

Title 22. Social Security
Division 13. Department of Child Support Services
Chapter 1. Program Administration.
Subchapter 1. Operations.
Article 1. Definitions.

§110250. Employer.

“Employer” means all of the following:

(a) A person for whom an individual performs services as an employee, as defined in Section 706.011, Code of Civil Procedure.

(b) The United States government and any public entity as defined in Section 811.2, Government Code.

(c) Any person or entity paying the following types of earnings:

(1) Wages, salary, bonus, money and benefits described in Sections 704.110, 704.113 and 704.115 of the Code of Civil Procedure.

(2) Payments due for services of independent contractors, interest, dividends, rents, royalties, residuals, patent rights, or mineral or other natural resource rights.

(3) Payments or credits due or becoming due as a result of written or oral contracts for services or sales whether denominated as wages, salary, commission, bonus, or otherwise.

(4) Payments due for workers' compensation temporary disability benefits.

(5) Payments due as a result of disability from benefits described in Section 704.130 of the Code of Civil Procedure.

(6) Any other payments or credits due or becoming due, regardless of source.

NOTE: Authority cited: Sections 17306, 17310 and 17312, Family Code.
Reference: Sections 3760, 5206 and 5210, Family Code.

(1) Amend Section 1170374 to read as follows:

§110374. Interstate Case.

“Interstate case” means a case in which the dependent child(ren) and the custodial or noncustodial parent live or have lived in different states and California is either the initiating or responding state, or the state which has issued the controlling order.

NOTE: Authority cited: Sections 17306, 17310 and 17312, Family Code.
Reference: Section 17306, Family Code; 45, Code of Federal Regulations,
Section 303.7.

Chapter 7. Interstate Cases.

Article 1. Definitions.

§117016. Central Registry.

“Central Registry” means a unit within each state responsible for receiving, screening, and distributing incoming interstate cases, and for responding to inquiries on incoming interstate cases.

NOTE: Authority cited: Sections 17306, 17310 and 17312, Family Code.
Reference: Section 4924, Family Code; and 45, Code of Federal Regulations,
Section 303.7.

(2) Amend Section 117019 to read as follows:

§117019. Continuing, Exclusive Jurisdiction.

“Continuing, exclusive jurisdiction” means the authority of a tribunal to ~~make or~~ modify a support order because at least one of the parties or the child who is the subject to of the order remains a resident of the state issuing the order and written consent of the parties to confer continuing jurisdiction ~~to on~~ another state has not been filed.

NOTE: Authority cited: Sections 17306, 17310 and 17312, Family Code.
Reference: Section 4909, Family Code.

§117021. Controlling Order.

“Controlling order” means the one support order issued in a judicial or administrative proceeding that governs the amount, duration, and other terms of a child support obligation prospectively. If multiple orders have been issued, only a tribunal can determine which order is the controlling order.

NOTE: Authority cited: Sections 17306, 17310 and 17312, Family Code.
Reference: Section 4911, Family Code.

§117025. Direct Income Withholding.

“Direct income withholding” means an income withholding order that has been issued in one state and sent to an employer in another state without filing a petition or comparable pleading, or registering the order with the tribunal in the other state.

NOTE: Authority cited: Sections 17306, 17310 and 17312, Family Code.
Reference: Section 4940, Family Code.

§117030. Foreign Order.

“Foreign order” means an order issued by a tribunal of a jurisdiction outside of California.

NOTE: Authority cited: Sections 17306, 17310 and 17312, Family Code.
Reference: Section 4951, Family Code.

§117036. Home State.

“Home state” means the state in which a child lived with a parent or a person acting as parent for at least six consecutive months immediately preceding the time of filing of a petition or comparable pleading for support, and, if a child is less than six months old, the state in which the child lived from birth with a parent or a person acting as the parent. A period of temporary absence of the child from the parent or person acting as the parent shall be counted as part of the six-month or other period.

NOTE: Authority cited: Sections 17306, 17310 and 17312, Family Code.
Reference: Section 4901, Family Code.

§117042. Income Withholding Order.

“Income withholding order” means an earnings assignment order for support, as defined in Family Code, Section 5208, or any other order or legal process directed to an obligor’s employer, or other debtor of the obligor, to withhold from the income of the obligor an amount owed for support. Any earnings assignment order for support or income withholding order issued by a local child support agency shall be issued on Federal Form (OMB No.:0970-0154) “Order/Notice to Withhold Income for Child Support.”

NOTE: Authority cited: Sections 17306, 17310 and 17312, Family Code.
Reference: Sections 4901 and 5208, Family Code.

