

**SENATE
STATE OF MINNESOTA
NINETY-FIRST SESSION**

S.F. No. 3165

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DATE	D-PG	OFFICIAL STATUS
02/13/2020	4761	Introduction and first reading Referred to Judiciary and Public Safety Finance and Policy

1.1 A bill for an act

1.2 relating to human services; establishing a child support advisory board; proposing

1.3 coding for new law in Minnesota Statutes, chapter 518A.

1.4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.5 Section 1. **[518A.80] CHILD SUPPORT ADVISORY BOARD.**

1.6 Subdivision 1. Establishment; purpose. The Child Support Advisory Board is

1.7 established as an advisory body for the Department of Human Services. The purpose of the

1.8 advisory board is to advise the commissioner of human services on matters to update or

1.9 revise the child support guidelines to ensure its application results in the determination of

1.10 appropriate child support order amounts as required in Code of Federal Regulations, title

1.11 45, section 302.56.

1.12 Subd. 2. Members. (a) The advisory board must consist of:

1.13 (1) four members of the house of representatives, two appointed by the speaker of the

1.14 house and two appointed by the minority leader;

1.15 (2) four members of the senate, two appointed by the majority leader and two appointed

1.16 by the minority leader;

1.17 (3) eight parents, at least two of whom represent diverse cultural communities, with

1.18 equal representation between custodial and noncustodial parents. Each legislator on the

1.19 advisory board may appoint one parent;

1.20 (4) two members from a Father's organization with knowledge of the child support laws;

2.1 (5) one representative from a tribe with an approved IV-D program appointed by
2.2 resolution of the Minnesota Indian Affairs Council;

2.3 (6) one representative from the Minnesota Legal Services Coalition;

2.4 (7) one representative appointed by the Academy of Professional Family Mediators;

2.5 (8) one representative from the family law section of the Minnesota Bar Association;

2.6 and

2.7 (9) two accountants, tax experts, or financial planners appointed by the legislative
2.8 cochairs described in subdivision 3.

2.9 (b) Section 15.059 governs the Child Support Advisory Board.

2.10 Subd. 3. **Officers; meetings.** (a) The advisory board shall be cochaired by a legislative
2.11 member from the majority party and by a legislative member from the minority party, and
2.12 may elect other officers as necessary.

2.13 (b) The commissioner of human services or the commissioner's designee shall convene
2.14 the first meeting by August 15, 2020.

2.15 (c) The cochairs shall alternate possession of the gavel between meetings.

2.16 (d) The agenda for each meeting shall be determined by the cochairs.

2.17 (e) The advisory board shall meet monthly or as determined by the cochairs.

2.18 (f) The advisory board shall meet at least six times per year.

2.19 (g) Staff members from the Department of Human Services Child Support Division may
2.20 only participate in an advisory role.

2.21 Subd. 4. **Open meetings.** Except as otherwise provided in this section, the advisory
2.22 board is subject to chapter 13D. A meeting of the advisory board occurs when a quorum is
2.23 present and the members receive information, discuss, or take action on any matter relating
2.24 to the duties of the advisory board. The advisory board may conduct meetings as provided
2.25 in section 13D.015 or 13D.02. The advisory board may conduct meetings at any location
2.26 in the state that is appropriate for the purposes of the advisory board as long as the location
2.27 is open and accessible to the public. For legislative members of the advisory board,
2.28 enforcement of this subdivision is governed by section 3.055, subdivision 2. For
2.29 nonlegislative members of the advisory board, enforcement of this subdivision is governed
2.30 by section 13D.06, subdivisions 1 and 2.

3.1 Subd. 5. **Compensation.** Public members of the advisory board shall be compensated
3.2 as provided by section 15.059, subdivision 3.

3.3 Subd. 6. **Staff.** The commissioner shall provide support staff, office space, and
3.4 administrative services for the advisory board.

3.5 Subd. 7. **Duties of advisory board.** (a) General duties of the advisory board include but
3.6 are not limited to:

3.7 (1) serving as an advisory body to the commissioner of human services;

3.8 (2) reviewing the court orders, modification orders, problems, and effects of implementing
3.9 the parenting expense adjustment enacted by the 2016 legislature;

3.10 (3) at least every four years, preparing for and advising the commissioner on the
3.11 development and collection of data for the quadrennial review report;

3.12 (4) collecting and studying information and data relating to child support awards;

3.13 (5) providing a forum for public comments at every meeting and providing written
3.14 documentation about comments by each member of the public; and

3.15 (6) conducting a comprehensive review of the child support guidelines, economic
3.16 conditions, and other matters relevant to maintaining effective and fair child support
3.17 guidelines.

3.18 (b) The advisory board must review, collect data, and make recommendations about the
3.19 following issues:

3.20 (1) update section 518A.35, subdivision 2, the guideline for basic support;

3.21 (2) simultaneous child support orders;

3.22 (3) how to calculate child support for obligors who are subject to child support orders
3.23 in multiple counties with multiple families to ensure that all children are treated fairly; and

3.24 (4) consider that the children have expenses in two separate households, each with their
3.25 own costs to maintain that household, regardless of parenting time or whether the children
3.26 live in the household full time or part time.

3.27 Subd. 8. **Report and recommendations.** Beginning January 30, 2021, and annually
3.28 thereafter, the advisory board shall prepare and submit to the chairs and ranking minority
3.29 members of the legislative committees with jurisdiction over child support matters a report
3.30 that summarizes the activities of the child support advisory board, including data collected,

4.1 issues discussed, strategies to address the pertinent issues, and recommendations for
4.2 legislative action.

4.3 Subd. 9. **Expiration.** The Child Support Advisory Board expires December 15, 2024,
4.4 unless extended by the legislature.