

Senate Children and Family Law Committee

Joshua Schauer 271-3077

HB 204, relative to criteria for reporting child support delinquencies to federal agencies.

Hearing Date: April 3, 2025

Time Opened: 9:30 a.m.

Time Closed: 9:52 a.m.

Members of the Committee Present: Senators Abbas, Sullivan and Long

Members of the Committee Absent : None

Bill Analysis: This bill requires the department of health and human services to ensure that the automated system of reporting child support delinquencies meets, but does not exceed, federal guidelines. The bill also directs the department to provide the amount of the arrearage to the requesting agency.

Sponsors:

Rep. Spillane

Rep. DeSimone

Rep. Layon

Rep. Moffett

Rep. M. Pearson

Rep. Popovici-Muller

Rep. Kofalt

Sen. Innis

Who supports the bill: Representative James Spillane (R-2), Representative DeSimone (R-18), Matthew Hayes (Bureau of CSS), Betty Gay, Gayle Drobot, Jim and Nina Kelly, Mimi Alberu, Lisa Post.

Who opposes the bill: James Gardner, Janet Lucas

Who is neutral on the bill: Matthew Hayes (Bureau of CSS)

Summary of testimony presented in support:

Representative Spillane: Rockingham- District 2

- Representative Spillane introduced HB204 and stated that it had passed house with bipartisan support, and passed last term however it was not passed into law.
- He said that it is seeking to fix a problem when a person is delinquent in their child support. The bureau of child support services has a weekly garnishment but would miss a line in the year for those that did not receive a weekly

paycheck. It would miss a small percentage in the year and go into “delinquency” for non-payment but had not met the delinquency threshold.

- He went on to say that if somebody is not paid on a weekly basis, they will find themselves delinquent because of the system. This legislation will put into place an automatic payment plan so that this problem can be solved.
- He explained that if the system shows a specific dollar amount, it will show an actual delinquency or a simple error.

Senator Long asked if the federal threshold is \$2,500, and if under that threshold the system will show the dollar amount that you are in delinquencies to show errors?

Representative Spillane explained that he was never told he was in arrearage, but it was less than \$100. He could not get a passport because it was in arrearage but didn't know until he tried to get a passport. He stated that this should be fixed, and the system updated.

Betty Gay: Former Representative

- She spoke in support of the bill and said she was glad to see a tracking system that monitors peoples child support payments.
- She added that this legislation was a good step in the right direction to update and correct the system.

Rep. DeSimone: Rockingham District 18

- She stated that she had requested statistical information of parents that suffer the consequences of underreporting,
- The agency has a reporting system that does not allow them to include specific dollar amounts. It only allows them what the federal guidelines are, which is the \$2,500 threshold.
- She said that the department doesn't have certain capabilities to include the specific dollar amounts. Therefore, once you are reported, it isn't until zero that you are removed from the list of penalties.
- This bill will allow the agency to do their job better.

Neutral Information Presented:

Matthew Hayes: Bureau of Child Support Services

- The Bureau is neutral on the position.
- The Bureau claims it already has a automated and certified system and monitors it regularly according to federal guidelines.
- He said that the bureau worked with Senator Carson last term on language updates and an amendment.

Senator Abbas inquired if he heard the prime sponsors testimony and asked what went wrong in that situation that a line was missed? And if he could make an educated guess about why the system had an error.

Mr. Hayes stated that once you meet the \$2,500 threshold, it doesn't clear up or reactivate the account until the delinquency payments hit \$0. He is not aware of any reason the system would not be working. It is just a matter of what is reported each month.

He said it could just mean their arrearage that is accrued might have a small balance when reported in that given month.

Senator Abbas asked if that \$2,500 threshold considers penalties or just overdue child support payments?

Mr. Hayes said that it is just child support payments accruals?

Senator Long asked that when people electronically look for information from the requesting agency, does the New Hampshire agency tell the federal agency how much a person is in arrearage?

Mr. Hayes explained that every month the system reports, if they have met that threshold, to the federal agencies, so the federal agency does know what the balances are.

Senator Long followed up and asked if the system reports give a specific amount?

Mr. Hayes said that it does give a specific amount. There is not a case officer looking at each individual case, it is an automated system between the state and federal agency, and it does provide dollar amounts.

Senator Long explained that there is a problem if a person is \$2,600 behind on child payments, but then pay \$2,500 in arrearage, so only \$100 in delinquency. Then that is preventing a person from receiving other federal programs such as obtaining a passport or receiving an IRS check. He said that it is concerning if the agencies know the specific dollar amount and still consider a person delinquent even though they are well below that "delinquency" threshold of \$2,500.

Mr. Hayes added that the system will not change the status until the dollar amount is at zero.

Senator Sullivan asked if the language that was worked out with Senator Carson last term, is the current language in the bill?

Mr. Hayes responded that yes it was.