§117047. Initiating State.

“Initiating state” means a state from which a proceeding is forwarded, or in which a proceeding is filed for forwarding, to a responding state.

NOTE: Authority cited: Sections 17306, 17310 and 17312, Family Code.
Reference: Section 4901, Family Code.

§117049. Initiating Tribunal.

“Initiating tribunal” means the court, administrative agency, or quasi-judicial entity in an initiating state authorized to establish, enforce, or modify support orders or to determine paternity.

NOTE: Authority cited: Sections 17306, 17310 and 17312, Family Code.
Reference: Section 4901, Family Code.

§117052. Issuing State.

“Issuing state” means the state which has issued a support order or rendered a judgment determining parentage.

NOTE: Authority cited: Sections 17306, 17310 and 17312, Family Code.
Reference: Section 4901, Family Code.

§117054. Issuing Tribunal.

“Issuing tribunal” means the court, administrative agency, or quasi-judicial entity that issues a support order or renders a judgment determining parentage.

NOTE: Authority cited: Sections 17306, 17310 and 17312, Family Code.
Reference: Section 4901, Family Code.

§117064. Long Arm Jurisdiction.

“Long arm jurisdiction” means the legal authority for one state to assert personal jurisdiction over someone who lives or is served with process in another state.

NOTE: Authority cited: Sections 17306, 17310 and 17312, Family Code.
Reference: Section 4905, Family Code.

§117074. Personal Jurisdiction.

“Personal jurisdiction” means the legal authority of a tribunal to render judgment against a party to an action or a proceeding and subject a person to the decisions, rulings, and orders of the tribunal.

NOTE: Authority cited: Sections 17306, 17310 and 17312, Family Code.
Reference: Section 4905, Family Code.

(3) Amend Section 117080 to read as follows:

§117080. Register.

“Register” means a legal process by which a support order or judgment is filed with a tribunal in a state to give that tribunal authority to modify and/or enforce a support order.

NOTE: Authority cited: Sections 17306, 17310 and 17312, Family Code.
Reference: Section 4950, Family Code.

§117083. Responding State.

“Responding state” means a state in which a proceeding to establish, enforce or modify a support order, or to determine paternity is filed or to which a proceeding is forwarded for filing from an initiating state.

NOTE: Authority cited: Sections 17306, 17310 and 17312, Family Code.
Reference: Section 4901, Family Code.

§117085. Responding Tribunal.

“Responding tribunal” means the court, administrative agency, or quasi-judicial entity in a responding state authorized to establish, enforce or modify support orders, or to determine paternity.

NOTE: Authority cited: Sections 17306, 17310 and 17312, Family Code.
Reference: Section 4901, Family Code.

(4) Amend Section 117089 to read as follows:

§117089. State.

“State” means a state of the United States, the District of Columbia, Puerto Rico, the United States Virgin Islands, or any territory or insular possession subject to the jurisdiction of the United States. The term “state” also includes both of the following:

(a) An Indian tribe, including a Native Alaskan Village as defined in 42 United States Code, Section 619.

(b) A foreign jurisdiction that has enacted a law or established procedures for issuance and enforcement of support orders which are substantially similar to the procedures under the Uniform Interstate Family Support Act specified in Chapter 6, of Part 5, of Division 9 (commencing with Section 4900) of the Family Code.

NOTE: Authority cited: Sections 17306, 17310, and 17312, Family Code. Reference: Section 4901, Family Code, 42 United States Code, Section 619(4)(A-B).

§117091. Subject Matter Jurisdiction.

“Subject matter jurisdiction” means a tribunal’s authority to hear and determine the issues presented in a case brought before it.

NOTE: Authority cited: Sections 17306, 17310 and 17312, Family Code.
Reference: Section 4905, Family Code.

§117094. Tribunal.

“Tribunal” means a court, administrative agency, or quasi-judicial entity authorized to establish, enforce, or modify support orders or to determine parentage.

NOTE: Authority cited: Sections 17306, 17310 and 17312, Family Code.
Reference: Sections 4901 and 4902, Family Code.

(5) Amend Section 117200 to read as follows:

Article 2. Long Arm Jurisdiction.

§117200. General Requirements.

(a) A local child support agency shall establish parentage and/or a child support order by exercising long arm jurisdiction if paternity and support have not been established, but the facts of the case indicate that the requirements for asserting personal jurisdiction over the ~~putative~~ alleged parent in another state are met.

(b) In cases in which paternity must be established and an alleged father does not reside in California, a local child support agency shall obtain sufficient information to determine whether any basis exists upon which California can assert long arm jurisdiction over the alleged father.

