part of the reasonable birth expenses of the mother's

pregnancy and confinement and instead permits the expenses to be imposed on the appropriate party pursuant to a party's request and if it is not prohibited by federal law.

- Clarifies that both parties must agree in order to change a child's birth record after parentage is established in an administrative proceeding.
- Eliminates the ability of the legal guardian or custodian of a child to bring an action for support to object to an administrative parentage determination.
- Repeals the law permitting parties to compromise parentage actions.

### **FEDERAL BALANCED BUDGET ACT OF 1997 CHANGES**

- Exempts persons receiving foster care maintenance, adoption assistance, Medicaid, or food stamps from the requirement that an application fee be paid for Title IV-D services.
- Provides that an obligee who has assigned the right to support to ODJFS is not required to sign an application for Title IV-D services.
- Changes the fine for failure to make a report to the New Hire Directory from less than \$25 to not more than \$25.
- Changes the fine for conspiracy to not make a report or to make a false or incomplete report to the New Hires Directory from less than \$500 to not more than \$500.
- Provides that, to the extent permitted by UIFSA, a support order of another state that is being enforced in Ohio is not considered transferred to Ohio's caseload.
- Requires ODJFS to maintain records concerning the enforcement in Ohio of support cases issued by other states.
- Requires ODJFS to enter into an agreement with the U.S. Secretary of Health and Human Services to use the federal parent locator service to make or enforce a parenting time order.
- Requires that the Division (Office) of Child Support in ODJFS locate parents for the purpose of child support enforcement, establishment and



enforcement of orders allocating parental rights and responsibilities, and enforcement of parenting time orders.

- Requires that support arrearages owed to an obligee and ODJFS to be paid in accordance with federal law.
- Makes changes to the law governing account information access agreements, access restrictions, and withdrawal directives.

### **OTHER CHANGES RELATED TO SUPPORT AND PARENTAGE**

- Renames "companionship or visitation rights" that are awarded to a parent as "parenting time."
- Requires a court, when determining whether to grant companionship or visitation rights with a child to a person other than a parent of the child, to consider the wishes and concerns of the child's parents, as expressed to the court.
- Maintains companionship or visitation rights with a child granted to a grandparent or relative of the child's deceased parent prior to adoption of a child if the child is adopted by a step-parent.
- Gives a court authority to grant companionship or visitation rights with a child to a grandparent or relative of the child's deceased parent after adoption of the child by a step-parent.
- Changes the time periods pursuant to which the notice of a match of a Social Security number in both the New Hire Directory and Case Registry must be sent to the CSEA administering a support order, and in which the CSEA must send a withholding notice to the employer.
- Requires, with respect to charter counties only, that a caretaker of a minor child receiving assistance under Ohio Works First cooperate in establishing parentage of the child and establishing, modifying, and enforcing a support order for the child by appearing at all proceedings to establish, modify, or enforce support for, and to establish parentage with respect to, the child.
- Clarifies which court has jurisdiction over certain actions regarding parentage determinations and child support.



- Changes the name of the Division of Child Support in ODJFS to the Office of Child Support.
- Changes the form of citing Title IV-D of the Social Security Act in the recodified sections of the Revised Code in the act.

### **STATE INCOME TAX**

- Makes changes enacted by Sub. S.B. 287 of the 123rd General Assembly to the law governing state income taxes applicable to taxable years beginning in 2001 or thereafter.

### **MAJOR TECHNICAL CHANGES**

- Recodifies sections governing child support in Revised Code Chapters 2301., 3111., 3113., and 5101. into Chapters 3119., 3121., 3123., and 3125. and reorganizes Chapter 3111.
- Consolidates Revised Code sections governing administrative and court-issued child support orders, but maintains existing substantive distinctions.

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## CONTENT AND OPERATION

### BACKGROUND

Continuing law requires the Ohio Department of Job and Family Services (ODJFS), with the assistance of a council appointed by ODJFS, to review once every four years the basic child support schedule and worksheets established under Ohio law to determine whether support orders issued by courts and child support enforcement agencies consistent with the schedule and worksheets adequately provide for the needs of the children who are the subject of the orders. Pursuant to this review requirement, ODJFS established the Ohio Child Support Guideline Advisory Council, which made recommendations for changes to Ohio's support enforcement laws. The recommendations are included in a report, "Report to the General Assembly: Ohio's Child Support Guidelines," issued by the Ohio Department of Human Services in March 1997.<sup>1</sup> The act implements many of the Advisory Council's approved recommendations and includes additional changes that do the following: implement the federal support enforcement requirements enacted by the federal Balanced Budget Act of 1997; change the term "visitation and companionship" with regard to parental rights to "parenting time"; change various provisions of Ohio's paternity establishment and support enforcement laws; reorganize the provisions of Revised Code Chapter 3111, governing paternity establishment and artificial insemination; and recodify the child support enforcement laws into four new Revised Code Chapters (3119.; 3121.; 3123.; and 3125.).

### SUPPORT CHANGES

#### Basic child support schedule

(secs. 3119.021 and 3119.04)

Continuing law establishes a basic child support schedule that all courts and child support enforcement agencies (CSEAs) must use when calculating child support under a child support order. The schedule reflects estimates of how much it costs to raise a child. It uses the combined gross income of the parents and the number of children to determine the basic amount of support required in each case. The schedule establishes support amounts based on a combined gross income range beginning at \$6,600 and ending at \$150,000.

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<sup>1</sup> Since the issuance of the report, the Ohio Department of Human Services has merged with the Ohio Bureau of Employment Services to form the Ohio Department of Job and Family Services (ODJFS).



If the parents' combined gross income is less than \$6,600 or greater than \$150,000, the court or CSEA is required to compute the child support amount on a case-by-case basis. With respect to a combined gross income greater than \$150,000, the court or CSEA is required to compute an obligation that is no less than the same percentage of the parents' combined annual income that would have been computed under the schedule and applicable worksheet, unless that amount would be unjust or inappropriate and not in the best interest of the child, the person required to pay support (the obligor), or the person to whom support is paid (the obligee).

With respect to income amounts exceeding \$150,000, courts and CSEAs are still required by the act to make case-by-case estimates of the basic child support amount. However the act clarifies that the court or CSEA must compute a basic child support obligation that is no less than the obligation that would have been computed under the schedule and applicable worksheet for a combined gross income of \$150,000, unless the court or CSEA determines that it would be unjust or inappropriate and not in the best interest of the child, obligor, or obligee.

### **New worksheets**

(secs. 3119.022 and 3119.023)

Continuing law establishes two worksheets, one of which must be filled out whenever child support amounts are being calculated for purposes of a child support order. One worksheet is used when child custody is governed by a sole custody or shared parenting order.<sup>2</sup> The other worksheet is used when there is a split custody order.<sup>3</sup>

The court or a CSEA uses the worksheet, along with the basic child support schedule, to calculate the amount of child support due under a child support order. Briefly stated, calculations are made using the worksheet and schedule as follows: first the combined annual income of the parents is determined; second each parent's percentage of income to the total annual combined income is determined; third the total child support obligation is determined; and finally the total annual

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<sup>2</sup> *Sole custody means one parent has legal custody of the child, has most of the parental rights and responsibilities with respect to the child, and is designated the residential parent or custodial parent of the child. Shared parenting means the parents share legal custody of the child and share the parental rights and responsibilities with respect to the child.*

<sup>3</sup> *Split custody means there is more than one child and each parent has sole custody of at least one of the children.*

child support obligation is multiplied by each parent's percentage of income to get each parent's support obligation.

The act establishes two new worksheets applicable to the custody situations described above. The new worksheets function in basically the same way as the current worksheets, except that they contain provisions that modify the worksheets; clarify how income is to be calculated and adjusted for purposes of calculating child support; and reduce the child support obligation of the parent required to pay support by any non-means tested benefits, including Social Security and veterans' benefits paid to and received by a child or a child's representative due to the death, disability, or retirement of that parent.

### **Calculation changes**

#### **Retroactive support**

(sec. 3119.05)

The act provides that when a court or CSEA requires a parent to pay an amount for that parent's failure to support a child for a period of time prior to the date the court modifies or issues a court child support order or a CSEA modifies or issues an administrative child support order for the current support of the child, the court or CSEA must calculate that amount using the basic child support schedule, worksheets, and child support laws in effect, and the incomes of the parents as they existed, for that period of time.

#### **Recipients of means tested public assistance**

(sec. 3119.05)

The act provides that a court or CSEA that computes the amount of child support is not permitted to determine a parent receiving means-tested public assistance benefits to be voluntarily unemployed or underemployed or to impute income to that parent, unless not doing so would be unjust, inappropriate, and not in the best interest of the child.

#### **Deviation factor**

(sec. 3119.23)

Under continuing law, the court is permitted to deviate from the amount of support that would otherwise be imposed under a child support order pursuant to the basic child support schedule and applicable worksheet in cases in which the amount would be unjust or inappropriate and would not be in the best interest of the child. Courts are permitted to consider certain factors and criteria listed in



statute in determining whether the amount would be unjust or inappropriate and not in the child's best interest. In addition, the court is allowed to consider "any other relevant factor." The act requires a court that permits a deviation based on "any other relevant factor" to specifically state in the order the facts that are the basis for the deviation.

### **Income definition changes**

(sec. 3119.01)

In determining the amount of child support to be paid under a child support order, continuing law requires courts and CSEAs to make calculations using the basic child support schedule and applicable worksheet. The calculations must be made based on the income of the parents. Continuing law includes definitions to be used in making the determination of what is and is not income. Under continuing law income means either of the following:

- For a parent who is employed to full capacity, the gross income of the parent;
- For a parent who is unemployed or underemployed, the sum of the gross income of the parent and any potential income of the parent.

### **"Gross income" definition change**

The act changes the definition of "gross income" to include all of the following:

- Social Security benefits, including retirement, disability, and survivor benefits that are not means tested;
- Veterans' benefits that are not means tested and that are in the possession of the veteran who is the beneficiary;
- Spousal support actually received from any person.

The act changes the definition of "gross income" to exclude the following items:

- Means-tested veterans benefits and any other government assistance for which eligibility is determined on the basis of income or assets;
- Veterans benefits that are not means tested, but have not been distributed to the veteran beneficiary and are in the possession of the



United States Department of Veterans' Affairs or the Veterans' administration;

- Adoption assistance and foster care maintenance payments made under Title IV-E of the Social Security Act.

**"Ordinary and necessary business expenses" definition change**

Under continuing law, "gross income" includes "self generated income," which means gross receipts received by a parent from self-employment, proprietorship of a business, joint ownership of a partnership or closely held corporation, and rents minus ordinary and necessary expenses incurred by the parent in generating the gross receipts. "Ordinary and necessary expenses incurred in generating gross receipts" means actual cash expended by the parent or the parent's business and includes depreciation expenses of replacement business equipment as shown on the books of a business entity. The act eliminates the word "*replacement*" as it is used with respect to business equipment.

**"Potential income" definition change**

The act defines "potential income" to include imputed income that the court or CSEA determines the parent would have earned if fully employed as determined from the following criteria:

- The parent's prior employment experience;
- The parent's education;
- The parent's physical and mental disabilities, if any;
- The availability of employment in the geographic area in which the parent resides;
- The prevailing wage and salary levels in the geographic area in which the parent resides;
- The parent's special skills and training;
- Whether there is evidence that the parent has the ability to earn the imputed income;
- The age and special needs of the child for whom child support is being calculated;
- The parent's increased earning capacity because of experience;



- Any other relevant factor.

**Elimination of conversion and authorization date for centralized collection and disbursement**

(repealed section 2301.35)

Continuing law requires support due under support orders administered in the state to be collected and disbursed through the Office of Child Support.<sup>4</sup> Under continuing law, the centralized collection and disbursement is delayed until all support orders are converted to the Support Enforcement Tracking System (SETS) and the Office authorizes centralized collection. The act repeals the deadline requiring conversion to be completed and authorizations granted by July 1, 1999.

**Collection of support amounts from the state**

(secs. 3121.09 and 3121.091)

Under continuing law, child support amounts owed by an obligor must be withheld or deducted from the obligor's income or assets. If an obligor is receiving income from any person or entity, those amounts must be withheld by the person or entity paying the income pursuant to a withholding notice and then forwarded to the Office of Child Support in ODJFS for distribution to the obligee.

The act expands the current law by permitting an obligee under a support order, or a court or CSEA on the obligee's behalf, to maintain an action against the state under Ohio's support enforcement laws, or under the comparable laws of another state or nation, to withhold support from payments owed or to be owed to one of the following individuals who is the obligor under the support order:

1. An officer or employee of the state;
2. An individual who is under contract with the state or is owed or to be owed money from the state, including an individual who is the sole shareholder of a corporation or the sole member of a limited liability company.

A withholding notice or other order issued under Ohio's support enforcement laws with respect to the obligor must be served on the Director of

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<sup>4</sup> The act changes the name of the Division of Child Support to the Office of Child Support. (See "**Change Division of Child Support to Office of Child Support**," below.) For purposes of addressing continuing law and the act, the analysis will refer only to the Office of Child Support.

Administrative Services if the obligor is an officer or employee of the state. If the obligor is an individual under contract with the state or is owed or to be owed money from the state, service must be on the Director of the Office of Budget and Management. The notice or other order must include the name of the state agency that owes or will owe money to the individual against whom the notice or order is issued and must also include evidence that the obligor is the sole shareholder of a corporation or the sole member of a limited liability company if money is to be withheld from the corporation or limited liability company to pay the support obligation.

### Arrearages

#### Collection of support amounts from obligors paying off arrearages

(sec. 3123.22)

The act provides that if an obligor is paying off an arrearage owed under a support order and is doing so pursuant to a withholding or deduction notice, cash bond order, or seek work order; pursuant to a support order newly issued or modified; or pursuant to any other order issued to collect the arrearage, the CSEA administering the notice or order may, nonetheless, also do the following, under Ohio's support enforcement laws, to collect any arrearage amount that has not yet been collected under the notice or order:

- Issue one or more withholding or deduction notices;
- Collect a lump sum payment;
- Collect any federal or state income tax refund owed to the obligor;
- Issue a withdrawal directive to collect funds from the obligor's account in a financial institution;
- Obtain an administrative offset of benefits received from the federal government.

The act also provides that the actions described above to collect support amounts from obligors paying off arrearages only apply to support orders issued on or after the effective date of the act under which arrearages have arisen on or after that date.



**Minimum arrearage amount that must be included in the withholding notice**

(sec. 3123.21)

Continuing law provides that when a court or CSEA issues an income withholding or a financial institution deduction notice, the amount to be withheld in the notice, to the extent possible, must satisfy the amount ordered for support plus any arrearages that may be owed under any prior support order that pertained to the same child or spouse. With respect to income withholding orders only, the sum of the amount to be withheld and any fee withheld by a payor of income as a charge for its services may not exceed the maximum amount permitted to be withheld under the federal Consumer Credit Protection Act.<sup>5</sup>

The act provides that a withholding or deduction notice or an order to collect current support due under a support order and any arrearage owed pertaining to the same child or spouse must require the arrearage amount collected with each payment of current support to equal at least 20% of the current support payment unless, for good cause shown, a lesser arrearage amount is required to be collected. The act defines "good cause" to include a change in the obligor's circumstances that would make payment of current support and payment of the arrearage in an amount equal to at least 20% of the current support payment a hardship on the obligor. The act also provides that good cause exists if the amount of each current support payment and arrearage amount would violate the limits imposed pursuant to the federal Consumer Credit Protection Act.

**Collection of arrearages under terminated support orders**

(secs. 3121.36 and 3123.14)

The act provides that the termination of a court support order or an administrative child support order does not abate the authority of a court or CSEA to issue the withholding or deduction notices or other appropriate orders to collect arrearages under the terminated support order. The act also provides that if an income withholding or financial deduction notice is issued to collect an arrearage, the amount withheld or deducted from the obligor's personal earnings, income, or

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<sup>5</sup> *The Consumer Credit Protection Act's limit on the amount that may be withheld from an obligor's disposable earnings for a work week is 50%, if the obligor is supporting a spouse or dependent child (other than a spouse or child with respect to whose support the order is issued). In all other cases, the limit is 60% of the disposable earnings for the work week. "Disposable earnings" means that part of the earnings of any individual remaining after the deduction from those earnings of any amounts required by law to be withheld.*

accounts must be at least equal to the amount that was withheld or deducted under the terminated support order.

**Changes to administrative modification review proceedings**

(secs. 3119.60, 3119.61, and 3119.63)

Continuing law includes an administrative procedure under which a CSEA may periodically, or on the request of an obligor or obligee, review a child support order to determine whether modification of the order is necessary or in the best interest of the children who are the subject of the order.

The act changes the date by which notice of a review must be given to the obligor and obligee to 45 days (from 60 days) prior to the date the review is to begin. The act also changes the time period for requesting an administrative hearing on the revised child support amount for court child support orders, from 30 days to 14 days. The act does not make the same change with respect to an administrative child support order.

The act requires a CSEA, once it has calculated the revised amount of child support, to give the obligor and obligee notice that if the court child support order contains a deviation from the basic child support schedule or the obligor or obligee intends to request a deviation for the child support amount, the obligor and obligee have the right to request a court hearing on the revised amount without first requesting an administrative hearing and that the obligor or obligee must request the court hearing no later than 14 days after receipt of the notice. If neither the obligor nor obligee timely requests the court hearing, either may still request the administrative hearing described above. If the obligor or obligee request neither hearing, the CSEA must submit the revised amount of child support to the court for inclusion in a revised court child support order.

The act, with respect to administrative child support orders, establishes in statute instead of administrative rule a procedure for modifying the orders if a CSEA can determine the appropriate amount of child support without deviating from the basic child support guidelines. Under the new procedures, the CSEA must do the following:

- Give the obligor and obligee notice of the revised amount of child support to be paid under the administrative child support order, of their right to request an administrative hearing regarding the revised amount, of the procedures and deadlines for requesting the hearing, and that the CSEA will modify the order to include the revised support amount unless the obligor or obligee requests an administrative hearing on the

revised amount of child support no later than 30 days after receipt of the notice;

- If no timely hearing request is received, modify the administrative child support order to include the revised amount of child support;
- If a timely hearing request is received, the CSEA must schedule a hearing; give the obligor and obligee notice of the date, time, and location of the hearing; conduct the hearing; redetermine at the hearing a revised amount of child support to be paid under the order; and modify the order to include the revised support amount.

**When administrative modification review proceedings are not required**

(sec. 3119.75)

The act changes the criteria for determining when a review of a child support order is not required in cases in which the obligee has assigned the right to receive the child support. The agency determination that the review would not be in the best interest of the child is replaced by an agency determination that good cause for not cooperating in modifying a child support order exists with respect to the children who are the subject of the child support order. ODJFS rules establish criteria for determining good cause in such situations. The act also adds a new criteria for determining when a review is not required: both the obligor and obligee live outside Ohio.

**Claiming children as dependents for federal income tax purposes**

(sec. 3119.82)

The act provides that whenever a court issues, or whenever it modifies, reviews, or otherwise reconsiders a court child support order, it must designate which parent may claim the children who are the subject of the order as dependent for federal income tax purposes. If the parties agree on which parent should claim the children as dependents, the court must designate that parent as the parent who may claim the children. If the parties do not agree, the court, in its order, may permit the parent who is not the residential parent and legal custodian to claim the children as dependents for federal income tax purposes only if the court determines that this furthers the best interest of the children and, with respect to orders the court modifies, reviews, or reconsiders, the payments for child support are substantially current as ordered by the court for the year in which the children will be claimed as dependents. In cases in which the parties do not agree on which parent may claim the children as dependents, the court must consider all the following in making its determination:

- Any net tax savings;
- The relative financial circumstances and needs of the parents and children;
- The amount of time the children spend with each parent;
- The eligibility of either or both parents for the federal earned income tax credit or other state or federal tax credit;
- Any other relevant factor concerning the best interest of the children.

**Health insurance coverage**

Under continuing law, administrative and court child support orders are required to contain provisions addressing the provision of health care to the children who are the subject of the order and may require the obligor, obligee, or both to provide health insurance coverage.

**Failure to obtain health insurance coverage**

(sec. 3119.41)

The act provides that when a court issues an order requiring an employer to make application to enroll the obligor or obligee and the child in health insurance coverage because the obligor, obligee, or both have failed to obtain health insurance coverage for the child, the court must include with the order a copy of the administrative or court child support order requiring health insurance coverage for the children. The court is then required to send the copies of the orders by ordinary mail to the obligor, obligee, and employer subject to the order. The act eliminates the duty of the CSEA to send copies of either of the orders at any time. The act also eliminates the duty of the court, except when the obligor or obligee fails to obtain the health insurance coverage for the children, to send copies of court child support orders.

**Job change by an obligor or obligee required to obtain health insurance**

(secs. 3119.44 and 3119.45)

The act eliminates the requirement that, in cases in which the obligor or obligee required to obtain health insurance coverage under a child support order changes jobs, the CSEA send the child support order to the employer when it sends the notice requiring enrollment in new health insurance coverage. The act requires the CSEA to send a notice by ordinary mail to the employer, obligor, and obligee.

With respect to the provisions contained in the notice requiring enrollment in new health insurance coverage, the act eliminates the requirement that the new employer submit a copy of the child support order requiring the obligor or obligee to obtain health insurance coverage for the children to the insurer when it makes application to enroll the children in health insurance coverage. Instead, the act requires the employer to send a copy of the notice it receives to the insurer. The act also adds a new provision to the notice that states that the obligor or obligee subject to a child support order, or both of them, are required by the child support order to obtain for the children who are the subject of the child support order health insurance coverage in any available group health insurance or health care policy, contract, or plan.

