

VIRGINIA ACTS OF ASSEMBLY -- 1996 SESSION

CHAPTER 746

An Act to amend and reenact § 63.1-274.10 of the Code of Virginia, relating to child support enforcement costs.

[S 300]

Approved April 6, 1996

Be it enacted by the General Assembly of Virginia:

1. That § 63.1-274.10 of the Code of Virginia is amended and reenacted as follows:

§ 63.1-274.10. Reimbursement of attorney's fees and certain costs.

The Department shall have the authority to assess and recover from the absent responsible parent in proceedings to enforce child support obligations against the absent responsible parent, attorney's fees in an amount not to exceed the amount allowed court-appointed counsel in the district courts pursuant to subdivision 1 of § 19.2-163. The Department shall also have the authority to assess and recover costs in such cases. However, the Department shall not be entitled to recover attorney's fees or costs in any case in which the absent responsible parent prevails.

The Department shall have the authority to assess and recover the actual costs of blood testing against the absent responsible parent. The blood testing costs shall be set at the rate charged the Department by the provider of blood testing services.

The Department shall have the authority to assess and recover the actual costs of intercept programs from the responsible parent. The intercept programs' costs shall be set at the rate actually charged the Department.

The Department shall have the authority to assess and recover the actual costs of fees for service of process, and seizure and sale pursuant to a levy on a judgment in enforcement actions from the responsible parent.

The fees and costs that may be recovered pursuant to this section may be collected using any mechanism provided by this chapter.