

SENATE APPROPRIATIONS COMMITTEE FISCAL NOTE

BILL NO. House Bill 1603

PRINTER NO. 2544

AMOUNT

No Adverse Fiscal Impact

FUND

General Fund

DATE INTRODUCED

October 7, 2015

PRIME SPONSOR

Representative Watson

DESCRIPTION AND PURPOSE OF BILL

House Bill 1603 amends Title 23 (Domestic Relations) to update the Uniform Interstate Family Support Act to provide direction for dealing with international family support orders.

HB 1603 incorporates the 2008 Uniform Law Commission (ULC) amendments into Pennsylvania's version of the Uniform Interstate Family Support Act (UIFSA). The 2008 amendments were adopted by the ULC to incorporate changes made by the Hague Convention on International Recovery of Child Support and Other Forms of Family Maintenance in 2007. These amendments provide guidelines for:

- Registering foreign spousal and child support orders;
- Determining if foreign support orders are recognized in Pennsylvania based upon established criteria; and
- Enforcing and modifying foreign support orders.

In September 2014, Congress passed federal legislation, the Preventing Sex Trafficking and Strengthening Families Act, to implement the Hague Convention provisions which included the requirement that states be in compliance with the 2008 UIFSA amendments by December 31, 2015, in order to continue receiving federal funds for state child support programs.

In addition, in order to appropriately incorporate and implement these provisions, this legislation also incorporates amendments promulgated by the ULC in 2001 and not previously adopted in Pennsylvania. The 2001 amendments include the following provisions:

- Clarification of jurisdictional rules to limit the ability of parties to seek modifications of orders in states other than the issuing state.
- Clarification of how a controlling order is to be determined and reconciled in the event multiple orders are issued.
- Providing that UIFSA is not the exclusive method of establishing or enforcing a support order within a given state and separating the jurisdictional basis for the issuance of support orders from that for the issuance of child custody orders.

SENATE APPROPRIATIONS COMMITTEE FISCAL NOTE

- Clarification for the redirection of support payments to the current state of residence of the person entitled to the payments.
- Clarification that the local law of a responding state applies with regard to enforcement procedures and remedies.
- Providing that the duration of a child support order is to be that which is required under the law of the state originally issuing the order.
- Inclusion of technical updates reflecting changes in the law since the 1990s, including the use of electronic communications.
- Inclusion within the jurisdiction of the law of support orders from foreign countries pursuant to reciprocity and comity principles.

This act shall take effect immediately.

FISCAL IMPACT:

House Bill 1603 will have no adverse impact to the Commonwealth. This legislation enables the Commonwealth to continue to receive more than \$150 million in federal funds supporting child support enforcement activities.