

109<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 1754

To ensure that interest accrues on overdue child support payments, and  
for other purposes.

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IN THE HOUSE OF REPRESENTATIVES

APRIL 21, 2005

Mr. ANDREWS introduced the following bill; which was referred to the  
Committee on Ways and Means

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## A BILL

To ensure that interest accrues on overdue child support  
payments, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Child Support Collec-  
5       tion Enforcement Act”.

1 **SEC. 2. STATES REQUIRED TO ESTABLISH PROCEDURES TO**  
2 **ENSURE THAT INTEREST ACCRUES ON CHILD**  
3 **SUPPORT PAYMENTS WHICH ARE IN AR-**  
4 **REARS.**

5 (a) IN GENERAL.—Section 466(a)(8) of the Social  
6 Security Act (42 U.S.C. 666(a)(8)) is amended by adding  
7 at the end the following:

8 “(C) Procedures under which any child  
9 support order issued or modified in the State  
10 on or after the effective date of this subpara-  
11 graph shall provide for the payment of interest  
12 on any payment required by the order which is  
13 in arrears.”.

14 (b) PENALTY FOR NONCOMPLIANCE.—Section  
15 409(a)(7)(B)(ii) of such Act (42 U.S.C. 609(a)(7)(B)(ii))  
16 is amended by inserting “, except that the percentage that  
17 would otherwise apply under this clause shall be increased  
18 by 5 percentage points if the State is not in compliance  
19 with section 466(a)(8)(C) for the fiscal year” before the  
20 period.

21 **SEC. 3. STATES REQUIRED TO USE CHILD SUPPORT LATE**  
22 **PAYMENT FEES IN CHILD SUPPORT EN-**  
23 **FORCEMENT PROGRAM.**

24 Section 454(21) of the Social Security Act (42 U.S.C.  
25 654(21)) is amended—

1 (1) by striking “and” at the end of subpara-  
2 graph (A);

3 (2) by adding “and” at the end of subpara-  
4 graph (B); and

5 (3) by adding at the end the following:

6 “(C) provide that any fee collected pursu-  
7 ant to this paragraph shall be expended to  
8 carry out the State plan approved under this  
9 part;”.

10 **SEC. 4. REPORTS TO CONGRESS ON COLLECTION OF CHILD**  
11 **SUPPORT ARREARAGES AND OF INTEREST**  
12 **ON CHILD SUPPORT OBLIGATIONS.**

13 Section 454 of the Social Security Act (42 U.S.C.  
14 654) is amended—

15 (1) by striking “and” at the end of paragraph  
16 (32);

17 (2) by striking the period at the end of para-  
18 graph (33) and inserting “; and”; and

19 (3) by inserting after paragraph (33) the fol-  
20 lowing:

21 “(34) provide that the State shall submit annu-  
22 ally to the Committee on Ways and Means of the  
23 House of Representatives and the Committee on Fi-  
24 nance of the Senate a written report which specifies  
25 the total amount of child support arrearages and the

1 total amount of interest on child support obligations  
2 collected by the State during the year covered by the  
3 report.”.

4 **SEC. 5. EFFECTIVE DATE.**

5 (a) IN GENERAL.—Except as provided in subsection  
6 (b), the amendments made by this Act shall take effect  
7 at the end of the 1-year period that begins with the date  
8 of the enactment of this Act, and shall apply to payments  
9 under parts A and D of title IV of the Social Security  
10 Act for calendar quarters beginning after the 1-year pe-  
11 riod.

12 (b) DELAY PERMITTED IF STATE LEGISLATION RE-  
13 QUIRED.—If the Secretary of Health and Human Services  
14 determines that State legislation (other than legislation  
15 appropriating funds) is required in order for a State plan  
16 under section 454 of the Social Security Act to meet the  
17 additional requirements imposed by the amendments made  
18 by this Act, the plan shall not be regarded as failing to  
19 meet any of the additional requirements before the 1st day  
20 of the 1st calendar quarter beginning after the first reg-  
21 ular session of the State legislature that begins after the  
22 1-year period described in subsection (a). If the State has  
23 a 2-year legislative session, each year of the session is

1 deemed to be a separate regular session of the State legis-  
2 lature for purposes of this subsection.

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