(c) In making the determination described in subsections (a) and (b), the local child support agency shall review the case for any of the following factors which may give a tribunal personal jurisdiction:

(1) The noncustodial parent is personally served with notice within California.

(2) The noncustodial parent submits to the jurisdiction of California by consent, by entering a general appearance, or by filing a responsive document having the effect of waiving any contest to personal jurisdiction.

(3) The noncustodial parent resided with the child in California.

(4) The noncustodial parent formerly resided in California and provided prenatal expenses or support for the child.

(5) The child resides in California as a result of the acts or directives of the noncustodial parent.

(6) The noncustodial parent engaged in sexual intercourse in California and the child may have been conceived by that act of intercourse.

(7) The noncustodial parent has signed a voluntary declaration of paternity in California.

(8) Any other basis consistent with the constitutions of California and the United States for the exercise of personal jurisdiction.

(d) A local child support agency seeking to establish an order through the exercise of long arm jurisdiction shall be subject to the same due process requirements as cases where the noncustodial parent resides in California.

NOTE: Authority cited: Sections 17306, 17310 and 17312, Family Code.
Reference: Section 4905, Family Code.

(6) Amend Section 117300 to read as follows:

Article 3. General Provisions.

§117300. Continuing, Exclusive Jurisdiction to Modify a Support Order.

(a) Except as specified in subsection (b), only the issuing state shall have continuing, exclusive jurisdiction to modify a support order.

(b) In determining whether it believes California or another state has continuing, exclusive jurisdiction to modify a support order, the local child support agency shall apply the following rules:

(1) Only one state shall have continuing, exclusive jurisdiction to modify a support order at any given time.

(2) If the child, the obligee who is an individual, or the obligor resides in the state that issued the controlling order, that state has continuing, exclusive jurisdiction to modify.

(3) Once a state has continuing, exclusive jurisdiction, it shall retain jurisdiction as long as any one of the parties or children in the case still resides in the state, unless the parties file a written consent in the issuing tribunal allowing another state, with personal jurisdiction over any of the parties, to assume continuing, exclusive jurisdiction to modify the order.

(c) When an obligee or obligor requests review and modification of a child support order, the local child support agency shall determine whether California has continuing, exclusive jurisdiction to modify the order, or whether the local child support agency must forward the request to another state for modification.

(d) If there is a state that has continuing, exclusive jurisdiction, a local child support agency shall forward the request for modification to the state that has continuing, exclusive jurisdiction.

(e) If a local child support agency determines that no state has continuing, exclusive jurisdiction, a local child support agency shall forward the request for review and modification to the state of the non-requesting parent.

(f) A California tribunal may review and modify the order when it does not have continuing, exclusive jurisdiction, if both parents file a written consent form with the tribunal in the state that issued the order and the California court has personal jurisdiction over at least one of the parents.

(g) In formulating its determination of whether California or another state has continuing, exclusive jurisdiction to modify the order, the local child support agency should make diligent efforts to determine whether there is any other entity having jurisdiction.

~~(gh)~~ If California was the issuing state, and California loses jurisdiction, a local child support agency ~~loses jurisdiction~~ may not bring a request to modify the support order once another tribunal has properly assumed continuing, exclusive jurisdiction and modified the order.

~~(hj)~~ If a tribunal of another state has assumed continuing, exclusive jurisdiction, and has modified the order, the local child support agency loses its ~~continuing, exclusive jurisdiction~~ authority to enforce the order prospectively, but retains ~~continuing, exclusive~~ jurisdiction to enforce the order as to amounts that accrued prior to the modification and as to nonmodifiable aspects of the order.

NOTE: Authority cited: Sections 17306, 17310 and 17312, Family Code
Reference: Section 4909, 4959, 4960 and 4962, Family Code.

(7) Amend Section 117301 to read as follows:

§117301. Duration of Support.

The duration of a support order is determined by the issuing state's law which defines the age of majority and/or emancipation. The duration of a support order may be modified only to the degree it could be modified under the law of the issuing state.

NOTE: Authority cited: Sections 17306, 17310 and 17312, Family Code.
Reference: Section 4953, Family Code.

§117302. Interest.

(a) If a tribunal in the state of California issued the controlling order, a local child support agency shall:

(1) Calculate and document how much interest has accrued on arrears.

(2) Request a responding state to collect accrued interest.

(3) Update the balances on arrears and interest and provide those balances to a responding state for collection upon the request of a responding state.

