

Department of Finance and Administration

Legislative Impact Statement

Bill: SB567

Bill Subtitle: TO AMEND A PROVISION IN THE LAW CONCERNING THE COLLECTION OF PERSONAL INFORMATION FOR THE PURPOSE OF CHILD SUPPORT ENFORCEMENT AS APPLIED TO NON-OCCUPATIONAL LICENSEES AND PERMIT HOLDERS.

Basic Change:

SB567 amends Ark. Code Ann. § 17-1-104(c) to create two exemptions to the requirement that licensing agencies record the name, address, and social security numbers of certain licensees. At section (c)(2)(A), the bill would clarify that the requirement does not apply to non-occupational license and permit holders of the State Plant Board under §§ 20-20-209 – 20-20-211. At section (c)(2)(B), the bill would permit the Arkansas Game and Fish Commission to create exemptions to the requirements of the section by rule.

Revenue Impact:

None.

Taxpayer Impact:

No specific taxpayer impact is anticipated. However, it is reasonable to expect an impact on the families which rely on OCSE for help in obtaining support from a non-custodial parent. The collection of this information by licensing agencies provides a valuable tool to OCSE in identifying and locating individuals who owe an obligation to support their children.

Resources Required:

No information systems impact is anticipated. Because the bill places no parameters on the scope of exemptions that might be created by rule of the Arkansas Game and Fish Commission, the impact on other agency resources is difficult to evaluate.

Time Required:

None.

Procedural Changes:

None.

Other Comments:

None.

Legal Analysis:

States are required to have in effect laws requiring use of certain procedures to increase the effectiveness of the child support program. One of those procedures is the requirement that “the social security number of ... any applicant for a professional license, driver’s license, occupational license, recreational license, or marriage license be recorded on the application.” See 42 U.S.C. § 666(a)(13)(A).

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Because the licenses or permits issued by the State Plant Board under Ark. Code Ann. §§ 20-20-209 – 20-20-211 are not occupational licenses, this exemption appears permissible. However, an exemption for the collection of the social security number of applicants for recreational licenses issued under Title 15 could jeopardize federal funding for the child support program administered by OCSE.

State laws are required to provide a plan for child support. See 42 U.S.C. § 654(20). The federal portion of the budget for OCSE for the current fiscal year is approximately \$35 million dollars.

If a state child support program is out of compliance with Federal requirements, funding for Temporary Assistance for Needy Families ("TANF") may also be put in jeopardy. Additionally, in order to be eligible for the TANF block grant, the state must operate a child support program under an approved state plan. See 42 U.S.C. § 602(a)(2).