**Compliance with a notice requiring enrollment of children in health insurance coverage**

(secs. 3119.47, 3119.48, 3119.49, 3119.491, 3119.50, 3119.51, and 3119.52)

Continuing law provides that a child support order requiring health insurance coverage to be obtained or an order issued by a court that requires an employer to comply with such a child support order is binding on the obligor and the obligee, their employers, and any insurer that provides health insurance coverage for either of them or their children. The law further requires the employer, during the time any of the orders are in effect and after the employer has received a copy of such an order, to provide information about the health insurance coverage to the CSEA and the other parent. The law also restricts the use of information given by the employer to enforcement of the order. The employer is also required to notify the CSEA of any change in or termination of the health insurance coverage maintained under the order. An insurer that receives a copy of an order must comply with the law governing health insurance coverage for the children, regardless of the residence of the children. A health insurer providing health insurance coverage under an order must reimburse the parent designated to receive reimbursement for covered out-of-pocket health costs incurred on behalf of the children.

The act provides that a notice requiring a new employer to enroll the obligor or obligee required to obtain health insurance coverage under the child support order in any health insurance coverage that provides coverage for the children who are the subject of the child support order has the same force and effect, and is subject to the same limitations, as the orders described above.

**Standard forms for health insurance coverage notices**

(sec. 3119.46)

The act requires ODJFS to adopt standard forms for the notices a CSEA is required to send requiring a new employer to enroll the obligor or obligee required to obtain health insurance coverage under the child support order in any health insurance coverage that provides coverage for the children who are the subject of the child support order. Once adopted, all CSEAs must use the forms to issue notices to the new employers.

**Elimination of CSEA statistical reports to county commissioners**

(repealed section 2301.41)

The act repeals a requirement that each CSEA compile and forward, at least once each calendar quarter, to the board of county commissioners of the county in which the CSEA is located all of the following information: the number of support orders administered; the number of defaults; and the disposition of cases relating to the enforcement of support orders.

**Elimination of option to pay child support as a lump sum; change to option to pay child support as an annuity**

(secs. 3111.13, 3111.16, and 3111.81)

Under continuing law, if a court or CSEA makes a parentage determination or a CSEA is requested to issue an order for support of a child based on a presumption of paternity or an acknowledgment of paternity that is not yet final, the court or CSEA may issue an order for support. If it was in the best interest of the child, provisions of prior law permitted the court or CSEA to order that support be made in a lump sum or through the purchase of an annuity in lieu of periodic payments of support. The act eliminates the option of ordering payment of support in a lump sum. The act retains the option of purchasing an annuity to pay child support if it is in the child's best interest, but permits this only if the purchase agreement provides that any remaining principal will be transferred to the ownership and control of the child on the child's attainment of the age of majority.

**Clarification that all support payments must be made to the Office of Child Support or a CSEA**

(sec. 3121.44)

Continuing law provides that when a court issues or modifies a support order, issues a withholding or deduction notice, or issues another enforcement order, it must require the support to be sent to the Office of Child Support for remittance to the obligee. Support may also be ordered sent to the CSEA in certain cases, including those cases in which centralized collection is not in effect. The act clarifies that administrative child support orders are subject to these provisions.

**Procedure for collection of support that commences on a day other than first of the month**

(sec. 3121.54)

Continuing law requires CSEAs to administer all support orders on a monthly basis. For purposes of monthly administration, the act requires the CSEA, with respect to support orders that require payment of support to commence on a day other than the first day of a month, to compute a pro rata amount due under the order for the first month of the period of payment, in the following manner:

- Determine the annual amount of support;
- Divide the annual amount by 365 or, if payment is required to commence in a leap year, by 366, to obtain the daily rate;
- Multiply the daily rate by the number of days the order is in effect in the first month, including the date payment of support is required to commence and the last day of the first month.

**Change of time periods concerning enforcement of withholding and deduction orders**

(secs. 3121.03 and 3121.037)

The act changes "working" days to "business" days with respect to (1) the 14 day time period to begin withholding or deduction of income or assets, (2) the seven day time period for forwarding withheld or deducted amounts to the Office of Child Support, and (3) the ten day time period for sending notice to a CSEA after occurrence of an event resulting in the obligor ceasing to be paid.



**Collection of state income tax refund to repay overpaid child support**

(secs. 3123.82, 3123.821, 3123.822, 3123.823, and 5147.123)

The act requires the Office of Child Support in ODJFS and the Tax Commissioner to work together to collect overpaid child support from refunds of paid state income taxes that are payable to obligees.<sup>6</sup> Pursuant to this cooperation, the Commissioner must establish and implement procedures to collect the overpaid support from those refunds.

The act prohibits collection of overpaid child support from the refunds due obligees unless all of the following conditions are met:

- The reduction of the refund to satisfy debts owed the state for any tax or fee administered by the Commissioner, or any charge, penalty, or interest arising from such tax or fee, has first been made;
- The refund is not less than \$25 after the reduction described above is made;
- The amount overpaid is not less than \$150.

Overpaid child support must be collected from the refunds before any part of the refund is used as a contribution to the Natural Areas and Preserve Fund or the Nongame and Endangered Wildlife Fund, or both. Overpaid child support must also be collected from a refund before the refund or any part of it is credited against tax due in any subsequent year.

After collecting overpaid child support from refunds due obligees, the Commissioner must send the amounts collected to ODJFS for distribution to obligors who made the overpayments. With respect to persons filing a joint income tax return, the amount of the refund available for collection of overpaid child support must be based on the proportion of the refund due the obligee only. An obligee's spouse who objects to the amount of the refund collected to cover overpaid child support may file a complaint with the Commissioner within 21 days after receiving notice of the collection. The Commissioner must afford a complainant an opportunity to be heard. The burden of proving an error by the Commissioner in determining the amount of the refund to be collected to cover overpaid child support is on the complainant.

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<sup>6</sup> "Overpaid child support" means amounts paid to an obligee under a child support order prior to termination of the child support order that exceed the amount required to be paid under the order, have not been impounded pursuant to a termination investigation, and have not been repaid to the obligor.

The Director of ODJFS, in conjunction with the Commissioner, is required to adopt rules pursuant to the Administrative Procedure Act to establish procedures to implement the program to collect overpaid child support from state income tax refunds to obligees. The procedures are required to embody principles of due process of law, including notice to interested parties and opportunities to be heard prior to the reduction of any state income tax refund.

**Clarification of when the duty of support under a child support order extends beyond age 18**

(secs. 3103.03, 3103.031, and 3119.86)

Under continuing law, a child support order issued by a court or CSEA remains in effect beyond the child's 18th birthday as long as the child is still attending high school, but does not extend past the age of 19.

The act provides that, in addition to the child still attending high school as provided in continuing law, the duty of support imposed under a court child support order can continue beyond the child's attainment of age 18 if one of the following is the case:

1. The child is mentally or physically disabled and is incapable of supporting or maintaining himself or herself;
2. The child's parents have agreed to continue support beyond the child's 18th birthday pursuant to a separation agreement that was incorporated into a decree of divorce or dissolution.

The act further provides, with regard to the parents' agreement, that if a court incorporates a separation agreement into a decree of divorce or dissolution, the court may not require support to continue beyond the date the child's parents have agreed support should terminate.

**Termination investigation of child support orders**

(secs. 3119.89 and 3119.90)

Under continuing law, a parent who is the residential parent and legal custodian of a child for whom a child support order is issued or the person with custody of the child must immediately notify, and the obligor under the child support order may notify, the CSEA administering the order of any reason for which the order should terminate. On receipt of a notice, the CSEA must immediately conduct an investigation to determine if any reason exists for the order to terminate. Under prior law, a change in the legal or physical custody of the child was a reason for which an order should terminate.



The act eliminates change of physical custody as a reason for which a child support order should terminate.

The act adds a provision permitting the CSEA, on its own initiative to conduct an investigation if it has reason to believe that there may be a reason for which the order should terminate. The act requires the CSEA to complete its investigation within 20 days of the receipt of the notice. The act also requires the CSEA to make determinations pursuant to an investigation in addition to whether a reason for termination exists. The additional determinations that must be made are whether:

- There are other children subject to the order;
- The obligor owes any arrearages under the order;
- The CSEA believes it is necessary to continue withholding or deduction for other children or arrearages.

The act also adds a provision stating that if the CSEA, pursuant to the above investigation, determines that other children are subject to the child support order and that it is necessary to continue withholding or deduction for the other children, the CSEA must divide the child support due annually and per month under the order by the number of children who are the subject of the order and subtract the amount due for the child for whom the order should be terminated from the total child support amount due annually and per month. The resulting annual and per month child support amount must be included in the results of the CSEA's investigation as the recommended child support amount due annually and monthly under a revised child support order. If arrearage amounts are owed, those amounts may be included as part of the recommended child support amount. The above investigation is not permitted to include a review of any other children subject to the child support order.

#### **Court or CSEA action on completion of termination investigation**

(sec. 3119.90)

The act provides that, with respect to a court child support order, if the CSEA determines the order should terminate, it immediately must notify the court that issued the order of the results of its investigation and submit to the court an order impounding any child support received under the order. With respect to an administrative child support order, if the agency determines as a result of an investigation that the order should terminate, it must issue an administrative order impounding any child support received under the order. A CSEA that conducts an investigation of a child support order must give the obligor and obligee under the

order notice of the results of its investigation and a copy of any court or administrative impound order issued by the court or CSEA. The obligor and obligee must also be given all of the following: (1) notice of their right to request an administrative hearing regarding any conclusions of the investigation, (2) notice of the procedures and time deadlines for requesting the hearing, (3) notice that the conclusions of the investigations will be issued as an administrative order by the agency if the underlying support order is administrative or that the conclusions of the investigations will be submitted to the court for inclusion into a revised or terminated support order with no further court hearing if the underlying support order was issued by the court, and (4) notice that no revised administrative or court order will be issued if either the obligor or obligee requests an administrative hearing on the investigation conclusions within 30 days after receipt of the notice under this provision.

**Administrative hearing on termination investigation conclusions**

(sec. 3119.91)

The act provides that if the obligor or obligee timely requests an administrative hearing with respect to conclusions of the termination investigation, the CSEA must schedule a hearing on the issue; give the parties notice of the date, time, and location of the hearing; and conduct the hearing. On completion of the hearing, the CSEA must issue a decision.

The decision issued by the CSEA must include a notice that the obligor or obligee may object to the decision by filing a motion within 30 days after the issuance of the decision requesting a determination of whether the order should be terminated or whether any other appropriate determination regarding the order should be made. The motion must be filed in one of the following courts:

- With respect to a court child support order, in the court that issued the order or that otherwise has jurisdiction over the order;
- With respect to an administrative child support order, the juvenile court or other court with jurisdiction under the Revised Code of the county in which the CSEA that issued the order is located.

The notice must also state that if neither the obligor nor the obligee files the motion within the 30-day period, the administrative decision is final and will be filed with the court or in the administrative case file.

### **Court hearing on termination investigation conclusions**

(sec. 3119.92)

Under the act, if the obligor, obligee, or both file a motion requesting a determination of whether the order should be terminated or whether any other appropriate action should be taken, the court must set the case for a hearing. On the filing of the motion, the court must issue an order directing that the impoundment order issued by the CSEA regarding support amounts received for the child remain in effect while the motion is pending.

### **ODJFS rules governing termination procedures**

(sec. 3119.94)

The act requires the Director of ODJFS to adopt rules providing any other standards, forms, or procedures needed to ensure uniform implementation of the new termination procedures.

### **Registration of administrative child support orders**

(secs. 3111.83, 3111.831, and 3111.832)

The act permits each CSEA to develop a system and procedure for the organized safekeeping and retrieval of administrative child support orders. The act requires a CSEA administrative officer who issues an administrative child support order to register the order or cause the order to be registered in the system the CSEA develops or with the clerk of the common pleas court of the county served by the CSEA. If the order is registered with the clerk, the clerk may not charge a fee for the registration and must assign the order a case number.

### **Repeal of law requiring CSEA oversight of obligor participation in work activity**

(repealed sections 3111.231 and 3113.21)

Under continuing law, if an obligor under a court support order or administrative child support order is unemployed, has no income, and does not have an account at a financial institution, the obligor may be required by a court or CSEA, if able to engage in employment, to participate in work activity to which a TANF recipient may be assigned.<sup>7</sup> The act eliminates the requirement that a CSEA oversee an obligor's participation in the work activity.

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<sup>7</sup> TANF is the acronym for temporary assistance for needy families, a federal welfare program established under Title IV-A of the Social Security Act. In Ohio the program is Ohio Works First.



**Repeal of laws governing CSEA actions to collect child support on request of obligee**

(repealed sections 2301.38 and 2301.40)

The act repeals a law providing that if an obligee under a child support order in default receives from the CSEA notice of the default and the inability to enforce the order pursuant to a withholding or deduction notice or other appropriate enforcement order, the obligee may request that the CSEA maintain an action on the obligee's behalf to obtain judgment and execution of the judgment through any available procedure, a withholding or deduction order against the obligor, or an assignment of the obligor's wages. The act also repeals the requirement that the CSEA commence the action within 20 days after receiving the request.

The act repeals a law providing that failure of an obligee to request that the CSEA or county prosecutor maintain an action does not operate as a waiver of any right of the obligee to seek enforcement of a support order.

**Repeal of law requiring county prosecutor action to obtain past due support**

(repealed section 2301.372)

The act repeals a law requiring a county prosecuting attorney to commence certain actions to obtain unpaid support amounts if the laws governing support enforcement have not been complied with and either the CSEA notifies the prosecutor of that failure or the board of county commissioners obtains a writ of mandamus ordering the prosecutor to take action because the prosecutor's office is the designated CSEA in the county.

**Repeal of law requiring imposition of collection costs if prosecutor conducts collection duties**

(repealed section 2301.40)

The act repeals the law requiring that, if an action is brought to obtain a judgment or order to collect support by the county prosecuting attorney, the judgment or order must include a reasonable assessment for collection costs, not exceeding 10% of the amount collected, payable by the obligor.

**Repeals the law preserving court's authority to apply Ohio Rule of Civil Procedure 70**

(repealed section 2301.40)

The act repeals a law that preserves a court's right in using Civil Rule 70, which rule permits a court to order that certain acts be done on behalf of a party consistent with a previous judgment.

**Repeal of provisions making failure to comply with a withholding or deduction notice issued to enforce administrative child support order contempt of court**

(sec. 2705.02; repealed secs. 3111.23 and 3111.28)

The act repeals a law providing that if a payor or financial institution fails to comply with a withholding or deduction notice issued to enforce an administrative child support order, the CSEA that issued the notice must ask the court to find the payor or financial institution in contempt.

**Changes to UIFSA as enacted in Ohio**

**Change to the definition of "child support order"**

(sec. 3115.01)

Under the Uniform Interstate Family Support Act (UIFSA) as enacted in Ohio, a "child support order" means an order for the support of a child that provides for monetary support, whether current or in arrears, health care or reimbursements, and may include related costs and fees, interest, income withholding requirements, attorney fees, and other relief. "Child support order" includes an order concerning a child who has attained the age of majority under the issuing state's law if arrearages are owed under the order.

The act changes the definition so that a child support order includes the following:

- An order concerning a child who has attained the age of majority under the issuing state's law if amounts for current support are required to be paid, or arrearages are owed, under the order;
- An order concerning a child who has attained the age of majority under the laws of this state but has not attained the age of majority under the laws of the issuing state if amounts for current support are required to be paid, or arrearages are owed, under the order.



**Changes to direct income withholding under UIFSA--to whom sent**

(secs. 3115.01, 3115.33, 3115.34, 3115.35, 3115.36, 3115.37, and 3115.56)

Under UIFSA as enacted in Ohio, an income withholding order issued in another state may be sent directly to the individual or entity that is defined under Ohio law as the obligor's payor.<sup>8</sup> The payor is required to treat the order as an income withholding order issued by Ohio and withhold amounts accordingly. The law, however, uses the term "payor" to refer the person or entity to which the withholding order is sent, but then refers exclusively to the "employer" as the person or entity that must comply with the income withholding order and the provisions of UIFSA. The definition of "payor" under continuing law includes persons and entities in addition to employers.<sup>9</sup> The act changes "employer" to "payor."

**Changes to direct income withholding under UIFSA--governing law**

(secs. 3115.33 and 3115.34)

Under UIFSA as enacted in Ohio, an employer subject to an income withholding order must comply with the law of the state of the obligor's principal place of employment with respect to processing fees it imposes, the maximum amount that may be withheld, and the time for implementing the withholding and forwarding the amounts. If the employer receives multiple income withholding orders, the employer complies with the orders if it complies with the laws of the state of the obligor's principal place of employment concerning priorities for withholding and allocating income withheld for multiple obligees.

In conjunction with the change made from "employer" to "payor" described above with respect to direct income withholding, the act provides that a payor subject to an income withholding order or multiple income withholding orders must comply with the law of the state of the obligor's principal place of employment, if the payor is the obligor's employer, or the payor's principal place of business, in all other cases.

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<sup>8</sup> An "income withholding order" is defined under UIFSA, as enacted in Ohio, as an order or other legal process directed to an obligor's payor, as defined under Ohio law, to withhold support from the income of the obligor.

<sup>9</sup> A "payor" is any person or entity that pays or distributes income to an obligor, including, for example, the various state retirement systems and the Bureau of Workers Compensation.

**Changes to direct income withholding under UIFSA--contesting validity or enforceability of income withholding orders**

(sec. 3115.37)

Under UIFSA as enacted in Ohio, if a person who is an obligor under a direct income withholding order believes that the person is not subject to a support order or does not have a duty of support under any order issued by any tribunal under which an income withholding order was issued, the person may contest the validity or enforcement of the order by filing an action for declaratory judgment in the court of common pleas in which is located the employer's principal place of business.<sup>10</sup> If the court issues an order determining that the person is not an obligor subject to a support order or does not have a duty of support under a support order under which the income withholding order was issued, the employer cannot enforce the income withholding order.

In addition to the change of the term "employer" to "payor" with respect to direct income withholding the act permits a person to request that the Office of Child Support in ODJFS investigate whether the person is subject to a support order or has a duty of support. No later than 15 days after the date the request is made, the Office must conduct the investigation and notify the person of its determination. If the Office determines that the person is subject to a support order or does have a duty of support, the person may bring the declaratory judgment action described above. If the Office or court determines that the person is not an obligor subject to a support order or does not have a duty of support, the payor cannot enforce the income withholding order.

**Changes to direct income withholding under UIFSA--other**

(secs. 3115.32, 3115.33, and 3115.36)

Under UIFSA as enacted in Ohio, an income withholding order issued in another state may be sent to the obligor's employer without first filing a complaint or comparable pleading or registering the order with a tribunal of Ohio. The employer must treat an income withholding order issued in another state that appears regular on its face as if it had been issued by an Ohio tribunal. An employer paying income to an obligor who willfully fails to comply with an income withholding order issued in another state is subject to the same penalties that may be imposed for noncompliance with an order issued by an Ohio tribunal.

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<sup>10</sup> "Tribunal" under UIFSA, as enacted in Ohio, means any trial court of record of Ohio and, when the context requires, a court, administrative agency, or quasi-judicial entity of any other state authorized to establish, enforce, or modify support orders or to determine parentage.

In addition to the change of the term "employer" to "payor" with respect to direct income withholding, the act provides that the income withholding order may be sent to the obligor's payor without filing a complaint or comparable pleading or registering the order with a tribunal or CSEA in Ohio. The act also requires the income withholding order to be treated like an income withholding order issued by an Ohio tribunal or CSEA. Finally, the act imposes the same penalties for noncompliance with the income withholding order as would apply to noncompliance with an order issued by an Ohio tribunal or CSEA.

**Changes to registration of income withholding order for enforcement--to whom withholding notice is issued**

(sec. 3115.42)

Under UIFSA as enacted in Ohio, income withholding orders issued in another state may be registered with a registering tribunal<sup>11</sup> in Ohio for purposes of enforcement. On registration of the order, the registering tribunal is required to issue a withholding notice to the obligor's employer. UIFSA uses the term "employer" to refer to the person or entity to which a withholding notice is sent, but a withholding order for purposes of UIFSA is sent to an obligor's payor. A "payor" under Ohio law includes persons and entities in addition to employers. The act changes "employer" to "payor."

**Changes to registration of income withholding order for enforcement--who issues the withholding notice**

(sec. 3115.42)

Under UIFSA as enacted in Ohio, when a withholding order issued in another state is registered in Ohio for enforcement, the registering tribunal must issue a withholding notice to the obligor's employer. The act permits a CSEA or the registering tribunal to issue the withholding notice.

**Administrative paternity determination under UIFSA**

(sec. 3115.52)

Under UIFSA as enacted in Ohio, a tribunal of this state may serve as an initiating or responding tribunal in a UIFSA proceeding to determine the existence or nonexistence of a parent and child relationship with respect to the parties to the

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<sup>11</sup> "Registering tribunal" is defined under UIFSA, as enacted in Ohio, to mean a tribunal in which a support order is registered.

proceeding.<sup>12</sup> A responding tribunal in Ohio must use the provisions of Ohio law governing court determinations of the existence or nonexistence of a parent and child relationship.

The act permits a support enforcement agency of this state to serve as an initiating or responding tribunal in a UIFSA proceeding to determine the existence or nonexistence of a parent and child relationship with respect to the parties to the proceeding. A responding tribunal must use the provisions of Ohio law that govern all determinations of the existence or nonexistence of a parent and child relationship.

**Power to operate as an initiating or responding tribunal**

(secs. 3115.05 and 3115.08)

Under UIFSA as enacted in Ohio, an Ohio tribunal may serve as an initiating tribunal to forward proceedings under UIFSA to another state and to request a tribunal of another state to enforce or modify a support order issued in the other state. An Ohio tribunal may also serve as a responding tribunal for proceedings initiated under UIFSA in another state. The act permits CSEAs, in addition to the Ohio tribunals recognized by current law, to serve as initiating and responding tribunals.