(b) If a tribunal in a state other than California issued the controlling order, a local child support agency shall:

(1) Collect interest based upon calculations and documentation provided by the issuing state, provided both of the following criteria are met:

(A) The issuing state's law authorizes the accrual and collection of interest on support arrears.

(B) The issuing state requests collection of arrears and interest.

(2) Request a certified statement of the balances on arrears and interest from the issuing state when needed to proceed with further action on a case.

NOTE: Authority cited: Sections 17306, 17310 and 17312, Family Code.
Reference: Sections 4909 and 17524, Family Code.

(8) Amend Section 117303 to read as follows:

§117303. Reconciling Multiple Orders/Determination of Controlling Order.

(a) A local child support agency shall identify and obtain copies of all child support orders in each case.

(b) If there are multiple orders, all orders issued by a tribunal having subject matter jurisdiction to hear and issue the order, and personal jurisdiction over the parties, shall be enforceable until a determination of the controlling order is made. Any payments collected under one support order for a particular period shall be credited against amounts accruing for the same period under a support order issued by another state. Once the tribunal having personal jurisdiction over the parties determines the controlling order, arrearages on all other orders shall stop accruing, and only the controlling order may be enforced prospectively.

(c) In developing a recommendation for the tribunal, a local child support agency shall use the following rules for determining the controlling order:

(1) If there is only one order, that is the controlling order.

(2) If two or more tribunals have issued child support orders but only one of the tribunals has continuing, exclusive jurisdiction, the order of that tribunal controls and shall be so recognized.

(3) If two or more tribunals have issued child support orders and more than one of the tribunals has continuing, exclusive jurisdiction, an order issued by a tribunal in the current home state of the child controls and shall be so recognized.

(4) If two or more tribunals have issued child support orders and more than one has continuing, exclusive jurisdiction, but none of the orders have has been issued in the current home state of the child, the order most recently issued in a state having continuing, exclusive jurisdiction controls and shall be so recognized.

(5) If none of the tribunals has continuing, exclusive jurisdiction, a tribunal of this state may issue the controlling child support order if the tribunal has jurisdiction over the parties.

(d) If a local child support agency discovers a new order after the determination of controlling order has been made, a local child support agency shall review the case to determine if the newly discovered order affects the controlling order determination or the arrears determination.

(1) If the newly discovered order affects the controlling order determination or the arrears determination, and California has personal jurisdiction over the parties, a local child support agency shall ~~make a recommendation~~ petition the tribunal for ~~the~~ a new determination of controlling order, based upon the newly discovered order.

(2) If California does not have personal jurisdiction over the parties, a local child support agency shall petition the tribunal with personal jurisdiction over the parties to make a new determination of controlling order, based upon the newly discovered order.

(e) Within 30 days of issuance of an order determining the controlling order, a local child support agency shall send a certified copy of the order to each tribunal that issued or registered an earlier order of child support.

NOTE: Authority cited: Sections 17306, 17310 and 17312, Family Code.
Reference: Section 4911, Family Code; and 28 United States Code, Section 1738B.

(9) Amend Section 117400 to read as follows:

Article 4. California As Initiating State.

§117400. General Requirements and Timeframes.

(a) A local child support agency shall establish paternity, and establish and enforce support orders when the noncustodial parent resides in a state other than California and the custodial party resides in California, or when neither parent resides in California and one parent applies directly for Title IV-D services in California.

(b) A local child support agency shall:

(1) Use long arm jurisdiction when establishing judgments of parentage and child support orders in accordance with Article 2, Long Arm Jurisdiction (commencing with Section 117200 of this Chapter).

(2) Initiate an interstate case action if utilization of long arm jurisdiction is not possible.

(c) A local child support agency shall identify the case status as public assistance, non-public assistance, never assistance, or foster care, at the time of initiating the interstate referral and notify the responding jurisdiction of the case status. A local child support agency shall subsequently notify the responding jurisdiction at any time the case status changes.

(d) Whenever a local child support agency initiates an interstate case it shall:

(1) Refer the case to the responding state's central registry for action within 20 days of determining that an interstate action is necessary. As part of the referral, a local child support agency shall submit the appropriate Child Support Enforcement Transmittal forms specified in Section 117407 and any additional necessary documentation sufficient to allow the responding state to act on the case.

(2) Provide requested information to the responding state or notify the responding state when the information will be provided, within 30 days of receiving a request for additional information from the responding state.

(3) Notify the responding state of any new information regarding the case within 10 business days of receiving such information.

(4) Provide a payment record showing a month-by-month breakdown of amounts owed and paid at the time the case is referred.

