S T A T E  O F  N E W  Y O R K

S. 1389 A. 3959

2009-2010 Regular Sessions

S E N A T E - A S S E M B L Y

January 29, 2009

IN SENATE -- Introduced by Sen. LAVALLE -- read twice and ordered printed, and when printed to be committed to the Committee on Social Services

IN ASSEMBLY -- Introduced by M. of A. THIELE -- read once and referred to the Committee on Social Services

AN ACT to amend the social services law, in relation to evenly distributing a certain annual service fee between the custodial and noncustodial parent

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Paragraph (a) of subdivision 3 of section 111-g of the social services law, as added by section 1 of part Z of chapter 57 of the laws of 2008, is amended to read as follows:

(a) A person who is receiving child support services pursuant to this section who has never received assistance pursuant to title IV-A of the federal social security act shall be subject to an annual service fee of twenty-five dollars for each child support case if at least five hundred dollars of support has been collected in the federal fiscal year. Where a custodial parent has children with different noncustodial parents, the order payable by each noncustodial parent shall be a separate child support case for the purpose of imposing an annual service fee. The fee shall be [deducted from child support payments received on behalf of] EVENLY DISTRIBUTED BETWEEN the individual receiving services AND THE NONCUSTODIAL PARENT.

S 2. This act shall take effect on the ninetieth day after it shall have become a law; provided, however, that effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized and directed to be made and completed on or before such effective date.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

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