**Power to exercise personal jurisdiction over a nonresident**

(sec. 3115.03)

To issue valid decrees with respect to a proceeding, a court must have jurisdiction. As part of that jurisdiction, it must have personal jurisdiction over the parties to the proceeding. A court generally may exercise personal jurisdiction over persons who reside within the territorial jurisdiction of the court. But, a question arises as to whether a court can exercise personal jurisdiction over a nonresident. Under statutory and case law, a court may exercise jurisdiction over a person who is not a resident if the person has certain minimum contacts with the state. UIFSA, as enacted in Ohio, specifies minimum contacts, that, if applicable to the parties, permit a tribunal to exercise personal jurisdiction over them in proceedings to establish, enforce, or modify support orders or to determine parentage. Examples of such minimum contacts include that the party submits to

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<sup>12</sup> An "initiating tribunal" under UIFSA, as enacted in Ohio, is the authorized tribunal in a state that initiates a UIFSA action that is forwarded or filed for forwarding to a responding state. A "responding tribunal" under UIFSA, as enacted in Ohio, is the authorized tribunal in a state that responds to a UIFSA action that has been forwarded to or filed for forwarding to it from an initiating state.

the jurisdiction of Ohio by consent or that the party resided with the child in Ohio. The act permits a CSEA to exercise personal jurisdiction for the same purposes and under the same conditions as the Ohio tribunals recognized by continuing law.

**Power to obtain evidence and discovery across state lines and to communicate with tribunals in other states**

(secs. 3115.04 and 3115.28)

Under UIFSA as enacted in Ohio, an Ohio tribunal may apply the provisions of UIFSA governing obtaining evidence from another state and obtaining discovery through a tribunal of another state when exercising personal jurisdiction over a nonresident. Ohio tribunals must apply Ohio law in all other respects. An Ohio tribunal may communicate with a tribunal of another state to obtain information concerning the laws of that state; the legal effect of a judgment, decree, or order of that tribunal; and the status of a proceeding in the other state. An Ohio tribunal may provide similar information to a tribunal of another state. The act gives a CSEA the same authority as Ohio tribunals recognized by continuing law regarding obtaining evidence and discovery and communicating with tribunals from other states.

**Controlling order**

(sec. 3115.09)

Under UIFSA as enacted in Ohio, if a UIFSA proceeding is brought and only one tribunal has issued a child support order, the order of that tribunal controls. The act permits a CSEA support order to be the controlling order if it is the only existing order.

**Crediting support amounts**

(sec. 3115.11)

Under UIFSA as enacted in Ohio, amounts collected and credited for a particular period pursuant to a support order issued by a tribunal of another state must be credited against the amounts accruing or accrued for the same period under a support order issued by an Ohio tribunal that covers the same parties for the same duty of support. The act requires crediting of support amounts against amounts due under orders issued by a CSEA in the same manner as orders issued by Ohio tribunals recognized by current law.

### **Other administrative provisions**

(secs. 3115.16 and 3115.17)

Under UIFSA as enacted in Ohio, an Ohio responding tribunal, to the extent otherwise authorized by law, may take various actions consistent with Ohio law to fulfill its duties in a UIFSA proceeding. Those actions include, for example, issuing or enforcing support orders, modifying a child support order, determining parentage, and ordering income withholding. A responding tribunal in Ohio must include in a support order issued under UIFSA, or in the documents accompanying the support order, the calculations on which the support order is based. An Ohio responding tribunal that issues an order under UIFSA must send a copy of the order to the plaintiff, defendant, and initiating tribunal. And if a complaint or comparable pleading is received by an inappropriate tribunal in Ohio, the tribunal must forward the pleading and accompanying documents to an appropriate tribunal in Ohio or another state and give notice to the plaintiff of where and when the pleading was sent.

The act does the following:

- Permits a responding tribunal to order an obligor to keep a CSEA or a tribunal informed of the obligor's residential address, phone number, employer, employment address, and employment phone number;
- Requires a CSEA or an Ohio responding tribunal to include in a support order issued under UIFSA, or in the accompanying documents, the calculations on which the order is based;
- Requires a CSEA or the Ohio responding tribunal that issues an order under UIFSA to send a copy of the order to the plaintiff, defendant, and the initiating tribunal, if any;
- Provides that, if a complaint or comparable pleading is received by an inappropriate tribunal or CSEA in Ohio, it must send the pleading to the appropriate tribunal or CSEA in Ohio or the appropriate tribunal of another state.

### **Modification of Ohio child support orders by other states**

(sec. 3115.49)

Under UIFSA, as enacted in Ohio, an Ohio tribunal must recognize a modification of its earlier child support order by a tribunal of another state that assumed jurisdiction under UIFSA and, on request, must do all of the following, except as otherwise provided by UIFSA:



- Enforce collection of support amounts accruing before the modification;
- Enforce only nonmodifiable aspects of the order;
- Provide other appropriate relief only for violations of that order that occurred before the effective date of the modification;
- Recognize the modifying order of the other state, on registration, for the purpose of enforcement.

Under the act, a support enforcement agency that issues a child support order must recognize a modification of the order as described above under current law applicable to tribunals of this state. On request, the agency must take all the actions listed above, as appropriate.

**Advance notice of default**

(sec. 3123.03)

Immediately after identification of a default under a support order, continuing law requires the CSEA to conduct an investigation of the default. No later than 15 days after identification of the default, the CSEA or Office of Child Support in ODHS must send an advance notice to the obligor containing information regarding the arrearage and the administrative and court action that will take place if the obligor contests the information in the advance notice.<sup>13</sup> The act clarifies that the CSEA or Office, as appropriate, is required to send an advance notice only once for each period of default. The act defines "period of default" as the time period beginning on the date a default under the support order is identified and ending on the date the total arrearage amount owed because of the default under the order is paid.

**When penalty interest for default is imposed pursuant to a court support order**

(sec. 3123.17)

The act requires a court that issues or modifies a court support order to determine the following: (1) whether the obligor is in default under a prior court support order or the court support order being modified, and (2) if the obligor is in default, the date the court support order went into default and the amount of

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<sup>13</sup> CSEAs will send the advance notices until the date the Office of Child Support authorizes centralized collection and disbursement of support amounts by the Office. After that date, the Office will send the advance notices. Centralized collection and disbursement of child support payments was authorized by H.B. 352.

arrearages owed pursuant to the default.<sup>14</sup> If it determines the obligor is in default, the court must issue a new support order. If the default was willful, the court must assess interest on the arrearage from the date specified by the court as the date of default to the date of issuance of the new order.

**Collection of support from prisoners in default**

(sec. 3123.87)

Under prior law, if a prisoner in a prison or jail was in default under a child support order, 25% of any money earned by the prisoner pursuant to the work program for prisoners or the prison industry program, other than money to be paid to ODJFS for dependent children receiving Ohio Works First assistance, was to be paid to the CSEA administering the order in default and distributed to the obligee under the order.

The act eliminates the requirement that the prisoner money be paid to a CSEA for distribution to the obligee. Instead, the act requires the money to be paid to the Office of Child Support in ODJFS.

**Income verification**

(sec. 3119.05)

Under prior law, when a court or CSEA calculated the amount of child support required to be paid under a child support order, the parents were required to verify current and past income and personal earnings with suitable documents, including pay stubs, employer statements, receipts and expense vouchers related to self-generated income, tax returns, and supporting documentation and schedules for the tax returns. The act provides that current and past income and personal earnings may be verified by electronic means, as well as by the documentation described above. The act also removes the requirement that the information be provided by the parents.

**Obtaining taxpayer information from Ohio Tax Department**

(sec. 3125.43)

The act eliminates the authority of the Office of Child Support in ODJFS, for purposes of performing its support enforcement, parentage establishment, and custody enforcement duties, to have access to information concerning the

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<sup>14</sup> "Default" means any failure to pay under a support order that is an amount greater than or equal to the amount of support payable under the support order for one month.



employer and assets of taxpayers contained in state tax records maintained by the Ohio Department of Taxation. The act retains the authority of the Office to obtain information concerning the residential address and income of taxpayers contained in the Tax Department's records.

## **PARENTAGE CHANGES**

### **Elimination of all requirements regarding paternity compliance units and plans**

(repealed provisions 2301.357(A) and 5101.324(A) and (B))

Under prior law, each CSEA was required to adopt a paternity compliance plan, establish a paternity compliance unit, and submit the plan to the Office of Child Support in ODJFS, unless the CSEA had submitted a corrective action plan that is currently in effect.<sup>15</sup> The Director of ODJFS was required to adopt rules governing a CSEA in establishing a paternity compliance unit and adopting a paternity compliance plan and report annually to the Speaker of the House of Representatives and the President of the Senate regarding the plans and units, as well as the progress CSEAs have made toward meeting federal requirements for quickly and efficiently establishing parent and child relationships. The act eliminates all of these requirements.

### **Acknowledgment of paternity**

Continuing law permits a parent and child relationship to be established through an acknowledgment of paternity affidavit without the necessity of obtaining a court or an administrative determination of parentage. The acknowledgment can later be used as a basis to obtain child support against either parent of the child in a court or administrative proceeding.

### **Presumption based on acknowledgment**

(secs. 3111.03 and 3111.25)

Under prior law, a presumption of paternity arose between a man and a child when a paternity acknowledgment was filed with the Office of Child Support and the acknowledgment became final. The act makes the presumption arise when the acknowledgment is filed with the Office. After the acknowledgment becomes

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<sup>15</sup> ODJFS may require a CSEA to submit a corrective action plan if the CSEA fails to meet certain performance standards; fails to comply with federal or state statutes, regulations, or rules; or is responsible for or contributes to an adverse audit or quality control finding, disallowance of federal financial participation, or other sanction or penalty.

final, it is no longer a basis for a presumption. Instead, the final acknowledgment becomes a final and enforceable determination of paternity, unless it is rescinded under the court rescision procedure. The act also provides that a presumption arising prior to the effective date of the act based on a final acknowledgment is not a presumption but a final and enforceable determination of paternity, unless it is rescinded under the court rescision procedure.

An acknowledgment becomes final under continuing law if an administrative or court proceeding for child support is brought based on the acknowledgment before it becomes final as described below and the issue of the parentage is not raised in the proceeding. If it has not become final pursuant to an administrative or court child support proceeding, an acknowledgment becomes final if certain requirements are met.

The act changes the requirements governing when an acknowledgment becomes final by eliminating a requirement that more than 60 days have elapsed since the date of the last signature on the acknowledgment. In its place, the act requires that the acknowledgment not be subject to rescision under the administrative rescision procedure.

#### **Administrative rescision procedure for acknowledgments**

(sec. 3111.27)

Under prior law, an acknowledgment of paternity could be rescinded by either person who signed the acknowledgment if, no later than 60 days after the date of the latest signature, either person did both of the following:

- Requested a CSEA administrative determination of the existence or nonexistence of a parent and child relationship with respect to the child who is the subject of the acknowledgment;
- Gave the Office of Child Support notice of the request for the administrative determination and the CSEA making the determination.

Prior law also required the Office to contact the CSEA making the administrative determination on the same day the Office received the notice in order to verify that an administrative determination had been requested. If verification was made and the notice that the administrative determination was requested was sent within the 60 day time period, the acknowledgment was rescinded; if no verification was made, the acknowledgment was not rescinded.

The act changes the administrative rescision procedure by requiring the following:



- The parties must request an administrative determination of whether there is a parent and child relationship between the man who signed the acknowledgment and the child who is the subject of the acknowledgment, instead of requesting an administrative determination of the existence or nonexistence of a parent and child relationship with respect to the child;
- An administrative determination must actually be issued determining that no parent and child relationship exists in order to rescind the acknowledgment;
- The Office must verify that an administrative determination request has been made not later than the end of the business day following the business day on which the Office received the notice that the administrative determination request was made, instead of the same day;
- If the Office verifies that an administrative determination was requested and the notice of the request was timely sent, the Office must note the date the notice was received in its records and that the acknowledgment is subject to rescission, instead of rescinding the notice;
- If the Office verifies that an administrative determination was requested and the notice of the request was timely sent, the Office must direct the CSEA making the administrative determination to notify the Office when it issues a determination;
- If the Office cannot verify that an administrative determination was requested, the Office must note the date the notice was received and that it was not verified.

**Court rescision of final acknowledgment of paternity based on genetic tests disproving paternity**

(secs. 2151.23, 3111.31, 3119.961, and 3119.962)

Under continuing law, a person may file a motion for relief from a final judgment, court order, or administrative determination or order that determines that the person or a male minor is the father of a child or from a child support order under which the person or male minor is the obligor. The motion may be filed in the juvenile court of the county in which the original judgment, court order, administrative determination or order, or child support order was made. The juvenile court must grant the relief if it receives results from a genetic test administered no more than six months prior to the filing of the motion for relief that finds that there is a zero per cent probability that the person or male minor is

the father of the child, if the person or male minor has not adopted the child and the child was not conceived as a result of artificial insemination in compliance with Ohio law. Prior provisions of the law permitting the motion for relief to be granted did not appear to grant relief from an acknowledgment of paternity that had become final. Continuing law does, however, provide that a court cannot refrain from granting relief from a child support order if the person or male minor named in an acknowledgment of paternity that became final did not know that paternity with the child did not exist. There is also no time limit for filing the motion for relief.

Continuing law also provides that an acknowledgment of paternity that becomes final may be rescinded by an action to rescind the acknowledgment on the basis of fraud, duress, or material mistake of fact. The action may be brought by a person who is presumed to be the father of the child but did not sign the acknowledgment, either person who signed the acknowledgment, or a guardian or legal custodian of the child. The action must be brought no later than one year after the acknowledgment becomes final and the action must be treated as a court action to determine paternity. Prior provisions of the law permitted rescission of the acknowledgement only by this court action.

The act makes the proceedings initiated by a motion to obtain relief from a parentage determination or child support order applicable to acknowledgments of paternity that have become final. As described above under "**Presumption based on acknowledgment**," the act makes a final acknowledgment of paternity the same thing as a final and enforceable determination of parentage. The act also specifically provides that a final acknowledgment of paternity may be rescinded in one of two ways: (1) by an action for rescission brought within a year after the acknowledgment becomes final because of fraud, duress, or material mistake of fact, as provided under continuing law, and (2) by the motion for relief as provided under continuing law. The act further provides that if the parentage determination from which relief is sought is an acknowledgment of paternity that has become final, and the court grants the motion for relief, it must order the acknowledgment rescinded and destroyed and order ODJFS to remove all information relating to the acknowledgment from the Birth Registry. The act also provides that if the parentage determination is an acknowledgment of paternity that has become final, the motion for relief from it must be filed in the juvenile court or other court with jurisdiction of the county in which the person requesting relief or the child who is the subject of the acknowledgment resides.

The act amends the law governing juvenile court jurisdiction to specifically provide those courts original jurisdiction over motions for relief from a parentage determination or child support order. The act also requires the acknowledgment of paternity affidavit produced by ODJFS as the document for use in acknowledging



paternity to include in boldface type a statement that an acknowledgment of paternity may be rescinded in the two ways described above.

**Processing acknowledgments of paternity signed by a presumed father**

(secs. 3111.22, 3111.23, 3111.44, 3111.74, 3705.091, and 3727.17)

Under continuing law, an acknowledgment of paternity must be signed, notarized, and sent to the Office of Child Support. But, prior law provided that, if a person, CSEA, or local registrar of vital statistics knew a man was presumed to be the father of the child who was the subject of the acknowledgment, they were not allowed to notarize the acknowledgment or send it to the Office of Child Support. If a hospital knew or determined a man was presumed the father of the child who was the subject of an acknowledgment, the hospital could take no further action with respect to the acknowledgment and could not send it to the Office.

The act permits a person, CSEA, local registrar, or hospital to notarize and send to the Office of Child Support an acknowledgment addressing a child even in cases in which a man is presumed to be the child's father if the presumed father is the man who signed the acknowledgment.

**Signature of an acknowledgment of paternity by a legal guardian or custodian**

(repealed section 5101.324)

The act repeals provisions requiring the acknowledgment of paternity affidavit form created by ODJFS to contain basic instructions requiring a child's legal guardian or custodian to sign the acknowledgment and signature lines for the legal guardian or custodian.

**Elimination of paternity presumptions**

(sec. 3111.03)

Continuing law establishes several factual situations that will give rise to a presumption of paternity between a man and a child. The act eliminates the following two situations that give rise to a presumption:

- A man and the child's mother, married or attempted to marry each other after the child's birth and the man has acknowledged paternity of the child in a writing sworn to before a notary public or the man is required to support the child by a written voluntary promise or by a court order;



- Genetic tests indicating a 99% or greater probability that a man is the biological father of a child.

But, the act preserves the validity of presumptions based on those factual situations that arose prior to its effective date.

### **Administrative parentage determination**

#### **CSEA with which a request for an administrative parentage determination may be made**

(sec. 3111.38)

Under prior law, a request for an administrative determination of parentage could be made with the CSEA of the county in which the child who was the subject of the request resided or in which the parent, guardian, or legal custodian of the child resided. The act eliminates the option of allowing the request to be made with the CSEA of the county in which the parent resides.

#### **Request for administrative determination made to more than one CSEA**

(sec. 3111.39)

Under prior law, if more than one CSEA were to receive a request for an administrative determination of parentage, the CSEA that received the request first was required to proceed with it. The act provides that if more than one CSEA receives a request and each CSEA is the appropriate agency for the filing of the request, the CSEA receiving the request first must act on it. If a CSEA is not the appropriate agency for the filing of the request, the CSEA must forward the request to the CSEA of the county in which the child or the guardian or legal custodian of the child resides, and the latter CSEA must proceed with the request.

#### **Genetic testing to determine parentage in cases in which there is a statutory presumption**

(secs. 3111.41 and 3111.44)

Under prior law, when a CSEA received a request for a parentage determination, the administrative officer assigned by the CSEA to the request could schedule a conference with the mother and the alleged father to provide information and give them an opportunity to sign an acknowledgment of paternity affidavit. Such an affidavit could not be notarized and filed with the Office of Child Support in ODJFS for eventual placement in the birth registry if there was a man who presumed to be the father of the child. If the mother and the alleged father did not sign an affidavit at a conference, the administrative officer was



required to issue an order requiring the child, the mother, and the alleged father to submit to genetic testing.

The act changes the administrative procedure for a parentage determination by requiring the administrative officer, after being assigned to handle a request for a determination of parentage, to issue the genetic testing order. After the order is issued, the act permits the administrative officer to schedule a conference with the mother and the alleged father. At the conference, the administrative officer may provide the mother and alleged father the opportunity to sign an acknowledgment of paternity only if no other man is presumed to be the father of the child. If they sign an acknowledgment, the administrative officer must cancel the genetic testing order. But, regardless of whether a conference is held, if the mother and alleged father do not sign an acknowledgment or an acknowledgment cannot be notarized or filed because another man is presumed to be the father of the child, the child, mother, and alleged father must still submit to the genetic testing.

**Compliance with civil rules concerning administrative parentage and child support proceedings**

(secs. 3111.421, 3111.43, 3111.46, and 3111.80)

Under continuing law, a CSEA is required to send all of the following, in accordance with the Ohio Rules of Civil Procedure, to the parties in an administrative proceeding to establish parentage of a child:

- Notice that a request for an administrative determination of parentage was requested;
- A copy of the order requiring the mother, alleged father, and child to submit to genetic testing.

The act clarifies that, with respect to parentage determination requests and orders for genetic testing, the Civil Rules governing service of process apply, except to the extent they are not applicable. In addition, the references in the Civil Rules to the court and clerk must be considered to apply to the CSEA and the administrative officer respectively. The act clarifies that if service of notice of the request for the administrative determination of parentage is not made before the date the genetic tests are to occur, the CSEA must proceed with genetic testing on those persons present. If an administrative officer issues an order determining parentage, the order must be sent to the parties in accordance with the Civil Rules governing service and filing of pleadings and other papers subsequent to the original complaint.

The act also requires an administrative officer who schedules a hearing to determine child support after making a parentage determination to send notice to



the mother and father of the date, time, place, and purpose of the hearing in accordance with the Civil Rules and in the same manner as required for the notice of the request for the administrative parentage determination and order for genetic testing. The notice of the administrative child support hearing must be attached to the administrative parentage determination order.

**Elimination of inconclusive paternity determination based on genetic tests showing less than 99% probability of paternity**

(repealed section 3111.22)

Under prior law, if genetic tests conducted pursuant to an administrative parentage determination showed a less than 99% probability that the alleged father was the child's natural father but did not exclude the alleged father from being the natural father of the child, the administrative officer was required to issue an administrative order stating that it was inconclusive whether the alleged father was the natural father of the child.

The act eliminates the ability of the officer to issue an inconclusive order based on genetic test results described above. The act permits the officer to make only the following determinations based on genetic tests:

- The man is the father of the child if probability of paternity is 99% or greater;
- The man is not the father of the child if probability of the paternity is less than 99%.

**Ability to raise parentage issue after administrative child support order is issued**

(repealed section 3111.20)

Under prior law, if the CSEA issued an administrative support order requiring a person presumed to be a parent to pay support for a child, that order could not preclude a party from filing a court action determining, or requesting an administrative determination of, parentage of the child if the issue was not determined with respect to the party pursuant to the administrative child support proceeding or pursuant to a final acknowledgment of paternity. The act repeals the provision preserving a party's right to raise the parentage issue in a later court or administrative proceeding to determine the existence or nonexistence of a parent and child relationship.

**Birth record change consistent with administrative parentage determination**

(sec. 3111.52)

Under the act, a CSEA, as part of an administrative order determining parentage of a child, may order the surname of the child to be changed and order the change to be made on the child's birth record consistent with the order if both parties agree to the change.

**Who may bring a court action objecting to administrative child support determinations**

(sec. 3111.84)

Under prior law, if an administrative officer issued an administrative child support order after establishing parentage, the child's legal guardian or custodian could object to the order by filing a court action for support. The act eliminates the right of the child's legal guardian or custodian to bring the action.