(e) A local child support agency shall determine the amount of arrears owed under multiple orders. When computing arrears under multiple orders, a local child support agency shall:

(1) Begin with the order with the earliest date.

(2) Continue with the order with the highest child support amount in effect in any given month.

(3) Include accrual of interest on arrears to the extent the issuing state assesses charges interest.

(4) Credit payments collected under one support order for a particular period against amounts accruing for the same period under different support orders.

(f) A local child support agency shall request responding states to enforce valid orders for accrued arrears, even though the family is no longer on public assistance and no ongoing support order is sought.

NOTE: Authority cited: Sections 17306, 17310 and 17312, Family Code.
Reference: 45 Code of Federal Regulations, Section 303.7.

(10) Amend Section 117401 to read as follows:

§117401. Paternity.

When California is the initiating state and paternity must be established, a local child support agency shall:

- (a) Pay for the costs of genetic testing in actions to establish paternity.
- (b) Allow a responding state to select the laboratory, ~~and~~ schedule the genetic tests and cooperate in obtaining samples from the parent and child.
- (c) Request that the responding jurisdiction attempt to secure a judgment against the noncustodial parent to recover a local child support agency's costs for the genetic testing.

NOTE: Authority cited: Sections 17306, 17310 and 17312, Family Code.
Reference: Sections 4905 and 5604, Family Code; and 45 Code of Federal Regulations Section 303.7.

(11) Amend Section 117402 to read as follows:

§117402. Disclosure of Information on Uniform Interstate Family Support Act Pleadings.

(a) A local child support agency shall advise the custodial party of the requirement to disclose his/her residence address on pleadings in Uniform Interstate Family Support Act cases and the right of the custodial party to obtain a nondisclosure order to keep the address off the documents, if disclosure may put at risk the health, safety or liberty of a party.

(b) A local child support agency shall instruct the custodial party to notify the local child support agency of any previously obtained protective or restraining orders or whether a good cause exception has been granted pursuant to Section 14008.6, or 11477.04, Welfare and Institutions Code. If such orders have been obtained or good cause has been granted, the local child support agency shall inform the custodial party that upon request, it shall seek an order of nondisclosure on behalf of the custodial party.

(c) A local child support agency shall use the term "nondisclosure" on the Uniform Interstate Family Support Act documents upon a finding by a tribunal that the health, safety, or liberty of a party or child would be unreasonably put at risk by the disclosure of identifying information. The local child support agency shall attach all orders for nondisclosure of information to the appropriate action form when transmitting a case to another state.

NOTE: Authority cited: Sections 17306, 17310 and 17312, Family Code.
Reference: Sections 4926, 4977 and 4978, Family Code.

§117403. Modification of Child Support Orders.

(a) Within 20 days of receiving information necessary to conduct a review, and determining that a request for review and adjustment of a support order should be sent to the state that has continuing, exclusive jurisdiction to modify the order, a local child support agency shall request that the other state conduct a review and adjustment of a child support order.

(b) If there is no state with continuing, exclusive jurisdiction to modify a support order, a local child support agency shall transmit a request for registration and modification by the obligee or obligor to the state where the non-requesting party resides.

(c) A local child support agency shall proceed with a modification of a child support order even if a party leaves the state while the proceedings are pending, if a motion to modify support has been filed and served, unless both parties agree to terminate the modification proceeding.

NOTE: Authority cited: Sections 17306, 17310 and 17312, Family Code.
Reference: Sections 4910, and 4960-4962, Family Code; and 45 Code of Federal Regulations, Sections 303.7 and 303.8.

§117404. Modification of Spousal Support Orders.

Only a tribunal in a state which issued a spousal support order shall have continuing, exclusive jurisdiction to modify the spousal support order. A local child support agency may serve as an initiating state to request the issuing state to enforce or modify a spousal support order.

NOTE: Authority cited: Sections 17306, 17310 and 17312, Family Code.
Reference: Sections 4909 and 4910, Family Code.

§117405. Direct Income Withholding.

(a) Except as specified in (b) below, a local child support agency shall send the Federal Form (OMB NO.: 0970-0154) "Order/Notice to Withhold Income for Child Support," directly to an employer, as defined in Section 110250, in another state when the obligor resides outside of California, the employer is known, and a local child support agency has not initiated an interstate case.

(b) A local child support agency shall use an interstate process rather than direct income withholding when it has reason to believe:

(1) The obligor has more than one family and another state has sent a income withholding order to the obligor's employer.

(2) The obligor's arrears are in dispute.

(3) There are multiple support orders and the controlling order and arrears determinations have not been made.

(4) The obligor has declared bankruptcy.

(5) The obligor has a history of short term employment or job hopping.

