



*Synopsis of Senate Committee Amendments**

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Legislative Service Commission

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Amendments adopted by the Senate committee make changes to the bill's provisions regarding child support enforcement agency contracts for service of process. Amendments also add provisions regarding support withholding and deduction notices and new hire reports.

Contracts for service of process

Amendments adopted by the Senate committee modify the bill as passed by the House so that it does the following regarding child support enforcement agency (CSEA) contracts for service of process:

Excepts fees for service of process charged pursuant to a contract between the sheriff and a CSEA from the general law governing fees a sheriff may charge.

Allows a contract between a CSEA and a sheriff or private entity to relate to locating an individual to be served, as well as to service of process.

Removes a provision allowing a CSEA contract with a sheriff to include additional incentives for successful service of process.

Specifically allows a CSEA contract with a sheriff to apply to provision of services, staff, or equipment, or for performing actions on behalf of the CSEA to accomplish the support enforcement objectives of the child support provisions of the Social Security Act.

Permits a CSEA to contract with a private entity for service of process only if the CSEA determines that the sheriff is unable to provide the resources necessary for timely service of process.

Permits a CSEA contract with a private entity to include additional incentives for successful service of process.

* This synopsis does not address amendments that may have been adopted on the Senate floor.

Adds an emergency clause that gives only the service of process provisions immediate effect.

Support withholding and deduction notices

With amendments adopted by the Senate committee, the bill makes the following changes to existing law:

Requires that standard forms of the Ohio Department of Job and Family Services (ODJFS) for support withholding and deduction notices be used regardless of the type or source of income.

Specifies that the withholding and deduction requirements contained in notices are final and enforceable by a court.

Provides that when the obligor (person required to pay) is an individual who is under contract with Ohio, or is owed or will be owed money from Ohio, a withholding notice must be served on the head of the state agency that is contracting with the obligor or owes or will owe the obligor money.

Removes a provision of existing law under which a withholding notice must contain evidence that the obligor is the corporation's sole shareholder if the obligor is a state employee or officer, or someone contracting with or owed money by the state and that money is to be withheld from a corporation.

New hire reports

With amendments adopted by the Senate committee the bill makes the following changes to existing law:

Distinguishes between independent contractors and employees who report compensation as wages.

Excludes from being the subjects of new hire reports certain professionally licensed persons providing services under their professional license, as well as individuals who will receive less than a threshold amount of compensation for their services under a contract.

Excludes, in the case of compensation paid to a contractor, any person or entity that lacks a federal employer identification number from new hire reporting requirements.

Allows ODJFS to adopt a rule exempting employers from making new hire reports on any classification of contractors if ODJFS determines that the exemption will assist the administration of the new hire reporting requirement.

Excludes contractors from a provision requiring ODJFS to compare Social Security numbers obtained from new hire reports with Social Security numbers appearing in the ODJFS Support Order Case Registry.

Repeals an existing provision that specifies the procedure by which ODJFS must enforce support orders when the Social Security numbers in new hire reports match those in the Child Support Order Case Registry.

Requires ODJFS, by rule, to establish the manner in which information on contractors identified in a new hire report must be used to enforce any support obligations of the contractor.

Allows ODJFS to adopt a rule specifying the extent to which contractor new hire report information is entered into the New Hires Directory or any other appropriate directory.

Permits ODJFS to release information on contractors to the National Directory of New Hires to the extent it determines appropriate.

Permits ODJFS to adopt a rule increasing the amount an employer may annually pay a contractor without being required to make a new hire report on the contractor.

Removes from a provision authorizing ODJFS to use new hire reports for establishing, modifying, and enforcing child support orders the requirement that the orders be ones being administered by Ohio CSEAs.

Permits ODJFS to disclose information in new hire reports to state agencies operating employment security and workers' compensation programs.

Provides that an employer that does not make a new hire report is liable to ODJFS for a civil penalty of \$25 per failure, instead of a fee of up to \$25 as provided for under current law.

Provides that if an employer and employee conspire to fail to submit a report or submit a false report, the employer is liable to ODJFS for a civil penalty of \$500 per failure, instead of a fee of up to \$500 as provided for under current law.

Specifies the information an employer must include in each new hire report relating to a contractor.

Permits ODJFS by rule to require that additional information, specified in the rule, be included in each new hire report.

Adds a requirement that the new hire report be filed within 20 days of the employer engaging or re-engaging a contractor or the contractor resuming service under the contract.

Requires employers to make new hire reports for each employee or contractor in a manner prescribed by ODJFS.

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