**Imposition of retroactive birth-related expenses**

(sec. 3111.13)

When a court, under current law, determines parentage with respect to a child, the court may include in the judgment or order any other provision directed against the appropriate party to the proceeding concerning support, furnishing bond or other security for payment of the judgment, or any other matter in the best interest of the child. The judgment or order must direct the father to pay all or any part of the reasonable expenses of the mother's pregnancy and confinement.

The act eliminates the requirement that a court judgment or order determining parentage with respect to a child direct the father to pay all or any part of the reasonable expenses of the mother's pregnancy and confinement. Instead, the act permits the court to impose those costs against the appropriate party at the request of a party and if it is not prohibited by federal law. In addition, the act provides that the judgment or order determining parentage may contain provisions concerning support, furnishing of a bond or security to pay the judgment, or other matters in the best interest of the child, only if requested by a party and not prohibited under federal law.

### **Compromising parentage actions**

(repealed section 3111.19)

Former law provided that, after a parentage action was brought, but before judgment, the alleged father and mother, subject to the approval of the court, could compromise the action by an agreement in which parentage with the child was not determined but in which a specific economic obligation was undertaken by the alleged parent in favor of the child. In reviewing the agreement the court was required to consider the child's best interest, the child support deviation factors established in the support enforcement laws, and the probability of establishing parentage. The act repeals these provisions.

## **FEDERAL BALANCED BUDGET ACT OF 1997 CHANGES**

### **Background**

On August 22, 1996, the President signed into law the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, which made a number of changes to the federal law governing child support enforcement and establishment of the existence or nonexistence of a parent and child relationship and required states receiving federal funding to comply with those changes. Ohio enacted the required changes in H.B. 352.

On August 5, 1997, the President signed the Balanced Budget Act of 1997, which contained several amendments to the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, as well as additional changes to the law governing establishment and enforcement of orders concerning the parent and child relationship. The federal changes require amendments to state law that are included in the act.

### **Application fee for Title IV-D services**

(secs. 3125.36 and 3125.37)

Continuing law requires ODJFS to charge an application fee of up to \$25, as determined by rule, for furnishing Title IV-D services to persons who are not participating in Ohio Works First.<sup>16</sup> Such services include location of absent parents, establishment of parentage, establishment and modification of child support orders and medical support orders, enforcement of support orders, and collection of support obligations. The act provides that ODJFS is not required to charge the fee to persons exempted from paying the fee under federal law. Those

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<sup>16</sup> *This refers to services provided under that title of the Social Security Act.*



persons include, in addition to those participating in Ohio Works First, persons receiving foster care maintenance, adoption assistance, Medicaid, or food stamps. Under the act, an obligee who has assigned the right to support to ODJFS is not required to sign an application for Title IV-D services and the support order must be considered a Title IV-D case.

**New Hire Directory--penalty change**

(sec. 3121.8910)

Prior to the enactment of H.B. 352, the penalty for failure to make a report to the New Hire Directory was \$25. As required by the Personal Responsibility and Work Opportunity Reconciliation Act, H.B. 352 changed the penalty to less than \$25 for each failure. H.B. 352 also established an additional penalty of less than \$500 for each failure to make a report to the Directory if the failure was the result of a conspiracy between the employer and employee not to supply the report or to supply a false or incomplete report. In accordance with recent federal law changes, the act changes the penalty for failure to make a report to *not more than* \$25 for each failure and *not more than* \$500 for each failure based on a conspiracy.

**Administrative enforcement in interstate cases**

(sec. 3121.91)

Under continuing law, ODJFS may ask other states to assist it in enforcing support orders issued by Ohio courts and CSEAs. Under the act, except as provided in UIFSA, a support order issued in another state that is being enforced in Ohio may not be considered transferred to the caseload of an Ohio CSEA or to ODJFS. ODJFS is required to maintain records of the number of requests for assistance received in Ohio for the enforcement of orders issued by other states, the number of support cases issued by other states under which support was actually collected in Ohio, and the amount of support collected.

**Federal and state parent locator services**

(secs. 3125.03 and 3125.06)

ODJFS is required to enter into an agreement with the U.S. Secretary of Health and Human Services to make the services of the federal parent locator service available to Ohio for the purpose of locating an absent parent or child to enforce the law with respect to the unlawful taking or restraint of a child, to make or enforce a determination as to the allocation of parental rights and responsibilities for the care of a child and the designation of the residential parent and legal custodian of a child, or otherwise as to the custody of a child. The act

requires that the agreement also provide for the availability of the federal parent locator service to make or enforce a parenting time order.

Continuing law provides that the state program for child support enforcement must include the location of absent parents. The act requires that the Office of Child Support in ODJFS locate absent parents for any purpose under the child support enforcement program and for the purposes of establishing and enforcing orders allocating parental rights and responsibilities between parents concerning their children and making or enforcing parenting time orders.

### **Distribution of assigned support payments**

(sec. 3123.19)

Participation in Ohio Works First constitutes an assignment to ODJFS of any right to support from another person. The Office of Child Support in ODJFS must collect and distribute payments owed to Ohio Works First participants in accordance with Title IV-D, federal regulations, state statutes, and rules adopted by ODJFS. The Balanced Budget Act of 1997 sets forth a detailed method of distribution of support payments that have been assigned. The act requires child support arrearages owed to the obligee and ODJFS to be paid consistent with federal law.

### **Account information access agreements**

(sec. 3119.74)

Under prior law, the Office of Child Support in ODJFS was required to enter into an agreement with at least one financial institution doing business in Ohio to provide the Office access to account information of obligors in default for the purposes of establishing, modifying, or enforcing support orders.

The act requires the Office to enter into account information access agreements with financial institutions doing business in Ohio and other states. The Office may join an alliance of states for the purposes of participating in the federal financial data matching program and entering into agreements with financial institutions doing business in Ohio. In the case of financial institutions doing business in other states, the Office must enter into an agreement with the federal office of child support enforcement for the purpose of participating in the financial institution data matching program.



**Fee for providing information pursuant to account information access agreements**

(secs. 3121.75, 3121.78, and 3123.37)

Under prior law, a financial institution that responds to a request or provides information to the Office of Child Support pursuant to an account information access agreement was required to be reimbursed for the actual, reasonable costs incurred in responding to the request or providing the information, including salaries, benefits, equipment, computer software, and any modifications to processing or record-keeping systems made necessary by the agreement. The Director of ODJFS was required to adopt rules pursuant to the Administrative Procedure Act to govern reimbursements to financial institutions.

The act eliminates the reimbursement and in its place provides that a financial institution that provides information pursuant to the agreement may deduct a fee of \$5 for each withdrawal the financial institution makes from an obligor's account pursuant to a withdrawal directive ordered because the obligor is in default. The act also eliminates the Director's rulemaking duty regarding the reimbursements.

**Changes to procedure for imposition of access restriction**

(secs. 3123.25 and 3123.26)

The act requires that, if a CSEA, after examining the case registry maintained as part of the Support Enforcement Tracking System (SETS), determines that an obligor in default under a support order administered by the CSEA maintains an account in a financial institution, the CSEA must determine whether the obligor is subject to a final and enforceable determination of default under Ohio's support enforcement law. If the obligor is subject to such a determination of default, the CSEA may issue an access restriction notice to the financial institution in which the obligor's account is maintained.<sup>17</sup> The act also requires the financial institution to promptly place an access restriction on the account on receipt of the access restriction notice from the CSEA. The act requires a copy of the access restriction notice to be sent to the obligor at the time it is sent to the financial institution.

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<sup>17</sup> *An access restriction means that funds may not be withdrawn or transferred.*

### **Notice of release of access restriction**

(sec. 3123.34)

Under continuing law, an access restriction is to be released from an obligor's account if the money in the account is determined by a CSEA to be someone else's money. An access restriction is also to be released over a portion of the money in the obligor's account if the CSEA determines it belongs to someone else. The act requires, in either case, for the CSEA to send notice of the release to the obligor.

### **Notice on failure to timely request a hearing**

(sec. 3123.32)

Under continuing law, a CSEA is required to investigate an account in a financial institution that is under the name of an obligor in default under a support order. The investigation must determine the amount of funds in the account available to pay the obligor's arrearages as well as whether a person other than the obligor owns some or all of the funds in the account. If another person has ownership interest in the account, the CSEA must notify the person that a withdrawal directive will be issued to collect the money in the account unless the person objects by filing a request for a hearing over the issue with the CSEA no later than ten days after the date the notice is sent. If a person to whom the notice is sent fails to timely request a hearing, the withdrawal directive will be sent to the financial institution. The act requires that a copy of the notice be sent to the obligor.

### **Notice of withdrawal directive**

(sec. 3123.37)

Under continuing law, if an obligor in default has funds in an account in a financial institution under an account information access agreement with the Office of Child Support and it is determined that some or all of the money belongs to the obligor, a CSEA must issue a withdrawal directive requiring the money to be transferred to the Office. The act requires this notice to be sent to the obligor.

## **OTHER CHANGES**

### **Parenting time**

(secs. 2151.33, 2301.03, 2317.02, 2705.031, 3105.63, 3105.65, 3109.04, 3109.05, 3109.051, 3109.052, 3109.12, 3109.21, 3109.27, 3109.28, 3111.13, 3111.26, 3111.31, 3113.31, 3115.16, 3119.08, 3119.09, 3119.23, 5104.011, and 5153.16)



Under prior law, when parents are granted a divorce, dissolution, legal separation, or annulment, the court must grant reasonable companionship or visitation rights to the parent who is not the residential parent of the child, unless the court finds that companionship or visitation with the child would not be in the child's best interest. Similarly, when a child is born to an unmarried woman, the father of the child may be awarded reasonable companionship or visitation rights with the child in certain circumstances. The act redesignates "companionship or visitation rights" as "parenting time" with respect to a parent.

**Granting visitation rights to person other than a parent**

(sec. 3109.051)

A court may grant reasonable companionship or visitation rights with respect to a child to a grandparent, relative, or other person if the child's parents legally separate, terminate their marriage, are unmarried, or a parent dies. In deciding whether to grant such rights, the court is required to consider numerous factors, including any factor in the best interest of the child. Prior law, however, did not require the court to specifically determine the wishes and concerns of the parents when deciding whether to grant companionship or visitation rights to a grandparent, relative, or other person. A recent United States Supreme Court decision, *Troxel v. Granville*, found a Washington state visitation statute unconstitutional, as applied, because, among other reasons, it did not require consideration of the wishes and concerns of the parents. The act changes Ohio law to require consideration of the wishes and concerns of the child's parents, as expressed by them to the court, when companionship or visitation rights are requested for a person other than a parent.

**Visitation rights of relatives after a step-parent adoption**

(secs. 3107.15 and 3109.11)

The act provides that if a step-parent adopts a child, a grandparent's or relative's right to companionship or visitation is not restricted or curtailed by the adoption. The only exception is that the right is eliminated if, prior to the adoption, the parent and child relationship was terminated. Under the act, companionship or visitation rights with a child granted prior to the child's adoption, may not be restricted or curtailed. Thus, if one of the child's parents dies, companionship or visitation rights granted by a court to the parents or relatives of the deceased parent would be preserved if the child is adopted by a step-parent, unless the relationship of parent and child between the deceased parent and the child was terminated before the adoption. The act also provides that the adoption of a child by a step-parent does not affect the authority of a court

to grant reasonable companionship or visitation rights with respect to the child to a grandparent or another relative of the deceased parent, if a parent dies.

**New Hire Directory--expansion of persons covered by reporting requirement**

(sec. 3121.89)

Under continuing law, every employer must make a new hire report to ODJFS regarding the hiring, rehiring, or return to work as an employee of a person who resides, works, or will be assigned to work in this state to whom the employer anticipates paying compensation. Under prior law, "employee" was defined very broadly in that the definition only stated who was not an employee. Specifically, "employee" did not include an individual performing intelligence or counterintelligence functions for a state agency, if the head of the agency had determined that New Hire Reporting could endanger the safety of the employee or compromise an ongoing investigation or intelligence mission. The act retains the exclusion but expands the definition of "employee" to mean an individual who is employed to provide services for compensation to an employer, and includes an individual who provides services to an employer under a contract as an independent contractor and is an individual, the sole shareholder of a corporation, or the sole member of a limited liability company.

**New Hire Directory--data match reporting**

(secs. 3121.895 and 3121.896)

Former law required ODJFS to notify the CSEA administering the support order within two business days after the new hire information was entered in the New Hire Directory if a Social Security number in the directory matched a Social Security number in the case registry. On receipt of the notice, the CSEA was required to send a withholding notice to the employer. The act provides that notice of a match must be sent to the CSEA no later than the business day after the information is entered in the Directory, and that the CSEA must send the withholding notice no later than the business day after receipt of the notice of a match.

**Cooperation of caretaker of child participating in Ohio Works First**

(sec. 5107.22)

Under continuing law, unless good cause for failure or refusal exists, the caretaker of a minor child receiving assistance under Ohio Works First must cooperate, if the caretaker is a member of the child's assistance group, in establishing parentage of the child and establishing, modifying, and enforcing a



support order for the child.<sup>18</sup> Cooperation includes providing sufficient information available to the caretaker to verify the identity of the minor child's father and establish, modify, and enforce a support order. Failure or refusal to cooperate without good cause could result in the denial of assistance from the Ohio Works First program. Good cause for failure or refusal to cooperate includes possible physical or emotional harm to the child or caretaker that may result from cooperation.

The act provides that, with respect to charter counties only, cooperation also includes appearing at all proceedings to establish, modify, or enforce support for, and to establish parentage with respect to, the child. A charter county is any county that has, pursuant to Article 10, Section 3 of the Ohio Constitution, adopted a charter allowing the county to provide for its form of government, which may vary from the form required under Ohio law for counties in general. Currently, only one county, Summit County, is a charter county.

#### **Clarification of court jurisdiction**

(secs. 2151.231, 2151.232, 3109.12, 3111.06, 3111.12, 3111.28, 3111.29, 3111.381, 3111.49, 3111.54, 3111.78, 3111.84, 3115.37, 3119.61, 3119.91, 3119.961, and 3121.37)

Under continuing law, "juvenile court" means a division of a court of common pleas or a juvenile court separately and independently created having jurisdiction under the Juvenile Code. Juvenile courts have original jurisdiction to determine parentage actions, hear UIFSA actions, hear and determine applications for a support order for a child, and hear and determine actions to rescind acknowledgments of paternity that become final.<sup>19</sup> The law does not put jurisdiction over those actions exclusively in the juvenile court. In fact, other provisions of the Revised Code grant jurisdiction to the domestic relations division of the court of common pleas in certain counties of the state.

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<sup>18</sup> *Ohio Works First is Ohio's public assistance program under the federal Temporary Assistance to Needy Families program, which replaced the Aid to Families with Dependent Children program.*

<sup>19</sup> *See, **Court rescission of final acknowledgment of paternity based on genetic tests disproving paternity**, which discusses the provisions of the act that give juvenile courts original jurisdiction over motions to obtain relief from a final acknowledgment of paternity based on genetic tests that disprove paternity.*

*A court with original jurisdiction over an action may hear it from its inception and pass judgment pursuant to it.*

Despite the sharing of jurisdiction between juvenile and domestic relations courts, certain provisions of former law governing the following proceedings specifically stated that the juvenile court had jurisdiction:

1. Court and administrative proceedings for parentage determinations and child support orders issued pursuant to such determinations;
2. Proceedings for child support when a parent owes a duty of support or the parent has acknowledged paternity by an acknowledgment that is not yet final;
3. UIFSA proceedings for declaratory judgment regarding the applicability of an income withholding order issued in another state;
4. Proceedings to modify or terminate administrative child support orders;
5. Proceedings to grant relief from parentage determinations or child support orders based on genetic tests disproving paternity;
6. Requests for court contempt order for failure to comply with an administrative child support order.

In certain counties in Ohio, there was some confusion regarding which division of the common pleas court had jurisdiction over the actions described in 1. to 6. above. The act clarifies jurisdiction in those cases by providing that the actions, proceedings, or requests may be filed or made to the juvenile court or other court with jurisdiction as provided in the Revised Code.

#### **Change to form of citing federal law**

(secs. 3111.35, 3111.67, 3121.07, 3121.71, 3121.84, 3121.85, 3121.86, 3121.91, 3121.92, 3123.11, 3123.19, 3123.67, 3125.01, 3125.03, 3125.06, 3125.08, 3125.11, 3125.37, 3125.38, and 3125.51)

The act changes federal law references made generally to Title IV-D in the recodified sections of the act to **Title IV-D of the "Social Security Act," 88 Stat. 2351 (1975), 42 U. S. C. 651, et. seq., as amended.**

#### **Change Division of Child Support to Office of Child Support**

(secs. 149.43, 169.03, 169.08, 1347.08, 2151.232, 3109.05, 3111.22, 3111.23, 3111.24, 3111.27, 3111.30, 3111.66, 3111.69, 3111.72, 3111.74, 3113.04, 3115.31, 3121.03, 3121.037, 3121.12, 3121.15, 3121.19, 3121.20, 3121.43, 3121.44, 3121.45, 3121.46, 3121.47, 3121.48, 3121.49, 3121.50, 3121.56, 3121.57, 3121.58, 3121.59, 3121.63, 3121.64, 3121.65, 3121.67, 3121.69, 3121.74, 3121.75, 3121.81, 3121.83, 3121.84, 3121.85, 3123.03, 3123.19,



3123.25, 3123.37, 3123.45, 3123.56, 3123.68, 3123.72, 3123.81, 3123.821, 3123.85, 3123.88, 3123.93, 3123.931, 3123.932, 3123.95, 3123.951, 3123.952, 3123.953, 3123.954, 3123.955, 3123.956, 3123.957, 3123.958, 3123.959, 3123.9510, 3125.02, 3125.03, 3125.04, 3125.05, 3125.28, 3125.41, 3125.42, 3125.43, 3125.44, 3125.49, 3705.091, 3727.17, 3770.071, 5107.20, and 5703.21)

The act changes the name of the Division of Child Support in ODJFS to the Office of Child Support.

**Income tax law**

(Section 6)

Am. Sub. S.B. 287 of the 123rd General Assembly amended Ohio's income tax law to make changes regarding the allocation of nonbusiness income or deductions to Ohio; apportionment of business income or deductions to Ohio; apportionment and allocation of income and deductions of pass-through entities; and the determination of an individual taxpayer's domicile. S.B. 287 made those changes first applicable to tax year 2002. The act makes those changes applicable to taxable years beginning in 2001 or thereafter.

**MAJOR TECHNICAL CHANGES**

**Recodification of Revised Code sections governing child support**

(secs. 145.27, 145.56, 148.09, 149.43, 169.03, 169.08, 329.04, 742.41, 742.47, 909.131, 917.24, 918.45, 919.21, 921.30, 926.102, 927.521, 943.19, 1321.05, 1321.84, 1322.101, 1347.08, 1349.01, 1533.82, 1541.42, 1547.544, 1561.52, 1565.25, 1905.201, 2151.23, 2151.231, 2151.232, 2151.33, 2151.36, 2151.49, 2329.66, 2705.02, 2705.031, 2716.01, 2919.22, 2919.231, 3103.03, 3103.031, 3105.18, 3105.21, 3107.01, 3107.06, 3107.064, 3109.04, 3109.05, 3109.051, 3109.12, 3109.19, 3111.01, 3111.02, 3111.03, 3111.04, 3111.06, 3111.09, 3111.111, 3111.12, 3111.13, 3111.19, 3111.20, 3111.21, 3111.22, 3111.23, 3111.24, 3111.25, 3111.26, 3111.27, 3111.28, 3111.29, 3111.30, 3111.31, 3111.32, 3111.33, 3111.34, 3111.35, 3111.38, 3111.381, 3111.39, 3111.40, 3111.41, 3111.42, 3111.421, 3111.43, 3111.44, 3111.45, 3111.46, 3111.47, 3111.48, 3111.49, 3111.50, 3111.51, 3111.52, 3111.53, 3111.54, 3111.58, 3111.61, 3111.611, 3111.64, 3111.65, 3111.66, 3111.67, 3111.69, 3111.71, 3111.72, 3111.73, 3111.74, 3111.77, 3111.78, 3111.80, 3111.81, 3111.82, 3111.821, 3111.83, 3111.831, 3111.832, 3111.84, 3111.85, 3111.88, 3111.89, 3111.90, 3111.91, 3111.92, 3111.93, 3111.94, 3111.95, 3111.96, 3113.04, 3113.07, 3113.2111, 3113.31, 3113.99, 3115.01, 3115.14, 3115.16, 3115.31, 3115.32, 3115.42, 3115.52, 3301.071, 3301.074, 3301.71, 3304.42, 3305.08, 3307.20, 3307.41, 3309.22, 3309.66, 3319.088, 3319.29, 3319.31, 3319.312,



3332.031, 3332.18, 3705.09, 3705.091, 3710.19, 3719.82, 3723.18, 3727.17, 3737.883, 3742.20, 3748.121, 3770.07, 3770.071, 3773.36, 3773.42, 3773.59, 3783.09, 3905.53, 3921.331, 3924.48, 3924.49, 3931.13, 3941.02, 3949.22, 3951.10, 3959.17, 4104.21, 4123.67, 4141.282, 4501.25, 4506.071, 4507.08, 4507.111, 4507.16, 4507.34, 4507.99, 4511.191, 4701.28, 4703.12, 4703.16, 4703.36, 4703.52, 4705.021, 4707.23, 4709.26, 4713.27, 4715.40, 4717.16, 4723.07, 4723.09, 4723.341, 4723.63, 4725.20, 4725.531, 4727.031, 4728.031, 4729.67, 4730.251, 4731.76, 4732.27, 4733.15, 4733.27, 4734.22, 4735.05, 4735.33, 4736.17, 4738.072, 4739.07, 4739.16, 4740.101, 4741.02, 4741.32, 4747.16, 4749.14, 4751.12, 4753.071, 4753.15, 4755.04, 4755.09, 4755.61, 4755.66, 4757.19, 4759.11, 4761.03, 4761.12, 4763.03, 4763.18, 4765.56, 5101.36, 5101.37, 5101.99, 5107.20, 5107.80, 5123.083, 5126.251, 5505.04, 5505.22, 5703.21, 5747.121, 5747.18; Chapters 3119., 3121., 3123., and 3125; and repealed sections 2301.34, 2301.35, 2301.353, 2301.355, 2301.357, 2301.36, 2301.37, 2301.373, 2301.374, 2301.38, 2301.43, 2301.44, 2301.45, 2301.46, 3111.20, 3111.21, 3111.211, 3111.22, 3111.23, 3111.231, 3111.24, 3111.241, 3111.242, 3111.25, 3111.26, 3111.27, 3111.28, 3113.21, 3113.211, 3113.213, 3113.214, 3113.215, 3113.216, 3113.217, 3113.218, 5101.31, 5101.311, 5101.312, 5101.314, 5101.315, 5101.319, 5101.321, 5101.323, 5101.324, and 5101.325)

The act reorganizes (recodifies) the placement of child support provisions in the Revised Code. The recodification places child support laws into four new Revised Code chapters: 3119. (calculation of support); 3121. (collection and enforcement of support); 3123. (default); and 3125. (state and local administration). The recodification also reorganizes Chapter 3111. governing paternity establishment and artificial insemination. The charts in Appendix A and B give a brief description of the subject of each recodified section, the existing number of the section and the new section number. The chart in Appendix A gives the new section numbers in ascending numerical order. Appendix B gives the existing section numbers in ascending numerical order. Appendix C lists Revised Code provisions repealed for technical reasons.

