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SENATE BILL NO. 952**AMENDMENT IN THE NATURE OF A SUBSTITUTE**

(Proposed by the Senate Committee on Rehabilitation and Social Services
on January 25, 2013)

(Patron Prior to Substitute—Senator Favola)

A *BILL to amend the Code of Virginia by adding a section numbered 63.2-1908.1, relating to child support arrearage reduction program.*

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 63.2-1908.1 as follows:

§ 63.2-1908.1. Child support arrearage reduction program.

A. *The Department shall establish a statewide child support arrearage reduction program whereby the total amount of an arrearage owed to the Department for the payment of public assistance to or for the benefit of a dependent child or children or their custodial parent by an obligor who is responsible for the support of such child or children or custodial parent pursuant to § 63.2-1908 shall be reduced upon timely payment of child support, in accordance with an agreement between the obligor and the Department. An obligor shall be eligible for the child support arrearage reduction program if he has an arrearage owed to the Department for the payment of public assistance to or for the benefit of a dependent child or children or their custodial parent and his household income is less than 150 percent of the federal poverty level. For the purposes of this section, an obligor's household shall include the children for whom the obligor is required to pay child support pursuant to an administrative or court order.*

B. *Upon request of an eligible obligor, the Department shall enter into an agreement with the obligor and shall reduce the total amount of arrearages owed to the Department for the payment of public assistance to or for the benefit of a dependent child or children or custodial parent upon the obligor's compliance with the agreement including the timely payment of his child support obligation as follows:*

1. *Upon timely, consecutive payment of child support owed for a period of six months from the effective date of the agreement, a reduction of five percent of the arrearages;*

2. *Upon timely, consecutive payment of child support owed for a period of 12 months from the effective date of the agreement, a reduction of 10 percent of the arrearages;*

3. *Upon timely, consecutive payment of any child support owed for a period of 18 months from the effective date of the agreement, a reduction of 15 percent of the arrearages; and*

4. *Upon timely, consecutive payment of child support owed for a period of 24 months from the effective date of the agreement, a reduction of 25 percent of the arrearages.*

C. *If an obligor who has entered into an agreement with the Department pursuant to subsection A subsequently fails to make timely, consecutive payment of child support as required by subsection B, the agreement shall be terminated and the obligor shall not be eligible to enter into a subsequent agreement with the Department for the reduction of arrearages owed for a period of 12 months.*

2. That the Department of Social Services shall promulgate regulations to implement the provisions of this act.

3. That the That the provisions of this act shall not become effective unless an appropriation of general funds effectuating the purposes of this act is included in a general appropriations act passed by the 2012 Session of the General Assembly, which becomes law.