

Legislative History for Connecticut Act

PA 14-177

HB5526

| | | |
|-----------|--|---|
| House | 6503-6506 | 4 |
| Senate | 3463, 3476, 3480-3481 | 4 |
| Judiciary | (3725), (3727-3728), 3995, 3997, 4696, 4858- <u>4860</u> | 9 |

H – 1199

**CONNECTICUT
GENERAL ASSEMBLY
HOUSE**

**PROCEEDINGS
2014**

**VOL.57
PART 19
6233 – 6539**

Will the Clerk please announce the tally.

THE CLERK:

Senate Bill 34, in concurrence with the Senate.

Total Number Voting 145

Necessary for Passage 73

Those Voting Yea 145

Those Voting Nay 0

Those Absent and Not Voting 6

SPEAKER SHARKEY:

The bill passes in concurrence with the Senate.

Will the Clerk please call Calendar 403.

THE CLERK:

On Page 15, Calendar 403, favorable report of the Joint Standing Committee on Judiciary, House Bill 5526, AN ACT CONCERNING DELINQUENT CHILD

SUPPORT OBLIGATIONS.

SPEAKER SHARKEY:

Representative Gerry Fox.

REP. G. FOX (146th):

Thank you, Mr. Speaker.

I move for the acceptance of the Joint Committee's favorable report, and passage of the bill.

SPEAKER SHARKEY:

The question is on acceptance of the Joint Committee's favorable report and passage of the bill.

Will you remark, sir?

REP. G. FOX (146th):

Thank you, Mr. Speaker.

This bill addresses those who are the individuals who are the most behind in child support, and the ones who owe the most. And what it states is that the Bureau of Child Support Enforcement would publish on the DSS Internet website those names of those who are the most delinquent. It involves, you know, either those who failed to make court-ordered child support payments as well as those who have failed to make court-ordered medical or dental insurance coverage available within 90 days of the issuance of the court order.

And I would urge passage of the bill.

SPEAKER SHARKEY:

Thank you, sir.

Would you care to remark? Would you care to remark further on the bill before us?

Representative Rebimbas.

REP. REBIMBAS (70th):

Thank you, Mr. Speaker. I rise in support of the bill that's before us. I'd like to also thank Representative Cafero for bringing this to our attention. It's certainly a good policy.

As we know, it's very difficult to collect on

child support payments, and it's a huge burden on the State of Connecticut. This website will allow, again, for the highest -- only the highest 100 of the people who owe child support in that regard, so we're talking about people of great financial means in the state of Connecticut. We already do this for tax delinquent payments, put them on websites. Certainly this is not an additional burden, but one of which that we hope that people will be fully restored with the financial support that they deserve and these families deserve.

So Mr. Speaker, I rise in support of the amendment -- of the bill.

SPEAKER SHARKEY:

Thank you, madam.

Would you care to remark? Would you care to remark further on the bill before us?

If not, staff and guests to the Well of the House. Members take your seats. The machine will be open.

THE CLERK:

The House of Representatives is voting by roll.
The House of Representatives is voting by roll.
Will members please return to the Chamber immediately.

(Deputy Speaker Godfrey in the Chair.)

DEPUTY SPEAKER GODFREY:

Have all the members voted? Have all the members voted?

Members please check the board to make sure your vote is properly cast.

If all the members have voted, the machine will be locked, and the Clerk will take a tally.

And, Mr. Clerk, please announce the tally?

THE CLERK:

House Bill 5526.

Total Number Voting 143

Necessary for Passage 72

Those Voting Yea 143

Those Voting Nay 0

Those Absent and Not Voting 8

DEPUTY SPEAKER GODFREY:

The bill is passed.

Representative Aresimowicz.

REP. ARESIMOWICZ (30th):

Mr. Speaker, I move that we immediately transmit all items acted upon in the House, awaiting further action in the Senate.

DEPUTY SPEAKER GODFREY:

Without objection, so ordered.

Are there any announcements? Are there any announcements?

**S - 679
CONNECTICUT
GENERAL ASSEMBLY
SENATE**

**PROCEEDINGS
2014**

**VETO
SESSION**

**VOL. 57
PART 11
3246 – 3508**

pat/gbr
SENATE

278
May 7, 2014

The second, Calendar 590, House Bill 5262, move to place on the Consent Calendar.