### **Repeal and incorporation of sections 3111.23 to 3111.28 of the Revised Code**

(secs. 3111.43, 3111.54, 3119.01, 3119.30, 3119.301, 3119.31, 3119.40, 3119.41, 3119.43, 3119.45, 3119.47, 3119.48, 3119.49, 3119.491, 3119.50, 3119.51, 3119.52, 3119.53, 3119.54, 3119.55, 3119.56, 3119.57, 3119.60, 3119.61, 3119.72, 3119.73, 3119.76, 3119.87, 3119.88, 3119.89, 3119.90, 3119.93, 3119.94, 3121.02, 3121.03, 3121.032, 3121.033, 3121.034, 3121.035, 3121.036, 3121.037, 3121.038, 3121.039, 3121.0311, 3121.12, 3121.18, 3121.19, 3121.20, 3121.21, 3121.23, 3121.24, 3121.27, 3121.29, 3121.30, 3121.33, 3121.34, 3121.37, 3121.38, 3121.39, 3121.50, 3123.13, 3123.19; repealed sections



3111.23, 3111.231, 3111.24, 3111.241, 3111.242, 3111.25, 3111.26, 3111.27, and 3111.28)

Under former law, Revised Code sections 3111.23 to 3111.28 governed administrative support orders, which were issued by CSEAs. Revised Code sections 3113.21 to 3113.219 govern court-issued support orders. Many of the provisions concerning administrative support orders and court-issued support orders were virtually identical. The act repeals the Revised Code sections governing administrative support orders and incorporates those provisions into the renumbered sections governing court-issued support orders (see Appendices A, B, and C). Differences between administrative and court-issued support orders in existing law are maintained.

The act establishes new definitions to clarify the types of orders to which the statute refers. "Administrative child support order" refers to orders for the support of a child that are issued by a CSEA. "Court child support order" refers to orders for the support of a child that are issued by a court. "Child support order" encompasses both administrative and court child support orders. "Court support order" includes both a court child support order and an order for the support of a spouse. Finally, a "support order" means an administrative child support order or a court support order.

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## HISTORY

ACTION	DATE	JOURNAL ENTRY
Introduced	08-31-99	pp. 967-969
Reported, S. Judiciary	05-24-00	p. 1813
Passed Senate (33-0)	05-24-00	pp. 1821-1824
Reported, H. Family Services	12-05-00	p. 2427
Passed House (92-0)	12-07-00	pp. 2457-2460
Senate concurred in House amendments (28-0)	12-07-00	pp. 2361-2364

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**APPENDIX A:**  
**Recodification chart organized by new section number**

<b>SUBJECT</b>	<b>NEW §</b>	<b>EXISTING §</b>
Definitions applicable to paternity sections (3111.20 to 3111.85)	3111.20	5101.314(F)
Notarizing acknowledgment of paternity	3111.21	3111.21
CSEA send notarized acknowledgment to Office of Child Support	3111.22	3111.21
Filing acknowledgment with Office of Child Support	3111.23	5101.314(A)(1)
Office of Child Support examine acknowledgment	3111.24	5101.314(A)(2)
Acknowledgment becomes final--when	3111.25	5101.314(A)(3)(a) and (b)
Effect of final acknowledgment	3111.26	5101.314 paragraph after (A)(3)(b) and (A)(4)(a), first sentence
Recision of acknowledgment not yet final	3111.27	5101.314(B)(1)(a) and (b)
Court action to rescind final acknowledgment	3111.28	5101.314(B)(2)
Action for child support based on final acknowledgment	3111.29	5101.314(A)(4)(b)
Notification to Health Department of final acknowledgment	3111.30	5101.314(A)(4)(c)
Acknowledgment of paternity affidavits--creation	3111.31	5101.324(D) (1)
Paternity establishment informational pamphlets--creation	3111.32	5101.324(C) first sentence
Distribution of affidavits and pamphlets	3111.33	5101.324(C) second sentence and (D)(3)
Rules governing additional evidence to accompany affidavit for new birth record	3111.34	5101.324(D)(2)

<b>SUBJECT</b>	<b>NEW §</b>	<b>EXISTING §</b>
Rules for 3111.20 to .34	3111.35	5101.314(E)
Action for administrative determination of paternity	3111.38	3111.22(B)
De Novo court action to determine paternity not available; exceptions	3111.381	3111.22(A)
Multiple requests for determination	3111.39	3111.22(B)
Contents of request for administrative determination. of paternity	3111.40	3111.22(B)(1) to (4)
Issuance of administrative order for genetic testing	3111.41	3111.22(C)(1) first paragraph, first, third, and fourth sentences
Attachment of notice to testing order	3111.42	3111.22(C)(1) second paragraph, (a) to (h)
Notice and testing order sent under Civil Rules	3111.421	3111.22(C)(1) second paragraph
Notice of paternity determination request sent to parties under Civil Rules--contingency if unable to obtain service	3111.43	3111.26
Conference to sign acknowledgment of paternity affidavit	3111.44	3111.22(C)(1) first paragraph, second sentence
Genetic tests conducted	3111.45	3111.22(C)(2) first paragraph, first and second sentences
Orders that may be issued on conclusion of tests	3111.46	3111.22(C)(2)(a) to (c)
Inconclusive determination order issued for willful failure to submit to genetic tests	3111.47	3111.22(F)
Orders must contain notice of right to appeal conclusive determination or right to bring paternity action for inconclusive determination	3111.48	3111.22(C)(2) last paragraph
Right to appeal conclusive determination	3111.49	3111.22(D)



<b>SUBJECT</b>	<b>NEW §</b>	<b>EXISTING §</b>
Right to bring court paternity action based on inconclusive determination of paternity due to willful failure to submit; lack of evidence	3111.50	3111.22(F)
Personal information contained in paternity order	3111.51	3111.22(G) first sentence
Change of surname based on paternity determination notification of Department of Health.	3111.52	3111.22(G) second sentence
Administrative officer	3111.53	2301.358
Contempt for failure to submit to genetic testing	3111.54	3111.242(B)
Issuance of new birth record	3111.58	3111.221 second and third paragraphs
Genetic testing samples	3111.61	2301.356
Rules governing on-site genetic testing	3111.611	2301.35(D)(2)
Birth registry established	3111.64	5101.314(D)(1)
Birth registry maintained as part of data system	3111.65	5101.314(D)(2)
Filing of paternity determinations with Office of Child Support	3111.66	5101.314(C)
Rules for registry	3111.67	5101.314(E)
Putative father registry	3111.69	5101.313
Contract between DHS and hospitals for paternity establishment	3111.71	2301.357(B) first sentence of first paragraph and all of last paragraph of (B)



<b>SUBJECT</b>	<b>NEW §</b>	<b>EXISTING §</b>
Contract requirements	3111.72	2301.357(B) second sentence of first paragraph and (1) to (10)
Report on hospitals that have not entered into contract	3111.73	2301.357(C)
Hospital duty if a man is presumed father	3111.74	2301.357(D)
Presumed father has duty of support	3111.77	3111.20(B)
Administrative action for support may be taken against presumed father	3111.78	3111.20(C) second paragraph, first sentence
Administrative action for child support based on administrative determination of paternity or presumption	3111.80	3111.20(D) first paragraph ;3111.22(E)(1)
Issuance of support order after hearing	3111.81	3111.20(D)(1) and (2); 3111.22(E)(1)(a) to (c)
Paternity may be raised in administrative support action	3111.82	3111.20(C) third paragraph, first sentence; 3111.211(A), first sentence, second paragraph
Effect of raising paternity in administrative support action	3111.821	3111.20(C) third paragraph, second sentence; 3111.211(A), second to fourth sentences, second paragraph; third paragraph
Registration of administrative child support orders	3111.83	New
Creation of registration system	3111.831	New
No fee if file administrative orders	3111.832	New
Appeal of administrative child support determination	3111.84	New



<b>SUBJECT</b>	<b>NEW §</b>	<b>EXISTING §</b>
Effect of prior administrative determination of paternity	3111.85	3111.22(H)
Definitions	3111.88	3111.30
Scope of artificial insemination provisions	3111.89	3111.31
Supervision by physician	3111.90	3111.32
Medical history and examination of donor	3111.91	3111.33
Both spouses must consent	3111.92	3111.34
Contents of consent form, etc.	3111.93	3111.35
Confidentiality and retention of information	3111.94	3111.36
Recipient's husband considered natural father	3111.95	3111.37
Effect of noncompliance	3111.96	3111.38

<b>SUBJECT</b>	<b>NEW §</b>	<b>EXISTING §</b>
Definitions	3119.01	2301.34; 2301.35(J)(2); 3111.20(A); 3111.241(A); 3113.21(P); 3113.215(A); 3113.217(A)
Calculation of child support--requirement to use basic child support schedule and worksheets	3119.02	3113.215(B)(1), first and second sentence
Basic child support schedule	3119.021	3113.215(D)
Sole/shared parenting worksheet	3119.022	3113.215(E)
Split parenting worksheet	3119.023	3113.215(F)
Guidelines review	3119.024	3113.215(G)
Presumption that amounts calculated using schedule and worksheets are correct	3119.03	3113.215(B)(1), third sentence up to "due"
Calculation of child support when combined gross income is less than \$6,600 or exceeds \$150,000	3119.04	3113.215(B)(2)(a) and (b)
Factors in computing child support amounts	3119.05	3113.215(B)(5)



<b>SUBJECT</b>	<b>NEW §</b>	<b>EXISTING §</b>
Minimum support orders	3119.06	3113.215(B)(7)(a)
Determining the obligor	3119.07	3113.215(C) first paragraph
Visitation order must accompany child support order	3119.08	3113.215(C) second paragraph, first sentence
No impoundment/escrowing of child support if noncompliance with visitation	3119.09	3113.215(C) second paragraph, second sentence
Amount calculated for child support must be issued unless deviation is permitted	3119.22	3113.215(B)(1), third sentence, everything after "due"; (B)(2)(c)
Discretionary deviations	3119.23	3113.215(B)(3)
Deviation in shared parenting cases; allowed in extraordinary circumstances	3119.24	3113.215(B)(6)(a) and (b)
Imposition of administrative charge	3119.27	2301.35(G)(1) first and third sentence
Payment by obligor of administrative charge; definition of current support payment	3119.28	2301.35(G)(1) second sentence and (J)(1)
Health insurance provisions must be included in child support orders	3119.30	3113.217(B) and 3111.241(B)
Transitional rules	3119.301	3113.217(L) and 3111.241(L)
Specific requirements in child support orders concerning health insurance coverage for children	3119.31	3113.217(C) and 3111.241(C)
Motion requesting court to order obligor or obligee to provide health insurance coverage	3119.33	3113.21(C)(1)(d)(i) first sentence
CSEA investigate health insurance situation of obligor/obligee	3119.34	3113.21(C)(1)(d)(i) second and third sentences



SUBJECT	NEW §	EXISTING §
Court determination	3119.35	3113.21(C)(1)(d)(i) fourth sentence
Motion to modify child support amount because it does not cover health costs	3119.37	3113.21(C)(1)(d)(ii) first sentence
Court determination	3119.38	3113.21(C)(1)(d)(ii) second sentence
CSEA notify court when obligor/obligee fails to obtain insurance	3119.40	3113.217(D) first sentence; 3111.241 (D) first sentence
Court issue health insurance coverage order and send to employer	3119.41	3113.217(D) second and third sentences; (F) second sentence; 3111.241(D) second and third sentences
CSEA investigation when employment changes	3119.43	3113.217(E)(1) first sentence; 3111.241 (E)(1) first sentence
CSEA issue notice requiring enrollment of children in health insurance coverage	3119.44	3113.217(E)(1) second sentence; 3111.241(E)(1) second sentence
Contents of health insurance notice issued by CSEA	3119.45	3113.217(E)(2); 3111.241(E)(2)
Standard forms for health insurance coverage notices	3119.46	New
Orders and notices requiring provisions of health care are binding	3119.47	3113.217(F); 3111.241(F)
Employer compliance with health insurance requirement/notice is required	3119.48	3113.217(G)(1) first half of first sentence; 3111.241(G)(1) first half of first sentence
Release of information to parent/CSEA	3119.49	3113.217 (G)(1) second half of first sentence; 3111.241 (G)(1) second half of first sentence

<b>SUBJECT</b>	<b>NEW §</b>	<b>EXISTING §</b>
Limitation on use of information	3119.491	3113.217(G)(1) second sentence; 3111.241(G)(1) second sentence
Employer notify CSEA of change/termination of health coverage	3119.50	3113.217(G)(2); 3111.241(G)(2)
Insurer required to comply with health insurance notice or order	3119.51	3113.217(G)(3) first sentence; 3111.241 (G)(3) first sentence
Reimbursement of appropriate parent by insurer	3119.52	3113.217(G)(3) second sentence; 3111.241(G)(3) second sentence
Enrollment of child in health insurance plan not required if the child does not meet underwriting standards	3119.53	3113.217(K); 3111.241(J)
Payment of health costs if obligee eligible for medical assistance	3119.54	3113.217(H); 3111.241(H)
Liability for medical expenses for failure to comply with health insurance order/notice	3119.56	3113.217(I); 3111.241(I)
Failure to comply with court child support order or order requiring health insurance is contempt	3119.57	3113.217(J) first sentence; 3111.241 (K)
Second time contempt for failure to comply with court child support order or order requiring health insurance coverage--change of circumstances for purposes of child support modification	3119.58	3113.217(J) second sentence
CSEA procedure when preparing to do a review of a child support order	3119.60	3113.216(C)(1); 3111.27(B)(1)
CSEA procedure when conducting review of administrative child support orders	3119.61	3111.27(C)(1); (C)(2); and (D)
CSEA procedure when conducting review of court child support orders	3119.63	3113.216(C)(3)



<b>SUBJECT</b>	<b>NEW §</b>	<b>EXISTING §</b>
Opportunity to request court hearing to review revised amount of child support proposed by CSEA for inclusion in court order	3119.64	3113.216(D)
Court issue new child support order including revised amount if obligor or obligee do not request court hearing on CSEA determination	3119.65	3113.21(C)(1)(c)(i) second sentence
Court schedule and conduct hearing if obligor/obligee request review of CSEA revision	3119.66	3113.21(C)(1)(c)(i) third sentence
Court give notice of hearing	3119.67	3113.21(C)(1)(c)(ii)
Obligor/obligee provide financial information	3119.68	3113.21(C)(1)(c)(ii)
Court give notice that failure to provide information is contempt	3119.69	3113.21(C)(1)(c)(ii)
Court determination	3119.70	3113.21(C)(1)(c)(ii)
Effective date of modification after CSEA review	3119.71	3113.21(C)(1)(f)
Failure to provide information pursuant to administrative review of child support orders	3119.72	3113.216(C)(2); 3111.28(B); 3111.27(B)(2)
Consideration of health insurance cost required when court or CSEA reviews child support orders	3119.73	3113.21(C)(1)(c) (iii); 3113.216(C)(4); 3111.27(C)(3)
Additional administrative reviews conducted by CSEA	3119.74	3113.21(L)(4)
When CSEA is not required to conduct a review	3119.75	3113.216(E)
DHS rules governing administrative reviews	3119.76	3113.216(B); 3111.27(A)
Court modification--10% change requirement	3119.79	3113.215(B)(4)



SUBJECT	NEW §	EXISTING §
Motion to request withholding/deduction notice or other appropriate order to enforce support order	3119.80	3113.21(C)(1)(a)
Issuance of withholding/deduction notice or other appropriate order when child support order is before the court in any proceeding	3119.81	3113.21(C)(1)(b)
Determination of right to claim child as a dependent	3119.82	3113.21(C)(1)(e)
Prohibition against retroactive modification of delinquent support amount	3119.83	3113.21(M)(3)
Court may modify support amount due after motion to modify filed	3119.84	3113.21 (M)(4)
Duration of administrative and court child support orders	3119.86	2151.23(G)(2); 3105.21(D); 3109.05(E); 3111.13(F) (2); 3113.04(C); and 3113.31(K) (2)
Termination--Duty to notify	3119.87	3113.21(G)(4)(a); 3111.23(E)(4)(a)
Termination--Reasons for termination	3119.88	3113.21(G)(4)(a); 3111.23(E)(4)(a)
Termination--CSEA investigation	3119.89	3113.21(G)(4)(a); 3111.23(E)(4)(a)
Termination--CSEA duties after investigation complete	3119.90	3113.21(G)(4)(a); 3111.23(E)(4)(a)
Termination--Right to appeal administrative determination concerning termination	3119.91	New
Termination--Appeal to juvenile court	3119.92	New
Termination--Effect of termination on withholding or deduction notice	3119.93	3113.21(G)(4)(c); 3111.23(E)(4)(c)
Termination--Rules	3119.94	3113.21(G)(4)(d); 3111.23(E)(4)(d)



<b>SUBJECT</b>	<b>NEW §</b>	<b>EXISTING §</b>
Definitions	3119.96	3113.2111(J)(2)
Motion for relief from parentage determination or child support order	3119.961	3113.2111(A)
Determination as to whether to grant relief	3119.962	3113.2111(B) and (C)
Genetic tests	3119.963	3113.2111(D)
Effect of granting relief on parenting time rights, visitation rights, and arrearages	3119.964	3113.2111(F) and (G)
Proceedings to establish parentage after relief granted	3119.965	3113.2111(E), all but last sent.
Payment of court costs and reasonable attorney's fees	3119.966	3113.2111(E), last sent., and (H)
Relief available regardless of when parentage determination or child support order was issued	3119.967	3113.2111(I)

<b>SUBJECT</b>	<b>NEW §</b>	<b>EXISTING §</b>
Definitions: court child support order; court support order; default; financial institution; payor; personal earnings; support order; and income	3121.01	2301.34; 3111.20(A); 3113.21(P) and (Q)
Withholding and deduction notices and other orders are required in order to collect support	3121.02	3113.21(A); 3111.23(A)
Withholding and deduction notices and other enforcement orders	3121.03	3113.21(D)(1)(a); (D)(1)(b) first and second sentences; (D)(2)(a); (D)(2)(b) first and second sentences; (D)(3) and (4); 3111.23(B)(1)(a); (B)(1)(b) first and second sentences; (B)(2)(a); (B)(2)(b) first and second sentences; 3111.231



SUBJECT	NEW §	EXISTING §
Notice and hearing concerning determination of appropriate withholding, deduction, or other order to enforce the court support order	3121.031	3113.21(C)(2) first paragraph
Issuing entity (court or CSEA) decide appropriate requirement to enforce support order	3121.032	3113.21(A); 3111.23(A)
Appropriate number of notices or orders must be issued to collect	3121.033	3113.21(E); 3111.23(C)
Priority of multiple withholding or deduction notices	3121.034	3113.21(F); 3111.23(D)
Time period for sending withholding or deduction notice	3121.035	3113.21(A); 3111.23(A)
Additional notice attached to the withholding or deduction notice	3121.036	3113.21(D)(1)(c) and (D)(2)(c); 3111.23(B)(1)(c) and (2)(c)
Contents of withholding or deduction notice	3121.037	3113.21(D)(1)(b)(i) to (xi) and (D)(2)(b) (i) to (viii); 3111.23(B)(1)(b)(i) to (xi) and (B)(2)(b)(i) to (viii)
Notice in withholding or deduction notices issued for administrative child support orders	3121.038	3111.23(G)(3)
Information that may not be included in withholding or deduction notices or other enforcement orders	3121.039	3113.21(I)(2); 3111.23(G)(2)
Withholding and deduction notices and other enforcement orders issued prior to act's effective date	3121.0310	New
Adoption of standard forms for withholding/deduction notices	3121.0311	3113.21(A)(4); 3111.23(A)(5)
Cash bond in cases of noncompliance when assets cannot be reached	3121.04	3113.21(H)(1)(a)

