

SECOND REGULAR SESSION

SENATE BILL NO. 993

90TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR MAXWELL.

Read 1st time February 9, 2000, and 1,000 copies ordered printed.

TERRY L. SPIELER, Secretary.

4058S.03I

AN ACT

To amend chapter 454, RSMo, by adding thereto one new section relating to the support of children.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Chapter 454, RSMo, is amended by adding thereto one new section, to be known as section 454.529, to read as follows:

454.529. 1. The department of social services shall establish the "Child Support Assurance Program". Subject to appropriation, the child support assurance program shall provide benefits to children who meet specific eligibility requirements as specified in subsection 5 of this section.

2. The state shall provide monthly child support assurance money payment benefits to eligible needy children, and it will also intensify its efforts to ensure that families obtain self-sufficiency.

3. The department shall establish the level of child support assurance money payment benefits for any children eligible to participate in the program. The department shall base the level of benefits upon available funds appropriated for the program, among other factors.

4. In order to participate in the child support assurance program:

(1) The custodial parent shall be employed and have an earned, gross income that does not exceed one hundred percent of the federal poverty limit by household size; and

(2) The department ascertains that the noncustodial parent has a legal order to pay child support.

Participation in the child support assurance program shall be voluntary.

5. The department shall design the necessary administrative procedures for the

timely review of custodial parent earnings.

6. When a custodial parent is receiving a cash grant from the department to support the family, and the custodial parent begins and receives earnings from an employer, if the household has a legal order to establish child support, child support assurance shall be initiated for the children.

7. If the funds at the disposal or which may be obtained by the department of social services for the payment of child support assurance program benefits shall at any time become insufficient to pay the full amount thereof, the amount of any payment to or on behalf of each of such persons shall be reduced pro rata in proportion to such deficiency in the total amount available or to become available for such purpose.

8. The department of social services shall have authority to promulgate rules and regulations for the purposes of administering this section. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. The provisions of this subsection and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2000, shall be invalid and void.

✓

Copy