THE CHAIR:

So ordered, sir.

SENATOR LOONEY:

The third item, Madam President, Calendar Page 29, Calendar 587, House Bill 5377, move to place on the Consent Calendar.

THE CHAIR:

So ordered, sir.

SENATOR LOONEY:

Moving to Calendar Page 30, Madam President, where there are two items, Calendar 593, House Bill 5526, move to place on the Consent Calendar.

THE CHAIR:

So ordered, sir.

SENATOR LOONEY:

And Calendar 591, House Bill 5537, move to place on the Consent Calendar.

THE CHAIR:

So ordered, sir.

SENATOR LOONEY:

Thank you, Madam President. Moving to Calendar Page 33, Madam President, Calendar 215, House Bill 2, excuse me, Calendar 215, Senate Bill 243, move to place this item on the Consent Calendar.

THE CHAIR:

So ordered, sir.

pat/gbr
SENATE

291
May 7, 2014

On Page 27, Calendar 574, House Bill 5564.

House Bill 578, House Bill 5220.

On Page 28, Calendar 580, House Bill 5310.

Calendar 584, House Bill 5334.

Calendar 585, House Bill 5586.

Calendar 583, House Bill 5289.

On Page 29, Calendar 586, House Bill 5402.

Calendar 589, House Bill 5550.

Calendar 590, House Bill 5262.

Calendar 587, House Bill 5377.

On Page 30, Calendar 593, House Bill 5526.

Calendar 592, House Bill 5476.

On Page 33, Calendar 215, Senate Bill 243.

On Page 39, Calendar 387, Senate Bill 432.

On Page 40, Calendar 475, House Joint Resolution
Number 20.

Calendar 476, House Joint Resolution Number 26.

Calendar 532, House Joint Resolution Number 42.

THE CHAIR:

Mr. Clerk, can you please check on Consent Calendar
House Bill 5593. I don't see if you called that, on
the top.

THE CLERK:

That's on the previously adopted Senate Agenda House
Bill 5593.

THE CHAIR:

pat/gbr
SENATE

295
May 7, 2014

SENATOR LOONEY:

If we might pause for just a moment to verify a couple of additional items.

Madam President, to verify an additional item, I believe it was placed on the Consent Calendar and Calendar Page 30, on Calendar Page 30, Calendar 592, Substitute for House Bill 5476.

THE CHAIR:

It is, sir.

SENATOR LOONEY:

It is on? Okay. Thank you. Thank you, Madam President. If the Clerk would now, finally, Agenda Number 4, Madam President, Agenda Number 4 one additional item ask for suspension to place up on Agenda Number 4 and that is, ask for suspension to place on the Consent Calendar an item from Agenda Number 4.

THE CHAIR:

Seeing no objection, so ordered, sir.

SENATOR LOONEY:

Thank you, Madam President, and that item is Substitute House Bill Number 5566 from Senate Agenda Number 4.

Thank you, Madam President. If the Clerk would now, if we might call for a vote on the Consent Calendar.

THE CHAIR:

Mr. Clerk. Will you please call for a Roll Call Vote on the Consent Calendar. The machine will be opened.

THE CLERK:

An immediate Roll Call has been ordered in the Senate.

pat/gbr
SENATE

296
May 7, 2014

An immediate Roll Call on Consent Calendar Number 2 has been ordered in the Senate.

THE CHAIR:

If all members have voted, all members have voted, the machine will be closed. Mr. Clerk will you please call the tally.

THE CLERK:

Consent Calendar Number 2.

| | |
|-----------------------------|----|
| Total number voting | 36 |
| Necessary for adoption | 19 |
| Those voting Yea | 36 |
| Those voting Nay | 0 |
| Those absent and not voting | 0 |

THE CHAIR:

The Consent Calendar passes. Senator Looney.

SENATOR LOONEY:

Thank you, Madam President. Two additional items to take up before the, our final vote on the implementer. If we might stand for just, for just a moment.

The first item to mark Go is, Calendar, to remove from the Consent Calendar, Calendar Page 22, Calendar 536, House Bill 5546. If that item might be marked Go.

And one additional item, Madam President, and that was from Calendar, or rather from Agenda Number 4, ask for suspension to take it up for purposes of marking it Go, that is House Bill, Substitute for House Bill 5417. Thank you, Madam President.