<b>SUBJECT</b>	<b>NEW §</b>	<b>EXISTING §</b>
Seek work order--obligor in default has no assets	3121.05	3113.21(H)(1)(b)
Seek work order--pursuant to modification proceeding and obligor has no assets	3121.06	3113.21(H)(2)
Withholding of unemployment compensation	3121.07	2301.371; 3113.21(O)
Collection of prisoner earnings	3121.08	3113.16(A) and (B)
Notice of lump-sum payment to obligor or default by obligor--action by CSEA	3121.11	3113.21(G)(6) first paragraph and (b)
Disposition of lump-sum payment made to obligor	3121.12	3113.21(H)(3); 3111.23(F)
Change in income source or financial account--investigation and issuance of withholding or deduction notice or other order	3121.14	3113.212(A)
Commencement of employment--issuance of withholding notice	3121.15	3113.212(B)
Notice or order sent under 3121.14 or 3121.15 considered sent under 3121.03	3121.16	3113.212(C)
Fee that may be charged by payor/financial institution for withholding or deduction	3121.18	3113.211(A)(2) first paragraph; 3111.24(A)(2) first paragraph
Time period for forwarding amounts withheld or deducted to Office of Child Support	3121.19	3113.211(A)(2) second paragraph; 3111.24(A)(2) second paragraph
Form in which withheld and deducted amounts may be sent to Office of Child Support	3121.20	3113.211(B); 3111.24(B)
No liability for payors for complying with withholding or deduction notice	3121.21	3113.211(D); 3111.24(D)

SUBJECT	NEW §	EXISTING §
Service requirements of all withholding and deduction notices and other notices	3121.23	3113.21(G)(1); 3111.23(E)(1)
Parties must notify CSEA of updates to personal information	3121.24	3113.21(G)(2); 3111.23(E)(2); and 2301.36(D)
Court notification of CSEA of modification/enforcement actions regarding a support order	3121.25	3113.21(G)(5)
General provisions in support order requiring withholding or deduction or other appropriate enforcement order	3121.27	3113.21(A); 3111.23(A)
Provision in support order requiring monthly administration	3121.28	3113.218(B)(1) to (3)
Provision in support orders requiring parties to update personal information	3121.29	3113.21(G)(3); 3111.23(E)(3)
Support order must include obligor DOB and social security number	3121.30	3113.21(I)(1); 3111.23(G)(1)
Notices and orders are final and enforceable	3121.33	3113.21(A); 3111.23(A)
Compliance with notice or order issued to enforce support order without need to amend order	3121.34	3113.21(A); 3111.23(A)
Court authority to enforce court support orders and administrative child support orders	3121.35	3113.21(M)(2)
Termination of support order does not prevent collection of arrearages	3121.36	3113.21(M)(1)
Contempt for failure to comply with administrative child support orders	3121.37	3111.242(A)
Contempt for failure to comply with order to comply with a withholding or deduction notice	3121.371	3113.212(D)

SUBJECT	NEW §	EXISTING §
Failure to send notifications is contempt	3121.372	3113.213(A)(2)
Failure to withhold or deduct--liability for amount not withheld	3121.38	3113.213(B); 3111.25(A)(2)
Failure to withhold or deduct--fine	3121.381	3113.213(C)
Prohibition against disciplining employee because of withholding or deduction notice	3121.39	3113.213(D) first sentence; 3111.25(B)
Office of Child Support--responsible for collection and distribution of support	3121.43	5101.325(A)(1)
Support payments required to be made to Office of Child Support	3121.44	2301.36(A) first sentence
Payments not made to Office of Child Support shall not be considered support	3121.45	2301.36(A) second sentence
Payments directly to third party	3121.46	2301.36(B) and (C)
CSEA administration of payments to third party	3121.47	2301.36(E)
Separate accounts for support amounts collected	3121.48	5101.325(D) first and second sentences
Use of interest from accounts	3121.49	5101.325(D) fourth sentence
Support disbursement requirements	3121.50	5101.325(D) second sentence; 3113.211 (C); 3111.24(C)
Monthly administration of support orders required	3121.51	3113.218(C) and (F)
Orders paid on other than monthly basis--monthly administration	3121.52	3113.218(D)
Orders paid on other than a monthly basis--monthly administration does not affect method of payment	3121.53	3113.218(E)
Orders commencing on day other than first day of the month	3121.54	New



SUBJECT	NEW §	EXISTING §
Office of Child Support collects administrative charge	3121.56	5101.325(B)(1) first sentence
Accounting for charge paid	3121.57	5101.325(B)(1) fourth sentence
Accounting for charge not paid	3121.58	5101.325(B)(1) second and third sentence
Collection of fine amounts considered to be program income	3121.59	3113.99(E); 3111.99(E)
Administrative charge and fine amounts placed in program income fund	3121.60	5101.325(B)(2) and (B)(3) first sentence
Creation of program income fund	3121.63	5101.325(E)
Distribution to counties	3121.64	5101.325(B)(3) second sentence
Administrative charges used only for support enforcement activities	3121.65	5101.325(B)(3) third sentence
Contracts with collection agencies	3121.67	5101.325(C)
Use of facsimile signatures	3121.69	5101.325(A)(2)
Rules for collection, disbursement, etc.	3121.71	5101.325(F)
Agreements by financial institutions to provide account information	3121.74	5101.315(B)
Fee deducted from obligor's account by financial institutions for providing information	3121.75	5101.315(C)
Status of information; prohibition against disclosure	3121.76	5101.315(D)
Immunity	3121.77	5101.315(E)
Rules	3121.78	5101.315(F)



<b>SUBJECT</b>	<b>NEW §</b>	<b>EXISTING §</b>
Creation of case registry	3121.81	5101.319(B) first sentence
Information to be included in the registry	3121.82	5101.319(B) second sentence (1) to (6)
Maintenance of registry	3121.83	5101.319(C)
Data comparisons and provision of data	3121.84	5101.319(D) and (E)(3)
Entry, maintenance, and monitoring of information in the registry	3121.85	5101.319(E)(1) and (2)
Rules regarding the registry	3121.86	5101.319(F)
Definitions	3121.89	5101.312(A)
New hire reporting requirements	3121.891	5101.312(B)
Content of reports	3121.892	5101.312(C)
Method of making report	3121.893	5101.312(D)
Entry of report data into new hire directory	3121.894	5101.312(E)(1)
Data comparison; notify CSEA of data match	3121.895	5101.312(E)(2) and first sentence of (E)(3)
CSEA duty on receipt of data match notice	3121.896	5101.312(E)(3) second sentence
Furnishing information to national directory of new hires	3121.897	5101.312(E)(4)
Use of reports	3121.898	5101.312(F) first paragraph, first sentence
Disclosure of information	3121.899	5101.312(F) second paragraph
Failure to make a report; penalty	3121.8910	5101.312(G)
Rules to implement 3121.89 to 3121.8910	3121.8911	5101.312(F) first paragraph, last sentence
Assistance of other states in enforcing support orders	3121.91	5101.318



<b>SUBJECT</b>	<b>NEW §</b>	<b>EXISTING §</b>
Enforcement of foreign country support orders	3121.92	5101.316
Penalties	3121.99	3111.99(C) and (D); 3113.99(C) and (D); 3113.213(D) second sentence; 5101.99(B)

<b>SUBJECT</b>	<b>NEW §</b>	<b>EXISTING §</b>
Definitions: court support order; default; financial institution; payor; personal earnings; and support order	3123.01	2301.34; 3111.20(A); 3113.21(P)
After a default is identified, investigation initiated	3123.02	3113.21(B)(1)(a) and (b)
Sending advance notice	3123.03	3113.21(B)(1)(a) and (B)(2)
Adoption of standard forms for advance notices	3123.031	3113.21(B)(6)
Agency hearing and determination concerning advance notice	3123.04	3113.21(B)(3)
Court hearing and determination concerning advance notice	3123.05	3113.21(B)(4)
Withholding or deduction notices and other appropriate orders issued on exhaustion of rights to contest	3123.06	3113.21(B)(5)
Support withholding initiated when order is in default	3123.061	3113.21(B)(1)(a)
Savings provision in case of failure to send notice	3123.062	3113.21(B)(5)
Issuance of court support order to replace certain support orders in default	3123.07	3113.21(B)(1)(a)
General provision requiring withholding or deduction of support for reissued support order	3123.071	3113.21(B)(1)(a)



SUBJECT	NEW §	EXISTING §
Court notification of CSEA of futility of enforcement or failure to enforce support order	3123.10	2301.37(B)
CSEA notification to obligee	3123.11	2301.37(B)
Prohibition against closing a case due to failure to pay	3123.12	2301.37(C)
Rules to implement prohibition	3123.121	2301.37(C)
No termination of withholding or deduction notices or other enforcement orders for paying off arrearages	3123.13	3113.21(J); 3111.23(H)
Action to collect arrearages on terminated judgment	3123.14	2301.38(B)
Action commenced within 20 days after request	3123.15	2301.38(C)
Special orders administered monthly	3123.16	2301.39(A)
New support order--imposition of interest and other costs as part of order	3123.17	3113.219
Obtaining judgment for failure to pay support	3123.18	3113.2110
Payment of arrearages to ODHS	3123.19	3113.21(K) and (N); 3111.23(I)
Prohibition against discharging employee because of support related order	3123.20	2301.39(B)
Collection of at least 20% of arrearages with every current support payment	3123.21	New
Multiple means to collect arrearages amounts	3123.22	New
Definition	3123.24	3113.214(A)
Entry of default in case registry if obligor has account in financial institution	3123.25	3113.214(B)



<b>SUBJECT</b>	<b>NEW §</b>	<b>EXISTING §</b>
Imposition of access restriction on account	3123.26	3113.214(C)
CSEA investigation of amount of funds in account	3123.27	3113.214(D)
Issuance of withdrawal directive required if obligor is the only owner of account	3123.28	3113.214(E)(1) first sentence
If obligor is not sole owner of account-- CSEA must send notice to other owner	3123.29	3113.214(E)(1) second sentence
Content of notice--notification of issuance of withdrawal directive	3123.30	3113.214(E)(2)
Objection to withdrawal directive--request administrative hearing	3123.31	3113.214(E)(3) first paragraph
Issuance of withdrawal directive if fail to request administrative hearing	3123.32	3113.214(E)(3)(b)
Administrative hearing	3123.33	3113.214(E)(3)(a) first and second paragraph
Administrative determination	3123.34	3113.214(E)(3)(a) third paragraph, first to third sentences
Court hearing	3123.35	3113.214(E)(3)(a) third paragraph, fourth to sixth sentences
Court determination	3123.36	3113.214(E)(3)(a) fourth paragraph
Withdrawal directive	3123.37	3113.214(F)
Immunity for financial institution	3123.38	3113.214(G)
Definitions (applicable to section 3123.41 to 3123.50)	3123.41	2301.373(A)(2)
Determination of whether an obligor is a professional license holder--after default or after an obligor fails to comply with a warrant or subpoena	3123.42	2301.373(B)(1) first sentence; (B)(2) first sentence

<b>SUBJECT</b>	<b>NEW §</b>	<b>EXISTING §</b>
Notice to the obligor and licensing board of obligor's default/failure to comply with a subpoena or warrant	3123.43	2301.373(B)(1) second and third sentences; (B)(2) second and third sentences
Contents of notice to obligor	3123.44	2301.373(C)
Further notice of no default	3123.45	2301.373(D)(1)
Further notice of compliance with warrant or subpoena	3123.46	2301.373(D)(2)
Licensing Board duty on receipt of default/failure to comply with subpoena or warrant notice	3123.47	2301.373(E)(2)
Licensing Board maintain a file of notices received	3123.471	2301.373(E)(3)
Licensing Board duty on receipt of no default/no failure to comply with subpoena or warrant notice	3123.48	2301.373(E)(4)
Licensing Board--not to conduct hearing when refusing to issue or renew or when revoking or suspending a license	3123.49	2301.373(E)(5)
Licensing Board--include social security number on licenses	3123.50	2301.373(E)(1)
Specifying operational date with respect to driver's license removals--prior to that date, sections 3123.53 to 3123.60 are applicable as provided in section 3123.61 to 3123.615	3123.52	2301.374(A); (B)(1)(a) first sentence
Determine if obligor is a driver's license holder--after default or after failure to comply with subpoena or warrant	3123.53	2301.374(C)(1)(a), first sentence; (C)(1)(b), first sentence
Notice to obligor and registrar of default or failure to comply with subpoena or warrant	3123.54	2301.374(C)(1)(a) second and third sentences; (C)(1)(b) second and third sentences
Content of notice to the obligor	3123.55	2301.374(C)(2)



<b>SUBJECT</b>	<b>NEW §</b>	<b>EXISTING §</b>
Further notice of no default	3123.56	2301.374(C)(3)(a)
Further notice of subpoena/warrant compliance	3123.57	2301.374(C)(3)(b)
Registrar duty on receipt of default/failure to comply with subpoena or warrant notice	3123.58	2301.374(C)(4)(a)
Registrar maintain list of notices	3123.581	2301.374(C)(4)(b)
Registrar duty on receipt of no default/no failure to comply with subpoena or warrant notice	3123.59	2301.374(B)(4)(c) and (C)(4)(c)
No hearing permitted	3123.60	2301.374(C)(4)(d)
License removal provisions of sections 3123.53 to 3123.60 apply only to commercial drivers' licenses and commercial drivers' temporary instruction permits prior to operational date	3123.61	2301.374(B)
Refusal to issue or renew commercial drivers' licenses and commercial drivers' temporary instruction permits and imposition of disqualification--prior to operational date	3123.611	2301.374(B)(4)(a)
Removal of disqualification and imposition of removal fee--prior to operational date	3123.612	2301.374(B)(4)(c) first sentence and third sentence
Contents of notice prior to operational date	3123.613	2301.374(B)(2)(a), (b), and (c)
No hearing permitted on whether to impose disqualification--prior to operational date	3123.614	2301.374(B)(4)(d)
Recreational license revocation	3123.62	2301.375(A) and (B)
Rules to implement all the license removal sections	3123.63	2301.373(F); 2301.374(D); and 2301.375(C)
Lien may be asserted against property of obligor in default	3123.66	2301.43(A)



<b>SUBJECT</b>	<b>NEW §</b>	<b>EXISTING §</b>
Establishing lien on real and personal property	3123.67	2301.43(B)(1)
Foreign liens	3123.68	2301.43(B)(2)
Service of copy of lien	3123.69	2301.44(A)
Priority	3123.70	2301.43(E)
Liens in effect until discharged by recorder pursuant to discharge request	3123.71	2301.43(C)
Notice requesting discharge--content	3123.72	2301.43(D)
CSEA can cause sale of property	3123.73	2301.45(A)
Procedure for sale	3123.74	2301.45(B)(1)
Court in which complaint for sale may be filed	3123.741	2301.45(B)(2)
Sale of property extinguishes lien	3123.75	2301.45(C)
CSEA may release lien	3123.76	2301.46(A)
Liability for releasing, selling, or disposing of property subject to lien	3123.77	2301.44(B)
Obtaining a lien does not affect other legal remedies	3123.78	2301.46(B)
Federal tax refund intercept	3123.81	5101.32
Definitions for state tax refund intercept	3123.82	5101.321(D)
State tax refund intercept	3123.821	5101.321(A)
Limitations on state tax refund intercept	3123.822	5101.321(B)
Rules to implement	3123.823	5101.321(C)
Collection of support through federal government offsets	3123.85	5101.326
Collection of obligor's prisoner earnings	3123.87	3113.16(A) and (C)
Collection of obligor's unclaimed funds	3123.88	5101.327



<b>SUBJECT</b>	<b>NEW §</b>	<b>EXISTING §</b>
Definition of consumer reporting agency	3123.91	5101.311(B)
CSEA contact consumer reporting agency when obligor in default	3123.92	2301.353(A)
CSEA duty if obligor pays arrearages after consumer reporting agency contact	3123.921	2301.353(B)
Consumer reporting agency may contact Office of Child Support to determine if person is an obligor	3123.93	5101.311(A) first paragraph, first and second sentences
Office of Child Support check case registry	3123.931	5101.311(A) first paragraph, third sentence
Provision of information to a consumer reporting agency	3123.932	5101.311(A) second paragraph
Establishment of statewide poster program of obligors in default	3123.95	5101.323(A)(1) first sentence
CSEAs may submit names for inclusion on the poster	3123.951	5101.323(A)(2)
Criteria for CSEA in submitting names of obligors	3123.952	5101.323(B)
Submission of photographs	3123.953	5101.323(C) first sentence
No submission of obligee address or other obligee personal information	3123.954	5101.323(C) second sentence
Office of Child Support review submissions from CSEAs	3123.955	5101.323(A)(4)
Notice to obligors about possible inclusion on the poster	3123.956	5101.323(A)(3)
Contents of poster	3123.957	5101.323(A)(1) second, third, and fourth sentences
Publication and distribution of poster	3123.958	5101.323(A)(5)



<b>SUBJECT</b>	<b>NEW §</b>	<b>EXISTING §</b>
Funds to conduct poster program	3123.959	5101.323(E)
Rules for poster program	3123.9510	5101.323(D)
Establishment of county poster programs	3123.96	2301.355 first paragraph, first sentence
Contents of poster	3123.961	2301.355 first paragraph, second, third, and fourth sentences
Selection of obligors for the poster	3123.962	2301.355 second paragraph
Penalty for discharging employee because of support enforcement orders/notices	3123.99	2301.99

<b>SUBJECT</b>	<b>NEW §</b>	<b>EXISTING §</b>
Definitions	3125.01	2301.34; 3111.20(A); 3113.21(P)
Creation of the Office of Child Support	3125.02	5101.31(A) first paragraph, first sentence
Establishment and administration of child support enforcement program	3125.03	5101.31(B) first paragraph, second, third, and fourth sentences
Publicize paternity establishment procedure	3125.04	5101.31(B) second paragraph
Establishment and administration of spousal support enforcement program	3125.05	5101.31(C)
Agreement with federal government to use parent locator service	3125.06	5101.31(D)
Establishment and maintenance of SETS	3125.07	5101.322(A)
Rules regulating use and access to data	3125.08	5101.322(B)
CSEA required in each county	3125.10	2301.35(A)



SUBJECT	NEW §	EXISTING §
CSEA operate support enforcement program in county	3125.11	2301.35(C) first paragraph, first and second sentences
Plan of cooperation with county commissioners	3125.12	2301.35(B)
Contracts with vendors to perform CSEA duties	3125.13	2301.35(C) second paragraph
Contracts with courts, prosecutors, and law enforcement officials to enforce support	3125.14	2301.35(E)
CSEA records	3125.15	2301.35(F)(1)
Review of CSEA records	3125.16	2301.35(F)(2)
CSEA attorneys	3125.17	2301.354
Appropriation to CSEAs by county commissioners of funds from state and federal sources	3125.19	2301.35(G)(2)
Waiver of appropriation limitations	3125.20	2301.35(G)(4)
Federal and state money used for support enforcement	3125.21	2301.35(G)(3)
CSEA investment of money	3125.22	2301.35(G)(5)
CSEA operate under the direction of DHS; DHS ensure compliance with federal law	3125.24	2301.35(C) first paragraph, second and fifth sentences
DHS rules governing support enforcement by CSEAs	3125.25	2301.35(D)(1)
CSEA does not collect child support; exception	3125.27	2301.35(C) first paragraph, third sentence
Collection of support and other amounts prior to conversion to new computer system and prior to authorization	3125.28	2301.35(H)(1) and (2)--all but last sentence of both divisions



<b>SUBJECT</b>	<b>NEW §</b>	<b>EXISTING §</b>
Collection of support and other amounts after conversion to new computer system and after authorization	3125.29	2301.35(H)(4)
Amounts collected by collection agents; disposition	3125.30	2301.35(H)(5)
Title IV-D services--application	3125.36	2301.35(I)
Title IV-D application fee	3125.37	5101.31(B) third paragraph
Annual report to Federal government concerning Title IV-D program operation	3125.38	5101.317(A)
Rules for annual report	3125.39	5101.317(B)
Office of Child Support access to information; definition of cable TV and public utility	3125.41	5101.31(A) and (G)(1)
Provision of information by persons and entities--general	3125.42	5101.31(G)(2)
Provision of information by the tax department	3125.43	5101.31(G)(4)(a) first, second, and fourth sentences
Office of Child Support reimburse tax department for providing information	3125.44	5101.31(G)(4)(a) third sentence
Immunity from civil/criminal liability for providing information to Office of Child Support	3125.45	5101.31(G)(3); (G)(4)(b) first sentence
Prohibition against failing to provide information (not applicable to tax department)	3125.46	5101.31(G)(5) first sentence
Fine for failing to provide information	3125.47	5101.31(G)(5) second sentence
Court action to collect fine	3125.48	5101.31(G)(5) third and fourth sentences



SUBJECT	NEW §	EXISTING §
Use of social security number only for child support enforcement	3125.49	2301.35(C) first paragraph, fourth sentence; 5101.31(E)
Prohibition against information disclosure	3125.50	5101.31(F)(1); (G)(4)(b), second sentence
Office of Child Support adopt rules governing access to and disclosure of information in the Office's possession	3125.51	5101.31(F)(2)
Court quotas concerning paternity and support cases	3125.58	3113.21(L)(1)
Court issuance of temporary orders in complex cases	3125.59	3113.21(L)(2)
Court appointment of magistrates	3125.60	3113.21(L)(3)
Penalty	3125.99	5101.99

## APPENDIX B:

### Recodification chart organized by existing section number

SUBJECT	EXISTING §	NEW §
Duration of administrative and court child support orders	2151.23(G)(2)	3119.86
Definitions	2301.34	3119.01; 3121.01; 3123.01; 3125.01
CSEA required in each county	2301.35(A)	3125.10
Plan of cooperation with county commissioners	2301.35(B)	3125.12
CSEA operate support enforcement program in county	2301.35(C) first paragraph, first and second sentences	3125.11
CSEA operate under the direction of DHS; DHS ensure compliance with federal law	2301.35(C) first paragraph, second and fifth sentences	3125.24
CSEA does not collect child support; exception	2301.35(C) first paragraph, third sentence	3125.27
Use of social security number only for child support enforcement	2301.35(C) first paragraph, fourth sentence	3125.49
Contracts with vendors to perform CSEA duties	2301.35(C) second paragraph	3125.13
DHS rules governing support enforcement by CSEAs	2301.35(D)(1)	3125.25
Rules governing on-site genetic testing	2301.35(D)(2)	3111.611
Contracts with courts, prosecutors, and law enforcement officials to enforce support	2301.35(E)	3125.14
CSEA records	2301.35(F)(1)	3125.15
Review of CSEA records	2301.35(F)(2)	3125.16
Imposition of administrative charge	2301.35(G)(1) first and third sentence	3119.27

