

Act 210 of the 1989 Regular Session.

Act 210

SB95

By: Senator Hopkins

"AN ACT TO AMEND TITLE 9, CHAPTER 14, SUBCHAPTER 2 OF THE ARKANSAS CODE OF 1987 TO PROVIDE THAT AN EMPLOYER WHO FAILS TO TRANSMIT CHILD SUPPORT PAYMENTS SHALL BE SUBJECT TO ENFORCEMENT FROM THE CUSTODIAL PARENT; AND FOR OTHER PURPOSES."

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code 9-14-225 is hereby amended to read as follows:

"9-14-225. Income withholding - Liability of payor. (a) A payor who has been notified of an order of income withholding shall be liable for any amount up to the accumulated amount which should have been withheld should he fail or refuse to withhold the income in accordance with the notice.

(b) Once money has been withheld except as provided in (c) below it shall be considered the property of the custodial parent. The custodial parent to whom the money is owed may seek any and all available redress against any employer who fails to transmit money pursuant to an order of income withholding."

(c) Monies withheld in cases brought under Title IV-D of the Social Security Act shall become the property of the Department of Human Services to be distributed in accordance with Child Support policy.

SECTION 2. All provisions of this act of a general and permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code Revision Commission shall incorporate the same in the Code.

SECTION 3. All laws and parts of laws in conflict with this act are hereby repealed.

APPROVED: February 24, 1989

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