THE CHAIR:

Seeing no objection, so ordered, sir.

SENATOR LOONEY:

**JOINT
STANDING
COMMITTEE
HEARINGS**

**JUDICIARY
PART 9
3941 – 4410**

2014

not happy with the result.

Some people use the term disgruntled. So be it. But the thing to do is to keep coming back to offer up whatever assistance I can provide. My name, my phone number, my contact information is on my written testimony and if anybody would like a little bit more time outside of this meeting, I'm happy to do it, happy to participate and so forth.

REP. O'DEA: Thank you, Mr. Chair. Thank you, sir.

SENATOR COLEMAN: Any other members have questions?

Mr. Lynch, I'd also like to say I appreciate the conversations that we've had and especially appreciate your very reasonable approach to presenting your view of what's wrong with the system and how it can be fixed.

DANIEL LYNCH: I appreciate those comments. Thank you.

SENATOR COLEMAN: Andrea Cote Aigner. Denise Genvey. First name Denise is common, but I guess your last name has been spelled three different ways tonight. Michelle Tolmoff.

MICHELLE TOLMOFF: Thank you for staying so late tonight to hear all of our testimony. It's really appreciated. I'm thanking you on behalf of my husband who can't be here tonight because he had to work and our two little boys are four and six and we represent that we really miss one member of our family due to the divorce process. For five years we've been struggling with a visitation arrangement and this bill represents something hugely significant to our family because we did have a person enter our case that was pretty unique from any other situation here.

SB494
HB5526

And I don't understand why people's children don't matter and why these people don't have -- why these people should have immunity. So I think that the immunity of a GAL and AMC needs to be removed and the bill just needs to be fixed in that aspect. There are other things inside my testimony that I've written for you. And my name is not very common so if you ever want to look up that grievance complaint you can find it with the grievance committee.

And then lastly and I know my time wrapped up, but I did sign up for two different bills. The child support bill 5526, I really hope that you don't pass that. I just think it's disparaging to a parent that is behind on their child support to publicly announce it and I have the feeling that if you had a high conflict situation, the other parent is going to use that to tout it and disparage the other parent and I don't think that's in the best interest of the child to post or publish that list publicly.

I already know that you have a parent on the other side and they're going to post it on their Face book with that link and talk bad about the parent and show it to the kid and how bad the parent is because they're behind on their child support. If a parent isn't (inaudible) media to talk about the divorce case, I don't think the state should be able to do that about the parent. So I hope that you read my testimony on that bill as well. And I thank you very much for your time.

SENATOR COLEMAN: Senator Doyle.

SENATOR DOYLE: Thank you, Mr. Chairman. I just have a quick question for a point of clarification. I'm not sure I understood, you're inferring the first GAL was improperly inserted in the case. I

SB494

**JOINT
STANDING
COMMITTEE
HEARINGS**

**JUDICIARY
PART 10
4411 – 4730**

2014

From: Susan Skipp
Sent: Saturday, March 29, 2014 8:02 PM
To: Jud Testimony; Blanchard, Deborah
Cc: Rep. Fox, Gerald
Subject: Testimony for all family related matters 3/31/2014

Ps. My children have been without their mother for 542 days, absent neglect, abuse, unfitness or change in circumstances. I was their prary caregiver. They are also denied three siblings. Best interest of children? Not mine. Mary Brigham, who was only appointed for sept 9, 2010- March 28, 2011 continued to bill over \$130,000.00 while my children not only lost a mother but an excellent private school education. Investigate afcc anti-trust and expel it from Connecticut as many other states have wisely done. Attached PDF is testimony as well.

458
491
492
493
494
5524
5526
5591
5592
5593
5594
5595

**JOINT
STANDING
COMMITTEE
HEARINGS**

**JUDICIARY
PART 11
4731 – 5110**

2014



State of Connecticut

HOUSE OF REPRESENTATIVES
STATE CAPITOL
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Chairmen Fox and Coleman, Ranking Members Rebimbas and Kissel and Members of the Judiciary Committee, the House Republican Caucus would like to thank the Committee for raising House Bill Number 5526: An Act Concerning Delinquent Child Support Obligors.

This bill is an important House Republican proposal to require the Bureau of Child Support Enforcement to establish a list of delinquent child support obligors that shall be made available on the Department of Social Services website. Such list shall include the names, residential addresses and amount of delinquent child support owed by the one hundred individuals in the state who have the highest delinquent child support obligations.

