

Government of the District of Columbia
Office of the Chief Financial Officer



Natwar M. Gandhi
Chief Financial Officer

MEMORANDUM

TO: The Honorable Vincent C. Gray
Chairman, Council of the District of Columbia

FROM: Natwar M. Gandhi
Chief Financial Officer 

DATE: June 9, 2010

SUBJECT: Fiscal Impact Statement – “Child Support Enforcement and License Suspension Amendment Act of 2010”

REFERENCE: Draft Legislation- No Bill Number Available

Conclusion

Funds are sufficient in the FY 2010 through FY 2013 budget and financial plan to implement the provisions of the proposed legislation.

Background

The proposed legislation would amend the District of Columbia Child Support Enforcement Amendment Act of 1985¹ regarding the renewal, issuance, and suspension of certain licenses for persons who owe child support. Specifically, it would:

- Prohibit renewal or issuance of vehicle registration or driver's, professional, business, recreational, or sporting licenses to an obligor who is able to work² and owes overdue child support in an amount greater than or equal to \$500.³
- Require all licensing authorities⁴ in the District to regularly provide to the IV-D agency⁵ information relating to holders of and applicants for a vehicle registration and the above

¹ Effective February 13, 1996 (D.C. Law 11-87; D.C. Official Code § 46-225.01).

² An obligor is “able to work” unless the obligor is: a) permanently or temporarily disabled and not receiving either Social Security Disability Insurance or Worker’s Compensation benefits; b) incarcerated; c) released from a period of incarceration that ended less than 180 days prior to the date of the notice; or d) a recipient of means-tested public assistance.

³ Under current law, such prohibition applies to an obligor who is *receiving* income and who owes overdue child support in an amount equal to at least 60 days of support.

⁴ Defined as “any agency, department, board or commission of the District of Columbia that is authorized by the laws or regulations of the District of Columbia to issue, renew, suspend or revoke any professional, business, recreational, or sporting license, or any driver’s license or vehicle registration.” This mainly refers to the

mentioned licenses, and within one year after the effective date of this Act to implement procedures and issue rules as necessary to send and receive information to and from the IV-D agency, to process that information, and to suspend and/or deny registrations and licenses.

- Provide revisions to the procedures for license denial and suspension, including entitling the obligor to an administrative hearing prior to any denial or suspension and having the IV-D agency send notice to the Office of Bar Counsel for the District of Columbia if the obligor is a member of the District of Columbia Bar.⁶

The proposed legislation would also amend Title 47 of the District of Columbia Official Code⁷ to add conforming provisions that would allow all non-health related occupations and professions licensure boards the right to deny or suspend a license for and prohibit the District from issuing or reissuing a license or permit to obligors that meet the aforementioned requirements.

Financial Plan Impact

Funds are sufficient in the FY 2010 through FY 2013 budget and financial plan to implement the provisions of the proposed legislation. While implementing the proposed legislation would require the adoption of new procedures and new responsibilities by the IV-D and licensing agencies, the new requirements are not expected to be burdensome nor require additional resources. Thus, there would be no fiscal impact to implement this legislation.

Occupational & Professional Licensing Administration of the Department of Consumer and Regulatory Affairs, the Health Professional Licensing Administration of the Department of Health and the Department of Motor Vehicles.

⁵ The Child Support Services Division of the Office of the Attorney General is the District's IV-D agency. IV-D refers to Title IV-D of the federal Social Security Act, which deals with Child Support and Establishment of Paternity.

⁶ Under current law, the D.C. Superior Court is responsible for notifying the D.C. Bar Council if an attorney licensed in the District is delinquent in paying child support.

⁷ Title 47 (Taxation, Licensing, Permits, Assessments, and Fees), Chapter 28 (General License Law), Section 47-2853.17.