

Introduced by

Senators Berg, DeMers, Fischer

Representatives R. Kelsch, Kerzman

1 A BILL for an Act to create and enact a new section to chapter 14-09 of the North Dakota  
2 Century Code, relating to the distribution of collected child support; and to provide an effective  
3 date.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1.** A new section to chapter 14-09 of the North Dakota Century Code is  
6 created and enacted as follows:

7 **Child support arrearages - Distribution.**

- 8 1. If the amount of child support arrearages collected on behalf of a family that  
9 formerly received assistance from the state exceeds the amount required to be  
10 paid to the family for the month in which collected, the state shall distribute the  
11 amount collected as follows:
- 12 a. For arrearages which accrued before the family received assistance from the  
13 state or which accrued after the family ceased to receive assistance from the  
14 state, the state shall first distribute the amount collected to the family to the  
15 extent necessary to satisfy any support arrearages.
- 16 b. For arrearages that accrued while the family received assistance from the  
17 state, the state shall pay to the federal government the federal share of the  
18 amount collected and shall distribute to the family the state share of the  
19 amount collected.
- 20 c. After the application of subdivisions a and b, the state may retain the state  
21 share of the amount collected, but only to the extent necessary to reimburse  
22 amounts paid to the family as assistance by the state.
- 23 2. The state shall treat any support arrearages collected as accruing in the following  
24 order:

- 1                   a.    To the period after the family ceased to receive assistance.
- 2                   b.    To the period before the family received assistance.
- 3                   c.    To the period while the family was receiving assistance.

4                   **SECTION 2. EFFECTIVE DATE.** This Act becomes effective on October 1, 1997. If  
5 necessary, the department of human services shall seek, from appropriate federal officials,  
6 authorization to implement this Act on October 1, 1997.