<b>SUBJECT</b>	<b>EXISTING §</b>	<b>NEW §</b>
Payment by obligor of administrative charge; definition of current support payment	2301.35(G)(1) second sentence and (J)(1)	3119.28
Appropriation to CSEAs by county commissioners of funds from state and federal sources	2301.35(G)(2)	3125.19
Federal and state money used for support enforcement	2301.35(G)(3)	3125.21
Waiver of appropriation limitations	2301.35(G)(4)	3125.20
CSEA investment of money	2301.35(G)(5)	3125.22
Collection of support and other amounts prior to conversion to new computer system and prior to authorization	2301.35(H)(1) and (2)--all but last sentence of both divisions	3125.28
Collection of support and other amounts after conversion to new computer system and after authorization	2301.35(H)(4)	3125.29
Amounts collected by collection agents; disposition	2301.35(H)(5)	3125.30
Title IV-D services--application	2301.35(I)	3125.36
Definitions	2301.35(J)(2)	3119.01
CSEA contact consumer reporting agency when obligor in default	2301.353(A)	3123.92
CSEA duty if obligor pays arrearages after consumer reporting agency contact	2301.353(B)	3123.921
CSEA attorneys	2301.354	3125.17
Establishment of county poster programs	2301.355 first paragraph, first sentence	3123.96
Contents of poster	2301.355 first paragraph, second, third, and fourth sentences	3123.961
Selection of obligors for the poster	2301.355 second paragraph	3123.962



<b>SUBJECT</b>	<b>EXISTING §</b>	<b>NEW §</b>
Genetic testing samples	2301.356	3111.61
Contract between DHS and hospitals for paternity establishment	2301.357(B) first sentence of first paragraph and all of last paragraph of (B)	3111.71
Contract requirements	2301.357(B) second sentence of first paragraph and (1) to (10)	3111.72
Report on hospitals that have not entered into contract	2301.357(C)	3111.73
Hospital duty if a man is presumed father	2301.357(D)	3111.74
Administrative officer	2301.358	3111.53
Support payments required to be made to Office of Child Support	2301.36(A) first sentence	3121.44
Payments not made to Office of Child Support shall not be considered support	2301.36(A) second sentence	3121.45
Payments directly to third party	2301.36(B) and (C)	3121.46
Parties must notify CSEA of updates to personal information	2301.36(D)	3121.24
CSEA administration of payments to third party	2301.36(E)	3121.47
Court notification of CSEA of futility of enforcement or failure to enforce support order	2301.37(B)	3123.10
CSEA notification to obligee	2301.37(B)	3123.11
Prohibition against closing a case due to failure to pay	2301.37(C)	3123.12
Rules to implement prohibition	2301.37(C)	3123.121
Withholding of unemployment compensation	2301.371	3121.07
Definitions (applicable to section 3123.41 to 3123.50)	2301.373(A)(2)	3123.41

SUBJECT	EXISTING §	NEW §
Determination of whether an obligor is a professional license holder--after default or after an obligor fails to comply with a warrant or subpoena	2301.373(B)(1) first sentence; (B)(2) first sentence	3123.42
Notice to the obligor and licensing board of obligor's default/failure to comply with a subpoena or warrant	2301.373(B)(1) second and third sentences; (B)(2) second and third sentences	3123.43
Contents of notice to obligor	2301.373(C)	3123.44
Further notice of no default	2301.373(D)(1)	3123.45
Further notice of compliance with warrant or subpoena	2301.373(D)(2)	3123.46
Licensing Board--include social security number on licenses	2301.373(E)(1)	3123.50
Licensing Board duty on receipt of default/failure to comply with subpoena or warrant notice	2301.373(E)(2)	3123.47
Licensing Board maintain a file of notices received	2301.373(E)(3)	3123.471
Licensing Board duty on receipt of no default/no failure to comply with subpoena or warrant notice	2301.373(E)(4)	3123.48
Licensing Board--not to conduct hearing when refusing to issue or renew or when revoking or suspending a license	2301.373(E)(5)	3123.49
Rules to implement all the license removal sections	2301.373(F)	3123.63
Specifying operational date with respect to driver's license removals--prior to that date, sections 3123.53 to 3123.60 are applicable as provided in section 3123.61 to 3123.615	2301.374(A); (B)(1)(a) first sentence	3123.52
License removal provisions of sections 3123.53 to 3123.60 apply only to commercial drivers' licenses and commercial drivers' temporary instruction permits prior to operational date	2301.374(B)	3123.61

<b>SUBJECT</b>	<b>EXISTING §</b>	<b>NEW §</b>
Contents of notice prior to operational date	2301.374(B)(2)(a), (b), and (c)	3123.613
Refusal to issue or renew commercial drivers' licenses and commercial drivers' temporary instruction permits and imposition of disqualification--prior to operational date	2301.374(B)(4)(a)	3123.611
Removal of disqualification and imposition of removal fee--prior to operational date	2301.374(B)(4)(c) first sentence and third sentence	3123.612
Registrar duty on receipt of no default/no failure to comply with subpoena or warrant notice	2301.374(B)(4)(c) and (C)(4)(c)	3123.59
No hearing permitted on whether to impose disqualification--prior to operational date	2301.374(B)(4)(d)	3123.614
Determine if obligor is a driver's license holder--after default or after failure to comply with subpoena or warrant	2301.374(C)(1)(a), first sentence; (C)(1)(b), first sentence	3123.53
Notice to obligor and registrar of default or failure to comply with subpoena or warrant	2301.374(C)(1)(a) second and third sentences; (C)(1)(b) second and third sentences	3123.54
Content of notice to the obligor	2301.374(C)(2)	3123.55
Further notice of no default	2301.374(C)(3)(a)	3123.56
Further notice of subpoena/warrant compliance	2301.374(C)(3)(b)	3123.57
Registrar duty on receipt of default/failure to comply with subpoena or warrant notice	2301.374(C)(4)(a)	3123.58
Registrar maintain list of notices	2301.374(C)(4)(b)	3123.581
No hearing permitted	2301.374(C)(4)(d)	3123.60
Rules to implement all the license removal sections	2301.374(D)	3123.63
Recreational license revocation	2301.375(A) and (B)	3123.62

<b>SUBJECT</b>	<b>EXISTING §</b>	<b>NEW §</b>
Rules to implement all the license removal sections	2301.375(C)	3123.63
Action to collect arrearages on terminated judgment	2301.38(B)	3123.14
Action commenced within 20 days after request	2301.38(C)	3123.15
Special orders administered monthly	2301.39(A)	3123.16
Prohibition against discharging employee because of support related order	2301.39(B)	3123.20
Lien may be asserted against property of obligor in default	2301.43(A)	3123.66
Establishing lien on real and personal property	2301.43(B)(1)	3123.67
Foreign liens	2301.43(B)(2)	3123.68
Liens in effect until discharged by recorder pursuant to discharge request	2301.43(C)	3123.71
Notice requesting discharge--content	2301.43(D)	3123.72
Priority	2301.43(E)	3123.70
Service of copy of lien	2301.44(A)	3123.69
Liability for releasing, selling, or disposing of property subject to lien	2301.44(B)	3123.77
CSEA can cause sale of property	2301.45(A)	3123.73
Procedure for sale	2301.45(B)(1)	3123.74
Court in which complaint for sale may be filed	2301.45(B)(2)	3123.741
Sale of property extinguishes lien	2301.45(C)	3123.75
CSEA may release lien	2301.46(A)	3123.76
Obtaining a lien does not affect other legal remedies	2301.46(B)	3123.78
Penalty for discharging employee because of support enforcement orders/notices	2301.99	3123.99
Duration of administrative and court child support orders	3105.21(D)	3119.86
Duration of administrative and court child support orders	3109.05(E)	3119.86

<b>SUBJECT</b>	<b>EXISTING §</b>	<b>NEW §</b>
Duration of administrative and court child support orders	3111.13(F)(2)	3119.86
Definitions	3111.20(A)	3119.01; 3121.01; 3123.01; 3125.01
Presumed father has duty of support	3111.20(B)	3111.77
Administrative action for support may be taken against presumed father	3111.20(C) second paragraph, first sentence	3111.78
Paternity may be raised in administrative support action	3111.20(C) third paragraph, first sentence	3111.82
Effect of raising paternity in administrative support action	3111.20(C) third paragraph, second sentence	3111.821
Administrative action for child support based on administrative determination of paternity or presumption	3111.20(D) first paragraph	3111.80
Issuance of support order after hearing	3111.20(D)(1) and (2)	3111.81
Notarizing acknowledgment of paternity	3111.21	3111.21
CSEA send notarized acknowledgment to Office of Child Support	3111.21	3111.22
Paternity may be raised in administrative support action	3111.211(A) first sentence, second paragraph	3111.82
Effect of raising paternity in administrative support action	3111.211(A) second to fourth sentences, second paragraph; third paragraph	3111.821
De Novo court action to determine paternity not available; exceptions	3111.22(A)	3111.381
Action for administrative determination of paternity	3111.22(B)	3111.38



<b>SUBJECT</b>	<b>EXISTING §</b>	<b>NEW §</b>
Multiple requests for determination	3111.22(B)	3111.39
Contents of request for administrative determination. of paternity	3111.22(B)(1) to (4)	3111.40
Issuance of administrative order for genetic testing	3111.22(C)(1) first paragraph, first, third, and fourth sentences	3111.41
Conference to sign acknowledgment of paternity affidavit	3111.22(C)(1) first paragraph, second sentence	3111.44
Attachment of notice to testing order	3111.22(C)(1) second paragraph, (a) to (h)	3111.42
Notice and testing order sent under Civil Rules	3111.22(C)(1) second paragraph	3111.421
Genetic tests conducted	3111.22(C)(2) first paragraph, first and second sentences	3111.45
Orders that may be issued on conclusion of tests	3111.22(C)(2)(a) to (c)	3111.46
Orders must contain notice of right to appeal conclusive determination or right to bring paternity action for inconclusive determination	3111.22(C)(2) last paragraph	3111.48
Right to appeal conclusive determination	3111.22(D)	3111.49
Administrative action for child support based on administrative determination of paternity or presumption	3111.22(E)(1)	3111.80
Issuance of support order after hearing	3111.22(E)(1)(a) to (c)	3111.81
Inconclusive determination order issued for willful failure to submit to genetic tests	3111.22(F)	3111.47
Right to bring court paternity action based on inconclusive determination of paternity due to willful failure to submit; lack of evidence	3111.22(F)	3111.50
Personal information contained in paternity order	3111.22(G) first sentence	3111.51



<b>SUBJECT</b>	<b>EXISTING §</b>	<b>NEW §</b>
Change of surname based on paternity determination notification of Department of Health.	3111.22(G) second sentence	3111.52
Effect of prior administrative determination of paternity	3111.22(H)	3111.85
Issuance of new birth record	3111.221 second and third paragraphs	3111.58
Withholding and deduction notices and other orders are required in order to collect support	3111.23(A)	3121.02
Issuing entity (court or CSEA) decide appropriate requirement to enforce support order	3111.23(A)	3121.032
Time period for sending withholding or deduction notice	3111.23(A)	3121.035
General provisions in support order requiring withholding or deduction or other appropriate enforcement order	3111.23(A)	3121.27
Notices and orders are final and enforceable	3111.23(A)	3121.33
Compliance with notice or order issued to enforce support order without need to amend order	3111.23(A)	3121.34
Adoption of standard forms for withholding/deduction notices	3111.23(A)(5)	3121.0311
Withholding and deduction notices and other enforcement orders	3111.23(B)(1)(a); (B)(1)(b) first and second sentences; (B)(2)(a); (B)(2)(b) first and second sentences	3121.03
Contents of withholding or deduction notice	3111.23(B)(1)(b)(i) to (xi) and (B)(2)(b)(i) to (viii)	3121.037
Additional notice attached to the withholding or deduction notice	3111.23(B)(1)(c) and (2)(c)	3121.036



<b>SUBJECT</b>	<b>EXISTING §</b>	<b>NEW §</b>
Appropriate number of notices or orders must be issued to collect	3111.23(C)	3121.033
Priority of multiple withholding or deduction notices	3111.23(D)	3121.034
Service requirements of all withholding and deduction notices and other notices	3111.23(E)(1)	3121.23
Parties must notify CSEA of updates to personal information	3111.23(E)(2)	3121.24
Provision in support orders requiring parties to update personal information	3111.23(E)(3)	3121.29
Termination--Duty to notify	3111.23(E)(4)(a)	3119.87
Termination--Reasons for termination	3111.23(E)(4)(a)	3119.88
Termination--CSEA investigation	3111.23(E)(4)(a)	3119.89
Termination--CSEA duties after investigation	3111.23(E)(4)(a)	3119.90
Termination--Effect of termination on withholding or deduction notice	3111.23(E)(4)(c)	3119.93
Termination--Rules	3111.23(E)(4)(d)	3119.94
Disposition of lump-sum payment made to obligor	3111.23(F)	3121.12
Support order must include obligor DOB and social security number	3111.23(G)(1)	3121.30
Information that may not be included in withholding or deduction notices or other enforcement orders	3111.23(G)(2)	3121.039
Notice in withholding or deduction notices issued for administrative child support orders	3111.23(G)(3)	3121.038
No termination of withholding or deduction notices or other enforcement orders for paying off arrearages	3111.23(H)	3123.13
Payment of arrearages to ODHS	3111.23(I)	3123.19
Withholding and deduction notices and other enforcement orders	3111.231	3121.03

<b>SUBJECT</b>	<b>EXISTING §</b>	<b>NEW §</b>
Fee that may be charged by payor/financial institution for withholding or deduction	3111.24(A)(2) first paragraph	3121.18
Time period for forwarding amounts withheld or deducted to Office of Child Support	3111.24(A)(2) second paragraph	3121.19
Form in which withheld and deducted amounts may be sent to Office of Child Support	3111.24(B)	3121.20
Support disbursement requirements	3111.24(C)	3121.50
No liability for payors for complying with withholding or deduction notice	3111.24(D)	3121.21
Definitions	3111.241(A)	3119.01
Health insurance provisions must be included in child support orders	3111.241(B)	3119.30
Specific requirements in child support orders concerning health insurance coverage for children	3111.241(C)	3119.31
CSEA notify court when obligor/obligee fails to obtain insurance	3111.241(D) first sentence	3119.40
Court issue health insurance coverage order and send to employer	3111.241(D) second and third sentences	3119.41
CSEA investigation when employment changes	3111.241(E)(1) first sentence	3119.43
CSEA issue notice requiring enrollment of children in health insurance coverage	3111.241(E)(1) second sentence	3119.44
Contents of health insurance notice issued by CSEA	3111.241(E)(2)	3119.45
Orders and notices requiring provisions of health care are binding	3111.241(F)	3119.47
Employer compliance with health insurance requirement/notice is required	3111.241(G)(1) first half of first sentence	3119.48
Release of information to parent/CSEA	3111.241(G)(1) second half of first sentence	3119.49
Limitation on use of information	3111.241(G)(1) second sentence	3119.491



<b>SUBJECT</b>	<b>EXISTING §</b>	<b>NEW §</b>
Employer notify CSEA of change/termination of health coverage	3111.241(G)(2)	3119.50
Insurer required to comply with health insurance notice or order	3111.241(G)(3) first sentence	3119.51
Reimbursement of appropriate parent by insurer	3111.241(G)(3) second sentence	3119.52
Payment of health costs if obligee eligible for medical assistance	3111.241(H)	3119.54
Liability for medical expenses for failure to comply with health insurance order/notice	3111.241(I)	3119.56
Enrollment of child in health insurance plan not required if the child does not meet underwriting standards	3111.241(J)	3119.53
Failure to comply with court child support order or order requiring health insurance is contempt	3111.241(K)	3119.57
Transitional rules	3111.241(L)	3119.301
Contempt for failure to comply with administrative child support orders	3111.242(A)	3121.37
Contempt for failure to submit to genetic testing	3111.242(B)	3111.54
Failure to withhold or deduct--liability for amount not withheld	3111.25(A)(2)	3121.38
Prohibition against disciplining employee because of withholding or deduction notice	3111.25(B)	3121.39
Notice of paternity determination request sent to parties under Civil Rules--contingency if unable to obtain service	3111.26	3111.43
DHS rules governing administrative reviews	3111.27(A)	3119.76
CSEA procedure when preparing to do a review of a child support order	3111.27(B)(1)	3119.60
Failure to provide information pursuant to administrative review of child support orders	3111.27(B)(2)	3119.72

<b>SUBJECT</b>	<b>EXISTING §</b>	<b>NEW §</b>
CSEA procedure when conducting review of administrative child support orders	3111.27(C)(1); (C)(2); and (D)	3119.61
Consideration of health insurance cost required when court or CSEA reviews child support orders	3111.27(C)(3)	3119.73
Failure to provide information pursuant to administrative review of child support orders	3111.28(B)	3119.72
Definitions	3111.30	3111.88
Scope of artificial insemination provisions	3111.31	3111.89
Supervision by physician	3111.32	3111.90
Medical history and examination of donor	3111.33	3111.91
Both spouses must consent	3111.34	3111.92
Contents of consent form, etc.	3111.35	3111.93
Confidentiality and retention of information	3111.36	3111.94
Recipient's husband considered natural father	3111.37	3111.95
Effect of noncompliance	3111.38	3111.96
Penalties	3111.99(C) and (D)	3121.99
Collection of fine amounts considered to be program income	3111.99(E)	3121.59
Duration of administrative and court child support orders	3113.04(C)	3119.86
Collection of prisoner earnings	3113.16(A) and (B)	3121.08
Collection of obligor's prisoner earnings	3113.16(A) and (C)	3123.87
Withholding and deduction notices and other orders are required in order to collect support	3113.21(A)	3121.02
Time period for sending withholding or deduction notice	3113.21(A)	3121.035
General provisions in support order requiring withholding or deduction or other appropriate enforcement order	3113.21(A)	3121.27
Notices and orders are final and enforceable	3113.21(A)	3121.33



<b>SUBJECT</b>	<b>EXISTING §</b>	<b>NEW §</b>
Compliance with notice or order issued to enforce support order without need to amend order	3113.21(A)	3121.34
Issuing entity (court or CSEA) decide appropriate requirement to enforce support order	3113.21(A)	3121.032
Adoption of standard forms for withholding/deduction notices	3113.21(A)(4)	3121.0311
Support withholding initiated when order is in default	3113.21(B)(1)(a)	3123.061
Issuance of court support order to replace certain support orders in default	3113.21(B)(1)(a)	3123.07
General provision requiring withholding or deduction of support for reissued support order	3113.21(B)(1)(a)	3123.071
After a default is identified, investigation initiated	3113.21(B)(1)(a) and (b)	3123.02
Sending advance notice	3113.21(B)(1)(a) and (B)(2)	3123.03
Agency hearing and determination concerning advance notice	3113.21(B)(3)	3123.04
Court hearing and determination concerning advance notice	3113.21(B)(4)	3123.05
Withholding or deduction notices and other appropriate orders issued on exhaustion of rights to contest	3113.21(B)(5)	3123.06
Savings provision in case of failure to send notice	3113.21(B)(5)	3123.062
Adoption of standard forms for advance notices	3113.21(B)(6)	3123.031
Motion to request withholding/deduction notice or other appropriate order to enforce support order	3113.21(C)(1)(a)	3119.80
Issuance of withholding/deduction notice or other appropriate order when child support order is before the court in any proceeding	3113.21(C)(1)(b)	3119.81



<b>SUBJECT</b>	<b>EXISTING §</b>	<b>NEW §</b>
Court issue new child support order including revised amount if obligor or obligee do not request court hearing on CSEA determination	3113.21(C)(1)(c)(i) second sentence	3119.65
Court schedule and conduct hearing if obligor/obligee request review of CSEA revision	3113.21(C)(1)(c)(i) third sentence	3119.66
Court give notice of hearing	3113.21(C)(1)(c)(ii)	3119.67
Obligor/obligee provide financial information	3113.21(C)(1)(c)(ii)	3119.68
Court give notice that failure to provide information is contempt	3113.21(C)(1)(c)(ii)	3119.69
Court determination	3113.21(C)(1)(c)(ii)	3119.70
Consideration of health insurance cost required when court or CSEA reviews child support orders	3113.21(C)(1)(c)(iii)	3119.73
Motion requesting court to order obligor or obligee to provide health insurance coverage	3113.21(C)(1)(d)(i) first sentence	3119.33
CSEA investigate health insurance situation of obligor/obligee	3113.21(C)(1)(d)(i) second and third sentences	3119.34
Court determination	3113.21(C)(1)(d)(i) fourth sentence	3119.35
Motion to modify child support amount because it does not cover health costs	3113.21(C)(1)(d)(ii) first sentence	3119.37
Court determination	3113.21(C)(1)(d)(ii) second sentence	3119.38
Determination of right to claim child as a dependent	3113.21(C)(1)(e)	3119.82
Effective date of modification after CSEA review	3113.21(C)(1)(f)	3119.71
Notice and hearing concerning determination of appropriate withholding, deduction, or other order to enforce the court support order	3113.21(C)(2) first paragraph	3121.031