A number of Connecticut residents are struggling economically due to large amounts of unpaid child support. In turn, these families rely on the state of Connecticut for services that they cannot afford. The state also spends large amounts of money and resources tracking down people with outstanding child support debts.

House Bill 5526 would assist the Bureau of Child Support Enforcement in collecting outstanding debts without a significant cost. The state utilizes a number of tools to collect unpaid child support, and this registry would enhance Connecticut's efforts. A registry publicly listing the names of the top child support debtors in the state would serve as a deterrent for those who do not take their child support obligations seriously, and would encourage parents to fulfill their obligations to their children.

I urge the Judiciary Committee to pass Raised Bill Number 5526 to establish an online registry of delinquent child support obligors. Please allow the full General Assembly the opportunity to debate this issue and to pass legislation to improve transparency in our state government.

March 31, 2014

Dear Judiciary Committee,

Thank you for taking time to read my testimony. My name is Michelle Tolmoff. I work with a family support group for divorced parents, am a trained Guardian Ad Litem and work as a professional for 10 years in financial services. I am against what raised bill H.B. No. 5526 is proposing. I feel many parents behind in child support have a legitimate reason why and if given a fair chance are willing to work towards catching up. The focus should be on ways to help parents not make a bad situation worse. Child support is in the best interest of the child. It is imperative that a parent financially supports their child but if the state goes too far in punishments they may actually make it more difficult to do so. I believe that a parent behind in child support is already punished enough with possible contempt of court, interest, jail, fines, credit reporting, liens, IRS tax levy, and having to report for licensing requirements such as if you work as a professional in the life, health, property & causality industry that is very large here in CT. This reporting may already make it difficult in today's economy to remain employed or to get hired in these positions. If I parent has difficulty obtaining employment and maintaining that employment child support payments may be lowered or fall further behind. If you put these individuals on a public internet list you are potentially causing more harm than good as now employers and potential employers may be looking at it and not know all the circumstances surrounding it and make hiring decisions based off of the information. I also fear the Guardian Ad Litem (GAL) will take unfair advantage of this system by reporting what a parent may owe them because there is already some very blurred lines between the two child support and GAL fees.

Personally I have seen parents use child support as a weapon to hurt the other parent. If you have an angry parent from the high conflict pool of cases you hear about everyday regarding the custody and care of minor children they will use everything at their disposal to attack the other parent including but not limited to visitation and access, the child, and child support. A tactic the child support receiving parent does is go to the Department of Social Services or Child Support Enforcement and fill out the very old state worksheet claiming child support is owed from the date the divorce was finalized and the amount is ordered until present. This may be 10 years worth of arrearages being reported or longer. These parties may have been in court on many other post judgement matters never having brought this up then they learn about this flaw and use it as a weapon. As soon as that spreadsheet is filled out it's assumed credible without verification and the "remedies" begin. Wage garnishment, income tax return attachment, credit reporting, the risk of jail, and interest accrual. The judge sees 10 years times 52 weekly child support payments and doesn't want to look at the stacks of evidence that comes walking through the door because of the other 100s of cases they have to make time for and ask parent paying how much they owe and parent collecting how much they feel is owed and just rule in the middle awarding a party something that is not owed and punishing the other party with no verification of evidence on the matter. It takes a very long time for a fair hearing and

all the while the parent paying is looked at very negatively. There is no remedy when the collecting parent is found to have been dishonest.

Instead of internet reporting of these individuals behind a verification system should be put in place. A statute of limitations of 3 years for asking for back due child support should be enacted or else they estoppel/lachee their rights to collection of the funds. Banks only have to keep records for 7 years and with consolidations and bank closures this sometimes becomes even more difficult for the paying parent to prove they've paid. If these parents end up in this situation of having to prove payments and they didn't keep good records they end up stuck in the unfortunate flaw that could be and should be fixed.

We don't have a list of parents not allowing visitation because if a child found out about this list it may make them think poorly of their parent. Why is it ok to do this on child support? We look down on parents that use social media to disparage the other parent and now the state is going to do exactly that? I really think we should think very carefully about this list. Do the benefits really outweigh the risks?

Thank you,

Michelle Tolmoff, MBA