(6) The obligor is unemployed.

(7) The obligor is incarcerated.

(8) The obligor is self-employed.

(c) When there is an active interstate case in progress and the local child support agency decides to file a direct income withholding order, the local child support agency shall notify the responding state to close its case.

(d) When a local child support agency has a direct income withholding order in place, and wishes to initiate an interstate case, a local child support agency shall advise the responding state of the direct income withholding order and coordinate withdrawal of the direct income withholding order with service of

the responding state's withholding order.

(e) If the obligor contests the direct income withholding order, a local child support agency shall:

(1) Contact the Title IV-D agency in the responding state to request its assistance in appearing on behalf of the local child support agency.

(2) Comply with a responding state's request to withdraw the direct income withholding order and file an interstate action to authorize the responding state to appear on behalf of the initiating state, if the responding state determines such action is necessary.

(f) A local child support agency shall contact the employer if an employer does not comply with the direct income withholding order and attempt to resolve the issue informally. If that effort fails, a local child support agency shall initiate an interstate case requesting the responding state to register and serve an income withholding order.

(g) A local child support agency shall open a case and assist an obligor in registering a support order or direct income withholding order that is being contested if an obligor requests Title IV-D services, which includes the right to initiate a contest.

NOTE: Authority cited: Sections 17306, 17310 and 17312, Family Code.
Reference: Sections 4940-4942 and 4944-4946, Family Code.

§117406. Administrative Enforcement Without Registration.

A local child support agency shall not request a responding state to register an order if it can be enforced in the responding state through administrative remedies without registration.

NOTE: Authority cited: Sections 17306, 17310 and 17312, Family Code.
Reference: Sections 4915, 4940 and 4946, Family Code.

§117407. Interstate Forms.

A local child support agency shall complete and send to the responding state the appropriate parts of the Federal Form (OMB NO.: 0970-0085) as specified below when requesting the responding state to:

- (a) Establish paternity and child support.
 - (1) Child Support Enforcement Transmittal #1.
 - (2) Uniform Support Petition.
 - (3) Affidavit in Support of Establishing Paternity.
 - (4) General Testimony.
- (b) Establish child support.
 - (1) Child Support Enforcement Transmittal #1.
 - (2) Uniform Support Petition.
 - (3) General Testimony.
- (c) Modify an existing responding state order.
 - (1) Child Support Enforcement Transmittal #1.
 - (2) General Testimony.
- (d) Modify an existing order that the responding state did not issue.
 - (1) Child Support Enforcement Transmittal #1.
 - (2) Uniform Support Petition
 - (3) General Testimony.
 - (4) Registration Statement.
- (e) Enforce an existing responding state order. Child Support Enforcement Transmittal #1.
- (f) Enforce an existing order that the responding state did not issue.
 - (1) Child Support Enforcement Transmittal #1.
 - (2) Registration Statement.

(g) Respond to case inquiry or update on a previously referred case.
Child Support Enforcement Transmittal #2.

(h) Provide limited services. Child Support Enforcement Transmittal
#3.

(i) Provide Quick Locate. Locate Data Sheet.

(j) Acknowledge Receipt of Interstate Requests. Page 3 of the Child
Support Enforcement Transmittal #1.

NOTE: Authority cited; Sections 17306, 17310 and 17312, Family Code.
Reference: Section 4925, Family Code.

(12) Amend Section 117500 to read as follows

Article 5. California As Responding State.

§117500. General Requirements/Time Frames.

(a) A local child support agency shall provide Title IV-D interstate cases the same services required in Title IV-D intrastate cases including all of the following:

(1) Establishing paternity and attempting to obtain a judgment for genetic testing costs, should paternity be established.

(2) Establishing a child support order.

(3) Processing and enforcing orders using the same remedies applied in Title IV-D intrastate cases.

(4) Collecting and monitoring support payments and forwarding payments to the location specified by the initiating state's Title IV-D agency.

(5) Reviewing and modifying child support orders.

(b) Within 75 days of receipt of an interstate case from the California Central Registry, the local child support agency shall do all of the following:

(1) Provide locate services, if the request is for location services or the case does not include adequate information to locate the obligor and/or the obligor's assets-.

(2) Request additional or corrected documentation from the initiating state's Title IV-D agency if the local child support agency is unable to proceed with the case because the provided documentation is insufficient.

(3) Process the case to the extent possible pending receipt of the necessary documentation from the initiating state, if the documentation initially received by a local child support agency is insufficient and cannot be remedied without assistance of the initiating state.

