

SENATE
STATE OF MINNESOTA
NINETY-FIRST SESSION

S.F. No. 3920

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DATE
03/04/2020

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OFFICIAL STATUS
Introduction and first reading
Referred to Judiciary and Public Safety Finance and Policy

- 1.1 A bill for an act
- 1.2 relating to child support; modifying arrears reporting requirements; amending
- 1.3 Minnesota Statutes 2018, section 518A.685.
- 1.4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:
- 1.5 Section 1. Minnesota Statutes 2018, section 518A.685, is amended to read:
- 1.6 **518A.685 CONSUMER REPORTING AGENCY; REPORTING ARREARS.**
- 1.7 (a) If a public authority determines that an obligor has not paid the current monthly
- 1.8 support obligation plus any required arrearage payment for three months, the public authority
- 1.9 ~~must~~ may report this information to a consumer reporting agency.
- 1.10 (b) Before reporting that an obligor is in arrears for court-ordered child support, the
- 1.11 public authority must:
- 1.12 (1) provide written notice to the obligor that the public authority intends to report the
- 1.13 arrears to a consumer reporting agency; and
- 1.14 (2) mail the written notice to the obligor's last known mailing address at least 30 days
- 1.15 before the public authority reports the arrears to a consumer reporting agency.
- 1.16 (c) The obligor may, within 21 days of receipt of the notice, do the following to prevent
- 1.17 the public authority from reporting the arrears to a consumer reporting agency:
- 1.18 (1) pay the arrears in full; ~~or~~
- 1.19 (2) request an administrative review. An administrative review is limited to issues of
- 1.20 mistaken identity, a pending legal action involving the arrears, or an incorrect arrears
- 1.21 balance; or

2.1 (3) enter into a written payment agreement pursuant to section 518A.69 that is approved
2.2 by a court, a child support magistrate, or the public authority responsible for child support
2.3 enforcement.

2.4 (d) If the public authority has reported that an obligor is in arrears for court-ordered
2.5 child support and subsequently determines that the obligor has paid the court-ordered child
2.6 support arrears in full, ~~or is paying the current monthly support obligation plus any required~~
2.7 ~~arrearage payment, the public authority must report to the consumer reporting agency that~~
2.8 ~~the obligor is currently paying child support as ordered by the court~~ cease credit bureau
2.9 reporting.

2.10 (e) A public authority that reports arrearage information under this section must make
2.11 monthly reports to a consumer reporting agency. The monthly report must be consistent
2.12 with credit reporting industry standards for child support.

2.13 (f) For purposes of this section, "consumer reporting agency" has the meaning given in
2.14 section 13C.001, subdivision 4, and United States Code, title 15, section 1681a(f).

2.15 **EFFECTIVE DATE.** This section is effective January 1, 2021.