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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-SEVENTH SESSION

H. F. No. **2602**

02/29/2012 Authored by Abeler and Anderson, D.,

The bill was read for the first time and referred to the Committee on Health and Human Services Reform

03/15/2012 By motion, recalled and re-referred to the Committee on Health and Human Services Finance

1.1 A bill for an act
1.2 relating to human services; modifying child care support provisions; amending
1.3 Minnesota Statutes 2010, section 518A.40, subdivision 4.

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

1.5 Section 1. Minnesota Statutes 2010, section 518A.40, subdivision 4, is amended to
1.6 read:

1.7 Subd. 4. **Change in child care.** (a) When a court order provides for child care
1.8 expenses, and child care support is not assigned under section 256.741, the public
1.9 authority, if the public authority provides child support enforcement services, must
1.10 suspend collecting the amount allocated for child care expenses when:

1.11 ~~(1)~~ either party informs the public authority that no child care costs are being
1.12 incurred; and:

1.13 ~~(2)~~ (1) the public authority verifies the accuracy of the information with the obligee;
1.14 or

1.15 (2) the obligee fails to provide verification to the public authority within 30 days
1.16 after a request for information regarding child care costs.

1.17 The suspension is effective as of the first day of the month following the date that the
1.18 public authority ~~received the verification~~ verified the information with the obligee or the
1.19 obligee failed to provide information. The public authority will resume collecting child
1.20 care expenses when either party provides information that child care costs ~~have resumed~~
1.21 are incurred, or when a child care support assignment takes effect under section 256.741,
1.22 subdivision 4. The resumption is effective as of the first day of the month after the date
1.23 that the public authority received the information.

2.1 (b) If the parties provide conflicting information to the public authority regarding
2.2 whether child care expenses are being incurred, ~~or if the public authority is unable to~~
2.3 ~~verify with the obligee that no child care costs are being incurred,~~ the public authority will
2.4 continue or resume collecting child care expenses. Either party, by motion to the court,
2.5 may challenge the suspension, continuation, or resumption of the collection of child care
2.6 expenses under this subdivision. If the public authority suspends collection activities
2.7 for the amount allocated for child care expenses, all other provisions of the court order
2.8 remain in effect.

2.9 (c) In cases where there is a substantial increase or decrease in child care expenses,
2.10 the parties may modify the order under section 518A.39.