

HOUSE No. 127

The Commonwealth of Massachusetts

PRESENTED BY:

Christine P. Barber and Jennifer Balinsky Armini

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act to further family-centered child support.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Christine P. Barber</i>	<i>34th Middlesex</i>	<i>1/17/2023</i>
<i>Jennifer Balinsky Armini</i>	<i>8th Essex</i>	<i>1/17/2023</i>
<i>James K. Hawkins</i>	<i>2nd Bristol</i>	<i>1/27/2023</i>
<i>Lindsay N. Sabadosa</i>	<i>1st Hampshire</i>	<i>1/30/2023</i>
<i>Vanna Howard</i>	<i>17th Middlesex</i>	<i>2/1/2023</i>
<i>Dawne Shand</i>	<i>1st Essex</i>	<i>3/31/2023</i>

HOUSE No. 127

By Representatives Barber of Somerville and Armini of Marblehead, a petition (accompanied by bill, House, No. 127) of Christine P. Barber, Jennifer Balinsky Armini and others relative to child support determinations and payments. Children, Families and Persons with Disabilities.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 183 OF 2021-2022.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Third General Court
(2023-2024)**

An Act to further family-centered child support.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Chapter 18 of the general laws is hereby amended by striking section 18A
2 and inserting in place thereof the following new section:--

3 Section 18A. (a)(1). The department shall impose the sanction required by federal law on
4 any recipient of public assistance funded under Title IV-A of the Social Security Act who,
5 without good cause, does not cooperate with the IV-D agency specified in chapter 119A to
6 establish paternity or to establish, modify, or enforce a child support order on behalf of a child
7 for whom the recipient receives such public assistance.

8 (2) The department shall determine that a recipient has good cause for not
9 cooperating with the IV-D agency for purposes of this section if:

- 10 (A) The child was conceived as a result of incest or rape;
- 11 (B) Proceedings for the adoption of the child are pending or under consideration;
- 12 (C) Cooperation risks discouraging the noncustodial parent or other relatives of the
13 child from maintaining a relationship with the child or providing emotional or other support;
- 14 (D) Cooperation risks physical or emotional harm to the child or the relative with
15 whom the child resides; or
- 16 (E) Cooperation is otherwise not in the child's best interest.

17 SECTION 2. Section 2 of chapter 118 of the general laws is hereby amended by inserting
18 at the end of the first paragraph the following:- Child support collected on behalf of a recipient
19 of benefits under this chapter shall be paid to the family. In determining the family's countable
20 income, the department shall disregard the first \$500 per month in child support paid to the
21 family.

22 SECTION 3. Section 2 of chapter 119A of the general laws is hereby amended by adding
23 at the end of subsection (a) the following:- The IV-D agency shall provide paternity only
24 services in an intrastate case upon the request of an individual who is not required to cooperate
25 with the IV-D agency to establish paternity or to establish, modify, or enforce a child support
26 order.