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

7138

2011-2012 Regular Sessions

I N A S S E M B L Y

April 13, 2011

Introduced by M. of A. LANCMAN -- read once and referred to the Committee on Judiciary

AN ACT to amend the family court act, in relation to enacting the "child support assurance act"

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

Section 1. Short title. This act shall be known and may be cited as the "child support assurance act".

S 2. Subdivision 1 of section 440 of the family court act is amended by adding a new paragraph (d) to read as follows:

(D) NOTWITHSTANDING ANY OTHER PROVISION OF THIS CHAPTER TO THE CONTRARY, WHERE THE COURT DETERMINES IT IS IN THE BEST INTERESTS OF THE CHILD, THE COURT MAY REQUIRE THE STATE TO REMIT TO THE CUSTODIAL PARENT OR GUARDIAN CHILD SUPPORT PAYMENTS WHICH ARE OTHERWISE THE OBLIGATION OF THE NON-CUSTODIAL PARENT OR GUARDIAN, PROVIDED THAT THE NON-CUSTODIAL PARENT OR GUARDIAN SHALL BE RESPONSIBLE FOR REIMBURSING THE STATE FOR ANY SUCH PAYMENTS MADE.

S 3. This act shall take effect on the one hundred eightieth 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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