

AMENDED IN ASSEMBLY MAY 26, 2005

AMENDED IN ASSEMBLY APRIL 13, 2005

CALIFORNIA LEGISLATURE—2005—06 REGULAR SESSION

**ASSEMBLY BILL**

**No. 667**

**Introduced by Assembly Member Jones**

February 17, 2005

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An act to ~~amend Sections 17600 and 17602 of~~ *add and repeal Section 17716* of the Family Code, relating to child support.

LEGISLATIVE COUNSEL'S DIGEST

AB 667, as amended, Jones. Child support enforcement.

~~(1)~~ Existing law establishes the Department of Child Support Services to administer laws and regulations pertaining to the administration of child support enforcement obligations. Existing law requires each county to maintain a local child support agency.

Existing law *requires the Director of Child Support Services to review and approve annual budgets submitted by the local child support agencies to ensure each local child support agency operates an effective and efficient program that complies with all federal and state laws, regulations, and directives. Existing law provides for the payment of a federal incentive to every county, and also establishes a state child support incentive funding program permitting a county that comes within specified standards of performance to receive state child support incentive funds. Each participating county is required to provide specified county child support information to the department. The department is required to develop regulations to ensure the uniform reporting of this information in consultation with specified entities, including the California Family Support Council.*

~~This bill would revise these provisions, relating to the department's collection of information from counties participating in the state child support incentive program, to instead require the submission of information by local child support agencies. The bill would add specified performance measures and would eliminate an exemption for a county unable to comply with a reporting requirement. The bill would require the department to develop regulations in consultation with the California Child Support Directors Association, rather than the California Family Support Council, and to post comparative data on its Web site, as specified. The bill would impose a state-mandated local program by increasing the duties of local child support agencies to provide information to the department. The bill would make conforming changes.~~

~~(2) Existing law requires the Department of Child Support Services to adopt the federal minimum standards as the baseline standard of performance for the local child support agencies and work in consultation with the local child support agencies to develop program performance targets on an annual federal fiscal year basis. In determining these performance measures, the department is required to consider and analyze information on uncollected child support arrearages, and use this analysis to establish program priorities. The Director of Child Support Services is required to adopt a 3-phase process to be used statewide when a local child support agency is out of compliance with the performance standards adopted by the department.~~

~~This bill instead would require the state child support program to achieve specified performance targets for the performance measures described in (1) above, and would delete the requirement that the department consider and analyze information on uncollected child support arrearages. The bill would require the Director of Child Support Services to adopt a 2-phase process, rather than a 3-phase, to be used statewide when a local child support agency is out of compliance with a specified performance standard relating to the percentage of caseload with collections. If a local child support agency fails to achieve performance targets or to comply with other requirements, the department would be required to require the removal of the local administrator or to assess a performance incentive charge against the local child support agency, as specified.~~

~~(3) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state.~~

~~Statutory provisions establish procedures for making that reimbursement.~~

~~This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.~~

*This bill would require the Legislative Analyst’s Office to conduct an evaluation, as specified, of the adequacy of the current child support services budgeting methodology and make recommendations for revising the budgeting methodology in order to ensure accurate and adequate funding of the state child support program. The bill would require the Legislative Analyst’s Office to report its findings and recommendations to the Legislature on or before January 1, 2007. The bill also would require the Department of Child Support Services to provide to the Legislative Analyst’s Office requested caseload performance and expenditure data to ensure timely completion of the report.*

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: ~~yes~~-no.

*The people of the State of California do enact as follows:*

1 SECTION 1. *The Legislature finds and declares both of the*  
2 *following:*

3 (a) *Child support is critical to the financial security of*  
4 *children throughout California.*

5 (b) *The existing approach to budgeting and funding of child*  
6 *support services was established before the current federal*  
7 *incentive structure was implemented, and it is in the best interest*  
8 *of children for the Legislature to find out if the system is effective*  
9 *as a means of maximizing child support collections for families,*  
10 *maximizing federal incentive payments, and adequately funding*  
11 *the program today.*

12 SEC. 2. *Section 17716 is added to the Family Code, to read:*

13 17716. (a) *The Legislative Analyst’s Office shall conduct an*  
14 *evaluation of the adequacy of the current child support services*  
15 *budgeting methodology and make recommendations for revising*  
16 *the budgeting methodology, including appropriate caseload*  
17 *standards, in order to ensure accurate and adequate funding of*  
18 *the state child support program. In preparing this evaluation, the*

1 *Legislative Analyst’s Office shall consider the impact of the*  
 2 *following factors on the budgeting methodology:*  
 3 *(1) The current state and federal statutory and regulatory*  
 4 *environment for child support services.*  
 5 *(2) The state of the art advancements and best practices.*  
 6 *(3) The potential impact of the California Child Support*  
 7 *Automated System on the workload of workers in the system.*  
 8 *(4) The comparable caseload and workload levels in other*  
 9 *states.*  
 10 *(5) The impact on workload of timely establishing and*  
 11 *collecting child support to meet children’s needs.*  
 12 *(b) In preparing this evaluation, the Legislative Analyst’s*  
 13 *Office shall consult with representatives of the department, the*  
 14 *Child Support Directors Association of California, the California*  
 15 *State Association of Counties, child support services consumers,*  
 16 *children’s advocacy organizations, child support worker*  
 17 *organizations, and appropriate policy and fiscal committees of*  
 18 *the Legislature.*  
 19 *(c) The department shall provide the Legislative Analyst’s*  
 20 *Office requested caseload performance and expenditure data to*  
 21 *ensure timely completion of the report required pursuant to*  
 22 *subdivision (d).*  
 23 *(d) The Legislative Analyst’s Office shall report the findings*  
 24 *and recommendations of the evaluation to the appropriate policy*  
 25 *and fiscal committees of the Legislature on or before January 1,*  
 26 *2007.*  
 27 *(e) This section shall remain in effect only until January 1,*  
 28 *2008, and as of that date is repealed, unless a later enacted*  
 29 *statute, that is enacted before January 1, 2008, deletes or extends*  
 30 *that date.*

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**All matter omitted in this version of the bill  
 appears in the bill as amended in Assembly,  
 04/13/05.**

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