(c) A local child support agency shall provide notice of any hearings that might result in establishment or modification of an order to the initiating state's Title IV-D agency within 14 business days after notice of the time, date and location of a hearing.

(d) ~~A local child support agency shall send a copy of any substantive written communications from the respondent or the respondent's attorney, to the initiating state within 14 business days of receiving the communication.~~ If the local child support agency receives a substantive written communication from the party against whom the order is being enforced, or that party's attorney, the local child support agency shall send a copy of that communication to the initiating state within 10 business days of receipt of the communication.

(e) A local child support agency shall notify an initiating state within 10 business days of receipt of new information by submitting an updated Federal Form OMB No.: 0970-0085.

(f) A local child support agency shall, to the extent allowed under Section 17402, Family Code, comply with another state's request to establish an order for a prior time period and collect assigned arrears only.

(g) A local child support agency shall enforce an issuing state's valid orders for accrued arrears, even though in cases in which the obligee and child are no longer on public assistance.

NOTE: Authority cited: Sections 17306, 17310 and 17312, Family Code.
Reference: Sections 4907, 4919-4921 and 17402, Family Code; and 45 Code of Federal Regulations, Sections 303.2 and 303.7.

§117501. Paternity.

(a) When California is the responding jurisdiction and genetic tests are requested to establish paternity, a local child support agency shall:

(1) Select the laboratory and provide the laboratory with sufficient information to schedule the genetic testing for the mother, child, and alleged father.

(2) Notify the initiating state of the genetic testing costs and request payment.

(3) Attempt to secure a judgment against the noncustodial parent to recover the costs of genetic testing.

(4) Reimburse the initiating state for costs of genetic testing, if the costs are recovered by a local child support agency.

(b) A local child support agency shall give full faith and credit to another state's judgment of parentage and shall not order genetic tests unless the judgment is vacated in the issuing state.

NOTE: Authority cited: Sections 17306, 17310 and 17312, Family Code.
Reference: Section 4905 and 5604, Family Code; and 45 Code of Federal Regulations, Section 303.7.

(13) Amend Section 117502 to read as follows:

§117502. Transferring Interstate Cases.

(a) When California is the responding state, a local child support agency shall, within 10 business days of locating a noncustodial parent's residence in a different county within California, take all of the following actions using the Federal Forms specified in Section 117407 and California Rules of Court, Rule 1298.60:

(1) Transfer the case in accordance with Family Code, Section 5001.

(2) Notify the initiating state of the transfer and provide the initiating state with the new location information.

(3) Notify the California Central Registry of the case transfer.

(b) Within 10 business days of locating a noncustodial parent in a different state, a local child support agency shall take all of the following actions using the Federal Forms specified in Section 117407:

(1) Notify the initiating state of the noncustodial parent's new location.

(2) Return the form and documentation, including the new location, to the initiating state, or, if directed by the initiating state, forward the case documentation to the central registry in the state where the noncustodial parent has been located.

(3) Notify the California Central Registry of the case transfer.

NOTE: Authority cited: Sections 17306, 17310 and 17312, Family Code.
Reference: Section 5001, Family Code; and 45 Code of Federal Regulations, Section 303.7.

(14) Amend Section 117503 to read as follows:

§117503. Registration of Foreign Orders.

(a) A local child support agency shall request an initiating state to provide certified copies of all orders to be registered, when the initiating state requests registration of a foreign order for enforcement and/or modification.

(b) A local child support agency shall register a support order or income withholding order if the following documents are received from the appropriate tribunal of the state requesting registration of the order:

(1) A letter of transmittal requesting registration and enforcement.

(2) One certified copy of all orders to be registered, including any modification of an order.

(3) A signed and notarized statement, sworn under penalty of perjury by the party seeking registration, or a certified statement by the custodian of the records, showing the amount of any arrearage.

(4) The name and address of the obligee and the agency to which support payments are to be remitted.

(5) The name of the obligor and if known, the obligor's address, social security number, employer and employer's address, other sources of income and a description and location of the obligor's property in California that is not exempt from execution.

(c) An order registered for enforcement shall be enforceable on the date of registration. The local child support agency shall enforce the order as of the effective date of registration.

(d) If the obligor does not contest administrative enforcement, the order need not be registered. If the obligor contests the validity or administrative enforcement of the order, the local child support agency shall register the order.

NOTE: Authority cited: Sections 17306, 17310 and 17312, Family Code.
Reference: Sections 4946 and 4950-4954, Family Code.

(15) Amend Section 117504 to read as follows:

§117504. Modification of Child Support Orders.

