§ 111-h. Support collection unit. 1. Each social services district shall establish a support collection unit in accordance with regulations of the department to collect, account for and disburse funds paid pursuant to any order of child support or child and spousal support issued under the provisions of section two hundred thirty-six or two hundred forty of the domestic relations law, or article four, five, five-A or five-B of the family court act; provided however, that the department, subject to availability of funds, shall furnish centralized collection and disbursement services for and on behalf of each social services district. Until such time as the department performs collection and disbursement functions for a particular social services district, that social services district shall continue to perform those functions.

* 2. The support collection unit shall inform the petitioner and respondent of any case in which a required payment has not been made within two weeks after it was due and shall assist in securing voluntary compliance with such orders or in preparation and submission of a petition for a violation of a support order. Upon the written request of the debtor, the support collection unit shall issue an income execution as provided in section fifty-two hundred forty-one of the civil practice law and rules, except that the provisions of subdivisions (d) and (e) thereof shall not apply. Upon receipt of written revocation of such request, the support collection unit shall notify the employer or income payor that the levy is no longer effective, and the execution shall be returned.

* NB There are 2 sb 2's

* 2. The support collection unit shall establish a system that will allow it to inform the petitioner and respondent of any case in which a required payment has not been made within two weeks after it was due and to assist in securing voluntary compliance with such orders or in preparation and submission of a petition for a violation of a support order, and shall implement such system no later than July first, nineteen hundred seventy-eight based on a plan submitted to and approved by the department on or before December first, nineteen hundred seventy-seven.

* NB Expired January 1, 1978 (There are 2 sb 2's)

3. The support collection unit shall require that a person applying

for child support enforcement services provide his or her name, address and social security number and disclose whether he or she is in receipt of safety net assistance or family assistance; provided, however, that a social security number may be required only where permitted under federal law.

4. Any and all moneys paid into the support collection unit pursuant to an order of support made under the family court act or the domestic relations law, where the petitioner is not a recipient of public assistance, shall upon payment into such support collection unit be deemed for all purposes to be the property of the person for whom such money is to be paid.

5. Except as provided in subdivision six of this section, any funds paid to a support collection unit established by a social services district which have not been disbursed after two years of diligent efforts to locate the person entitled to such funds shall be paid to the state comptroller in accordance with subdivision seven of this section unless information has been received that is likely to lead to the location of the person who is entitled to such funds; provided, however, where the support collection unit determines that the person entitled to the funds is deceased and cannot locate an estate for the person entitled to the funds, or the estate does not claim the funds, such funds may be paid to the state comptroller in accordance with subdivision seven of this section without two years of diligent efforts.

6. Any funds paid to a support collection unit established by a social services district for which the remitter of such funds has not provided sufficient identifying information to associate the funds with an existing or previously existing child support account, and such information cannot be determined after diligent efforts, shall be paid to the state comptroller in accordance with subdivision seven of this section.

7. In the month of April, on or before the tenth day thereof, such payment shall be delivered to the state comptroller pursuant to section thirteen hundred eighteen of the abandoned property law, and shall be

accompanied by a written report, affirmed as true and accurate under the penalty of perjury, classified as the state comptroller shall prescribe, setting forth: (a) the names and last known addresses, if any, of the persons entitled to receive such abandoned property; (b) the title of any proceeding relating to such abandoned property; and (c) such other identifying information as the state comptroller may require.

8. Banks and other fiduciary institutions are authorized and required to report to the support collection unit, when so requested, full information relative to any fund therein deposited by a petitioner or respondent in a proceeding under section two hundred thirty-six or two hundred forty of the domestic relations law or article five-B of the family court act, where there is an order of support payable through the support collection unit or article four, five or five-A of the family court act.

9. Employers are authorized and required to report to the support collection unit, when so requested, full information as to the earnings of a petitioner or respondent in a proceeding under section two hundred thirty-six or two hundred forty of the domestic relations law or article five-B of the family court act, where there is an order of support payable through the support collection unit or article four, five, five-A or five-B of the family court act. Employers also are authorized and required to report to the support collection unit, when so requested, information relating to any group health plans available for the provision of care or other medical benefits by insurance or otherwise for the benefit of the employee and/or the child or children for whom such parties are legally responsible for support.

10. The support collection unit is authorized and required to report to the family court, when so requested, full information relative to amounts paid or any arrearages by a respondent in a proceeding under articles four, five, five-A or article five-B of the family court act.

11. The department may provide for the performance of the collection and disbursement functions of the support collection units by contract with a fiscal agent. For purposes of any reference to support collection

unit in this chapter or any other law, the fiscal agent under contract with the department shall be deemed to be part of all support collection units for which the fiscal agent performs collection and disbursement functions.

12. The support collection unit shall undertake a public service campaign as soon as practicable to inform citizens of the possibility of driver, business and professional license suspension for support enforcement.

13. (1) A support obligor may challenge in writing the correctness of the determination of the support collection unit pursuant to this section and section one hundred seventy-one-i of the tax law that the obligor's arrearage should be collected through the department of taxation and finance, and in support of the challenge may submit documentation demonstrating mistaken identity, error in calculation of arrears, financial exemption from such collection, the absence of an underlying court order establishing arrears to support such determination. Such documents may include a copy of the order of support pursuant to which the obligor claims to have made payment, other relevant court orders, copies of cancelled checks, receipts for support payments, pay stubs or other documents identifying wage withholding, proof of identity, and like documents. The support collection unit shall review the documentation submitted by the support obligor, shall adjust the support obligor's account if appropriate, and shall notify the support obligor of the results of the review initiated in response to the challenge within seventy-five days from the date of the notice required. If the support collection unit's review indicates that the determination to refer to the department of taxation and finance for collection was correct, the support collection unit shall notify the support obligor of the results of the review and that the support obligor has thirty days from the date of such notice to satisfy the full amount of the arrears. If the support obligor fails to do so, the support collection unit shall notify the department of taxation and finance that they are authorized to commence collection of the arrears. The support obligor shall be further notified that if the support obligor files objections to the review determination of the support

collection unit with the bureau of special hearings; child support unit of the department pursuant to subdivision sixteen of section one hundred eleven-b of this title, and serves these objections on the support collection unit within thirty days from the date of notice denying the challenge, the support collection unit shall not notify the department of taxation and finance of their authority to collect the arrearages until fifteen days after receipt of a decision by the administrative law judge pursuant to such section.

(2) A support obligor may within thirty days of the date of notice denying his or her challenge by the support collection unit file objections to such denial with the bureau of special hearings; child support unit of the department which shall review the support collection unit's determination to refer the obligor's case to the department of taxation and finance for collection pursuant to subdivision sixteen of section one hundred eleven-b of this title. If the support obligor timely files such objections with such bureau the support collection unit shall not notify the department of taxation and finance of their authority to collect the arrearages until fifteen days after entry of an order by the administrative law judge denying the objections.

14. If the support obligor is required to participate in work programs pursuant to section four hundred thirty-seven-a of the family court act, and the court enters an order of support on behalf of the persons in receipt of public assistance, the support collection unit shall not file a petition to increase the support obligation for twelve months from the date of entry of the order of support if the support obligor's income is derived from participation in such programs.