<b>SUBJECT</b>	<b>EXISTING §</b>	<b>NEW §</b>
Withholding and deduction notices and other enforcement orders	3113.21(D)(1)(a); (D)(1)(b) first and second sentences; (D)(2)(a); (D)(2)(b) first and second sentences; (D)(3) and (4)	3121.03
Contents of withholding or deduction notice	3113.21(D)(1)(b)(i) to (xi) and (D)(2)(b)(i) to (viii)	3121.037
Additional notice attached to the withholding or deduction notice	3113.21(D)(1)(c) and (D)(2)(c)	3121.036
Appropriate number of notices or orders must be issued to collect	3113.21(E)	3121.033
Priority of multiple withholding or deduction notices	3113.21(F)	3121.034
Service requirements of all withholding and deduction notices and other notices	3113.21(G)(1)	3121.23
Parties must notify CSEA of updates to personal information	3113.21(G)(2)	3121.24
Provision in support orders requiring parties to update personal information	3113.21(G)(3)	3121.29
Termination--Duty to notify	3113.21(G)(4)(a)	3119.87
Termination--Reasons for termination	3113.21(G)(4)(a)	3119.88
Termination--CSEA investigation	3113.21(G)(4)(a)	3119.89
Termination--CSEA duties after investigation complete	3113.21(G)(4)(a)	3119.90
Termination--Effect of termination on withholding or deduction notice	3113.21(G)(4)(c)	3119.93
Termination--Rules	3113.21(G)(4)(d)	3119.94
Court notification of CSEA of modification/enforcement actions regarding a support order	3113.21(G)(5)	3121.25
Notice of lump-sum payment to obligor or default by obligor--action by CSEA	3113.21(G)(6) first paragraph and (b)	3121.11

<b>SUBJECT</b>	<b>EXISTING §</b>	<b>NEW §</b>
Cash bond in cases of noncompliance when assets cannot be reached	3113.21(H)(1)(a)	3121.04
Seek work order--obligor in default has no assets	3113.21(H)(1)(b)	3121.05
Seek work order--pursuant to modification proceeding and obligor has no assets	3113.21(H)(2)	3121.06
Disposition of lump-sum payment made to obligor	3113.21(H)(3)	3121.12
Support order must include obligor DOB and social security number	3113.21(I)(1)	3121.30
Information that may not be included in withholding or deduction notices or other enforcement orders	3113.21(I)(2)	3121.039
No termination of withholding or deduction notices or other enforcement orders for paying off arrearages	3113.21(J)	3123.13
Payment of arrearages to ODHS	3113.21(K) and (N)	3123.19
Court quotas concerning paternity and support cases	3113.21(L)(1)	3125.58
Court issuance of temporary orders in complex cases	3113.21(L)(2)	3125.59
Court appointment of magistrates	3113.21(L)(3)	3125.60
Additional administrative reviews conducted by CSEA	3113.21(L)(4)	3119.74
Termination of support order does not prevent collection of arrearages	3113.21(M)(1)	3121.36
Court authority to enforce court support orders and administrative child support orders	3113.21(M)(2)	3121.35
Prohibition against retroactive modification of delinquent support amount	3113.21(M)(3)	3119.83
Court may modify support amount due after motion to modify filed	3113.21(M)(4)	3119.84
Withholding of unemployment compensation	3113.21(O)	3121.07



<b>SUBJECT</b>	<b>EXISTING §</b>	<b>NEW §</b>
Definitions	3113.21(P)	3119.01; 3123.01; 3125.01
Definitions	3113.21(P) and (Q)	3121.01
Fee that may be charged by payor/financial institution for withholding or deduction	3113.211(A)(2) first paragraph	3121.18
Time period for forwarding amounts withheld or deducted to Office of Child Support	3113.211(A)(2) second paragraph	3121.19
Form in which withheld and deducted amounts may be sent to Office of Child Support	3113.211(B)	3121.20
Support disbursement requirements	3113.211(C)	3121.50
No liability for payors for complying with withholding or deduction notice	3113.211(D)	3121.21
Change in income source or financial account-- investigation and issuance of withholding or deduction notice or other order	3113.212(A)	3121.14
Commencement of employment--issuance of withholding notice	3113.212(B)	3121.15
Notice or order sent under 3121.14 or 3121.15 considered sent under 3121.03	3113.212(C)	3121.16
Contempt for failure to comply with order to comply with a withholding or deduction notice	3113.212(D)	3121.371
Failure to send notifications is contempt	3113.213(A)(2)	3121.372
Failure to withhold or deduct--liability for amount not withheld	3113.213(B)	3121.38
Failure to withhold or deduct--fine	3113.213(C)	3121.381
Penalties	3113.213(D) second sentence	3121.99
Prohibition against disciplining employee because of withholding or deduction notice	3113.213(D) first sentence	3121.39
Definition	3113.214(A)	3123.24
Entry of default in case registry if obligor has account in financial institution	3113.214(B)	3123.25

<b>SUBJECT</b>	<b>EXISTING §</b>	<b>NEW §</b>
Imposition of access restriction on account	3113.214(C)	3123.26
CSEA investigation of amount of funds in account	3113.214(D)	3123.27
Issuance of withdrawal directive required if obligor is the only owner of account	3113.214(E)(1) first sentence	3123.28
If obligor is not sole owner of account--CSEA must send notice to other owner	3113.214(E)(1) second sentence	3123.29
Content of notice--notification of issuance of withdrawal directive	3113.214(E)(2)	3123.30
Objection to withdrawal directive--request administrative hearing	3113.214(E)(3) first paragraph	3123.31
Administrative hearing	3113.214(E)(3)(a) first and second paragraph	3123.33
Administrative determination	3113.214(E)(3)(a) third paragraph, first to third sentences	3123.34
Court hearing	3113.214(E)(3)(a) third paragraph, fourth to sixth sentences	3123.35
Court determination	3113.214(E)(3)(a) fourth paragraph	3123.36
Issuance of withdrawal directive if fail to request administrative hearing	3113.214(E)(3)(b)	3123.32
Withdrawal directive	3113.214(F)	3123.37
Immunity for financial institution	3113.214(G)	3123.38
Definitions	3113.215(A)	3119.01
Calculation of child support--requirement to use basic child support schedule and worksheets	3113.215(B)(1) first and second sentence	3119.02
Presumption that amounts calculated using schedule and worksheets are correct	3113.215(B)(1) third sentence up to "due"	3119.03



<b>SUBJECT</b>	<b>EXISTING §</b>	<b>NEW §</b>
Amount calculated for child support must be issued unless deviation is permitted	3113.215(B)(1) third sentence, everything after "due"; (B)(2)(c)	3119.22
Calculation of child support when combined gross income is less than \$6,600 or exceeds \$180,000	3113.215(B)(2)(a) and (b)	3119.04
Discretionary deviations	3113.215(B)(3)	3119.23
Court modification--10% change requirement	3113.215(B)(4)	3119.79
Factors in computing child support amounts	3113.215(B)(5)	3119.05
Deviation in shared parenting cases; allowed in extraordinary circumstances	3113.215(B)(6)(a) and (b)	3119.24
Minimum support orders	3113.215(B)(7)(a)	3119.06
Determining the obligor	3113.215(C) first paragraph	3119.07
Visitation order must accompany child support order	3113.215(C) second paragraph, first sentence	3119.08
No impoundment/escrowing of child support if noncompliance with visitation	3113.215(C) second paragraph, second sentence	3119.09
Basic child support schedule	3113.215(D)	3119.021
Sole/shared parenting worksheet	3113.215(E)	3119.022
Split parenting worksheet	3113.215(F)	3119.023
Guidelines review	3113.215(G)	3119.024
DHS rules governing administrative reviews	3113.216(B)	3119.76
CSEA procedure when preparing to do a review of a child support order	3113.216(C)(1)	3119.60
Failure to provide information pursuant to administrative review of child support orders	3113.216(C)(2)	3119.72
CSEA procedure when conducting review of court child support orders	3113.216(C)(3)	3119.63

<b>SUBJECT</b>	<b>EXISTING §</b>	<b>NEW §</b>
Consideration of health insurance cost required when court or CSEA reviews child support orders	3113.216(C)(4)	3119.73
Opportunity to request court hearing to review revised amount of child support proposed by CSEA for inclusion in court order	3113.216(D)	3119.64
When CSEA is not required to conduct a review	3113.216(E)	3119.75
Definitions	3113.217(A)	3119.01
Health insurance provisions must be included in child support orders	3113.217(B)	3119.30
Specific requirements in child support orders concerning health insurance coverage for children	3113.217(C)	3119.31
CSEA notify court when obligor/obligee fails to obtain insurance	3113.217(D) first sentence	3119.40
Court issue health insurance coverage order and send to employer	3113.217(D) second and third sentences; (F) second sentence	3119.41
CSEA investigation when employment changes	3113.217(E)(1) first sentence	3119.43
CSEA issue notice requiring enrollment of children in health insurance coverage	3113.217(E)(1) second sentence	3119.44
Contents of health insurance notice issued by CSEA	3113.217(E)(2)	3119.45
Orders and notices requiring provisions of health care are binding	3113.217(F)	3119.47
Employer compliance with health insurance requirement/notice is required	3113.217(G)(1) first half of first sentence	3119.48
Release of information to parent/CSEA	3113.217(G)(1) second half of first sentence	3119.49
Limitation on use of information	3113.217(G)(1) second sentence	3119.491



<b>SUBJECT</b>	<b>EXISTING §</b>	<b>NEW §</b>
Employer notify CSEA of change/termination of health coverage	3113.217(G)(2)	3119.50
Insurer required to comply with health insurance notice or order	3113.217(G)(3) first sentence	3119.51
Reimbursement of appropriate parent by insurer	3113.217(G)(3) second sentence	3119.52
Payment of health costs if obligee eligible for medical assistance	3113.217(H)	3119.54
Liability for medical expenses for failure to comply with health insurance order/notice	3113.217(I)	3119.56
Failure to comply with court child support order or order requiring health insurance is contempt	3113.217(J) first sentence	3119.57
Second time contempt for failure to comply with court child support order or order requiring health insurance coverage--change of circumstances for purposes of child support modification	3113.217(J) second sentence	3119.58
Enrollment of child in health insurance plan not required if the child does not meet underwriting standards	3113.217(K)	3119.53
Transitional rules	3113.217(L)	3119.301
Provision in support order requiring monthly administration	3113.218(B)(1) to (3)	3121.28
Monthly administration of support orders required	3113.218(C) and (F)	3121.51
Orders paid on other than monthly basis--monthly administration	3113.218(D)	3121.52
Orders paid on other than a monthly basis—monthly administration does not affect method of payment	3113.218(E)	3121.53
New support order--imposition of interest and other costs as part of order	3113.219	3123.17
Obtaining judgment for failure to pay support	3113.2110	3123.18



<b>SUBJECT</b>	<b>EXISTING §</b>	<b>NEW §</b>
Motion for relief from parentage determination or child support order	3113.2111(A)	3119.961
Determination as to whether to grant relief	3113.2111(B) and (C)	3119.962
Genetic tests	3113.2111(D)	3119.963
Proceedings to establish parentage after relief granted	3113.2111(E), all but last sent.	3119.965
Payment of court costs and reasonable attorney's fees	3113.2111(E), last sent., and (H)	3119.966
Effect of granting relief on parenting time rights, visitation rights, and arrearages	3113.2111(F) and (G)	3119.964
Relief available regardless of when parentage determination or child support order was issued	3113.2111(I)	3119.967
Definitions	3113.2111(J)(2)	3119.96
Duration of administrative and court child support orders	3113.31(K)(2)	3119.86
Penalties	3113.99(C) and (D)	3121.99
Collection of fine amounts considered to be program income	3113.99(E)	3121.59
Office of Child Support access to information; definition of cable TV and public utility	5101.31(A) and (G)(1)	3125.41
Creation of the Office of Child Support	5101.31(B) first paragraph, first sentence	3125.02
Establishment and administration of child support enforcement program	5101.31(B) first paragraph, second, third, and fourth sentences	3125.03
Publicize paternity establishment procedure	5101.31(B) second paragraph	3125.04
Title IV-D application fee	5101.31(B) third paragraph	3125.37
Establishment and administration of spousal support enforcement program	5101.31(C)	3125.05



<b>SUBJECT</b>	<b>EXISTING §</b>	<b>NEW §</b>
Agreement with federal government to use parent locator service	5101.31(D)	3125.06
Use of social security number only for child support enforcement	5101.31(E)	3125.49
Prohibition against information disclosure	5101.31(F)(1); (G)(4)(b), second sentence	3125.50
Office of Child Support adopt rules governing access to and disclosure of information in the Office's possession	5101.31(F)(2)	3125.51
Provision of information by persons and entities--general	5101.31(G)(2)	3125.42
Immunity from civil/criminal liability for providing information to Office of Child Support	5101.31(G)(3); (G)(4)(b) first sentence	3125.45
Provision of information by the tax department	5101.31(G)(4)(a) first, second, and fourth sentences	3125.43
Office of Child Support reimburse tax department for providing information	5101.31(G)(4)(a) third sentence	3125.44
Prohibition against failing to provide information (not applicable to tax department)	5101.31(G)(5) first sentence	3125.46
Fine for failing to provide information	5101.31(G)(5) second sentence	3125.47
Court action to collect fine	5101.31(G)(5) third and fourth sentences	3125.48
Consumer reporting agency may contact Office of Child Support to determine if person is an obligor	5101.311(A) first paragraph, first and second sentences	3123.93
Office of Child Support check case registry	5101.311(A) first paragraph, third sentence	3123.931
Provision of information to a consumer reporting agency	5101.311(A) second paragraph	3123.932
Definition of consumer reporting agency	5101.311(B)	3123.91



<b>SUBJECT</b>	<b>EXISTING §</b>	<b>NEW §</b>
Definitions	5101.312(A)	3121.89
New hire reporting requirements	5101.312(B)	3121.891
Content of reports	5101.312(C)	3121.892
Method of making report	5101.312(D)	3121.893
Entry of report data into new hire directory	5101.312(E)(1)	3121.894
Data comparison; notify CSEA of data match	5101.312(E)(2) and first sentence of (E)(3)	3121.895
CSEA duty on receipt of data match notice	5101.312(E)(3) second sentence	3121.896
Furnishing information to national directory of new hires	5101.312(E)(4)	3121.897
Use of reports	5101.312(F) first paragraph, first sentence	3121.898
Rules to implement 3121.89 to 3121.8910	5101.312(F) first paragraph, last sentence	3121.8911
Disclosure of information	5101.312(F) second paragraph	3121.899
Failure to make a report; penalty	5101.312(G)	3121.8910
Putative father registry	5101.313	3111.69
Filing acknowledgment with Office of Child Support	5101.314(A)(1)	3111.23
Office of Child Support examine acknowledgment	5101.314(A)(2)	3111.24
Acknowledgment becomes final--when	5101.314(A)(3)(a) and (b)	3111.25
Effect of final acknowledgment	5101.314 paragraph after (A)(3)(b) and (A)(4)(a), first sentence	3111.26



<b>SUBJECT</b>	<b>EXISTING §</b>	<b>NEW §</b>
Action for child support based on final acknowledgment	5101.314(A)(4)(b)	3111.29
Notification to Health Department of final acknowledgment	5101.314(A)(4)(c)	3111.30
Recision of acknowledgment not yet final	5101.314(B)(1)(a) and (b)	3111.27
Court action to rescind final acknowledgment	5101.314(B)(2)	3111.28
Filing of paternity determinations with Office of Child Support	5101.314(C)	3111.66
Birth registry established	5101.314(D)(1)	3111.64
Birth registry maintained as part of data system	5101.314(D)(2)	3111.65
Rules for registry	5101.314(E)	3111.67
Rules for 3111.20 to .34	5101.314(E)	3111.35
Definitions applicable to paternity sections (3111.20 to 3111.85)	5101.314(F)	3111.20
Agreements by financial institutions to provide account information	5101.315(B)	3121.74
Fee deducted from obligor's account by financial institutions for providing information	5101.315(C)	3121.75
Status of information; prohibition against disclosure	5101.315(D)	3121.76
Immunity	5101.315(E)	3121.77
Rules	5101.315(F)	3121.78
Enforcement of foreign country support orders	5101.316	3121.92
Annual report to Federal government concerning Title IV-D program operation	5101.317(A)	3125.38
Rules for annual report	5101.317(B)	3125.39
Assistance of other states in enforcing support orders	5101.318	3121.91
Creation of case registry	5101.319(B) first sentence	3121.81



<b>SUBJECT</b>	<b>EXISTING §</b>	<b>NEW §</b>
Information to be included in the registry	5101.319(B) second sentence (1) to (6)	3121.82
Maintenance of registry	5101.319(C)	3121.83
Data comparisons and provision of data	5101.319(D) and (E)(3)	3121.84
Entry, maintenance, and monitoring of information in the registry	5101.319(E)(1) and (2)	3121.85
Rules regarding the registry	5101.319(F)	3121.86
Federal tax refund intercept	5101.32	3123.81
State tax refund intercept	5101.321(A)	3123.821
Limitations on state tax refund intercept	5101.321(B)	3123.822
Rules to implement	5101.321(C)	3123.823
Definitions for state tax refund intercept	5101.321(D)	3123.82
Establishment and maintenance of SETS	5101.322(A)	3125.07
Rules regulating use and access to data	5101.322(B)	3125.08
Establishment of statewide poster program of obligors in default	5101.323(A)(1) first sentence	3123.95
Contents of poster	5101.323(A)(1) second, third, and fourth sentences	3123.957
CSEAs may submit names for inclusion on the poster	5101.323(A)(2)	3123.951
Notice to obligors about possible inclusion on the poster	5101.323(A)(3)	3123.956
Office of Child Support review submissions from CSEAs	5101.323(A)(4)	3123.955
Publication and distribution of poster	5101.323(A)(5)	3123.958
Criteria for CSEA in submitting names of obligors	5101.323(B)	3123.952
Submission of photographs	5101.323(C) first sentence	3123.953



<b>SUBJECT</b>	<b>EXISTING §</b>	<b>NEW §</b>
No submission of obligee address or other obligee personal information	5101.323(C) second sentence	3123.954
Rules for poster program	5101.323(D)	3123.9510
Funds to conduct poster program	5101.323(E)	3123.959
Paternity establishment informational pamphlets--creation	5101.324(C) first sentence	3111.32
Distribution of affidavits and pamphlets	5101.324(C) second sentence and (D)(3)	3111.33
Acknowledgment of paternity affidavits--creation	5101.324(D)(1)	3111.31
Rules governing additional evidence to accompany affidavit for new birth record	5101.324(D)(2)	3111.34
Office of Child Support--responsible for collection and distribution of support	5101.325(A)(1)	3121.43
Use of facsimile signatures	5101.325(A)(2)	3121.69
Office of Child Support collects administrative charge	5101.325(B)(1) first sentence	3121.56
Accounting for charge not paid	5101.325(B)(1) second and third sentences	3121.58
Accounting for charge paid	5101.325(B)(1) fourth sentence	3121.57
Administrative charge and fine amounts placed in program income fund	5101.325(B)(2) and (B)(3) first sentence	3121.60
Distribution to counties	5101.325(B)(3) second sentence	3121.64
Administrative charges used only for support enforcement activities	5101.325(B)(3) third sentence	3121.65
Contracts with collection agencies	5101.325(C)	3121.67
Separate accounts for support amounts collected	5101.325(D) first and second sentences	3121.48
Support disbursement requirements	5101.325(D) second sentence	3121.50



<b>SUBJECT</b>	<b>EXISTING §</b>	<b>NEW §</b>
Use of interest from accounts	5101.325(D) fourth sentence	3121.49
Creation of program income fund	5101.325(E)	3121.63
Rules for collection, disbursement, etc.	5101.325(F)	3121.71
Collection of support through federal government offsets	5101.326	3123.85
Collection of obligor's unclaimed funds	5101.327	3123.88
Penalty	5101.99	3125.99
Penalties	5101.99(B)	3121.99
Registration of administrative child support orders	New	3111.83
Creation of registration system	New	3111.831
No fee if file administrative orders	New	3111.832
Appeal of administrative child support determination	New	3111.84
Standard forms for health insurance coverage notices	New	3119.46
Termination--Right to appeal administrative determination concerning termination	New	3119.91
Termination--Appeal to juvenile court	New	3119.92
Withholding and deduction notices and other enforcement orders issued prior to act's effective date	New	3121.0310
Orders commencing on day other than first day of the month	New	3121.54
Collection of at least 20% of arrearages with every current support payment	New	3123.21
Multiple means to collect arrearages amounts	New	3123.22

## APPENDIX C:

### Revised Code provisions repealed for technical reasons

The following provisions of the Revised Code are repealed for technical reasons pursuant to the recodification of the law governing child support: 2151.23(G)(1), 1st sent.; 2301.35(H)(1) and (2), last sent. of both; 2301.353(C); 2301.36(A) last sent.; 2301.37(A); 2301.373(A)(1) and (A)(2)(c); 3105.18(G), 1st para.; 3105.21(C), 1st sent. and (D); 3109.05(A)(3), 1st sent. and (E); 3109.19(E)(2); 3111.13(F)(1), 1st sent. and (F)(2); 3111.20(A)(4); 3111.20(C), 1st para. and (C), 2nd para., 2nd sent.; 3111.211(A) 1st para. and (B); 3111.221, 1st para.; 3111.23(A)(2), last sent., (A)(3)(a), (E)(5), (F)(1)(b), and (I)(2); 3111.24(A)(1); 3111.241(E)(1), 3rd sent.; 3111.25(A)(1); 3111.99(A); 3113.04(B), 1st sent. and (C); 3113.21(A)(2), last sent., (A)(3)(a), (B)(1)(a), 1st para., (B)(5), 2nd, 3rd, and 4th sent., (C)(1)(c)(i), 1st sent., (C)(1)(f) 1st sent., (C)(2), 2nd para., (G)(6)(a) and (c), (K)(2), (P)(1) portion, and (P)(5) and (6); 3113.211(A)(1); 3113.213(A)(1); 3113.215(A)(6) and (B)(7)(b); 3113.216(A); 3113.217(E)(1), 3rd sent.; 3113.218(A); 3113.219(A), 1st sent. and (B); 3113.2111(J)(1); 3113.31(K)(1), 1st sent. and (K)(2); 3113.99(A); 3115.31(C)(3), 1st sent.; 5101.31(A)(2), (3), (4), and (6); 5101.312(A)(1) and (4); 5101.314(A)(4)(a), 2nd and 3rd sent.; 5101.315(A); 5101.319(A); and 5101.325(D), 4th sent.