(a) If a California tribunal modifies an order consistent with the provisions of Section 117300, a local child support agency shall send certified copies of the modified order to all tribunals in which orders have been entered or registered, and to all Title IV-D agencies and parties to the case.

(b) If an obligor or obligee requests a review and adjustment of an order and California is not the state with continuing, exclusive jurisdiction, a local child support agency shall transmit the request to the state with continuing, exclusive jurisdiction.

(c) If no state has continuing, exclusive jurisdiction, a local child support agency shall transmit the request to the state where the non-requesting party resides for registration and modification.

NOTE: Authority cited: Sections 17306, 17310, ~~117300~~, and 17312, Family Code. Reference: Sections 4909, 4910, 4960, 4962, and 4963, Family Code.

(16) Amend Section 117600 to read as follows:

Article 6. Limited Interstate Services.

§117600. Local Child Support Agency Responsibilities.

A local child support agency that receives a request for limited interstate services shall not open a Title IV-D case, but shall provide only the limited services requested on Federal Form OMB NO.: 0970-0085. Limited interstate services include, but are not limited to, the following:

- (a) Providing copies of documentation such as certified copies of orders, payment records, financial statements, or any other documentation described under “other” on Federal Form OMB NO: 0970-0085.
- (b) Providing assistance with service of process by providing information about agencies or process servers in the state.
- (c) Providing assistance with genetic testing by providing information such as names of genetic testing laboratories and protocols to be followed.
- (d) Obtaining answers for completing interrogatories.
- (e) Providing assistance with long-distance testimony by telephone and, when available, video conferencing.
- (f) Obtaining financial data/proof of respondent’s income.
- (g) Obtaining party’s signature.

NOTE: Authority cited: Sections 17306, 17310 and 17312, Family Code.
Reference: Sections 4930-4932, Family Code.

(17) Repeal Manual of Policy and Procedures Section 12-104.433 through 12-104.5 as follows:

~~12-104 — TIME STANDARDS — LOCATION OF ABSENT PARENTS (Continued) — 12-104~~

~~.433 — Use of the interstate referral is appropriate in, but not limited to, the following situations:~~

~~(a) — In an interstate case, the absent parent is located in another state; or,~~

~~(b) — The district attorney determines with relative surety that the absent parent is in a specific state.~~

~~.434 — Once an alleged or absent parent has been located in another state, the district attorney shall clearly document in the case record whether the case will be processed locally using long arm jurisdiction, or whether an interstate referral will be made.~~

~~.435 — If the district attorney first attempts long arm action but is unable to obtain jurisdiction, then MPP Section 12-226.11 shall apply.~~

~~.436 — In a case where the district attorney first attempts to use long arm jurisdiction, but later determines that referral of the case to another state is necessary, then Section 12-104.4 shall apply.~~

~~.437 — Where long arm jurisdiction is first attempted, the date that referral to another state is necessary occurs in, but is not limited to, the following situations:~~

~~(a) — When foreign process is returned unserved; or,~~

~~(b) — When the district attorney is notified that jurisdiction was challenged and the court dismissed the long arm action.~~

~~.5 — Whenever the district attorney initiates or responds to an interstate case, the district attorney shall follow the Program Performance Standards at Section 12-226.2.~~

~~NOTE: Authority cited: Sections 10553, 10554 and 11475, Welfare and Institutions Code. Reference: Section 11479.5, Welfare and Institutions Code and 45 CFR 302.35, 303.3 and 303.7; and Federal Register, Vol. 54, No. 149, pages 32286 and 32299, Vol. 57, No. 122, pages 28104 and 28106 and Vol. No. 133, pages 30660 and 30681.~~

(18) Repeal Manual of Policy and Procedures Section 12-226 as follows:

~~12-226 PROGRAM PERFORMANCE STANDARDS INTERSTATE CASES 12-226~~

- ~~.1 When the absent parent resides in another state, the district attorney shall attempt to utilize long arm statutes to establish paternity whenever possible.~~
 - ~~.11 If utilization of long arm statutes is not possible, the district attorney shall initiate an interstate case.~~
- ~~.2 Whenever the district attorney initiates an interstate case, the district attorney shall:~~
 - ~~.21 Provide the responding state with sufficient, accurate information to act on the case.~~
 - ~~.22 Do one of the following within 30 calendar days of receiving a request for additional information from the responding state:
 - ~~.221 Provide the requested information.~~
 - ~~.222 Notify the responding state when the information will be provided if the information itself is not available.~~~~
 - ~~.23 Notify the responding state of any new information regarding the case within 10 working days of receiving such information.~~
 - ~~.24 Pay for the costs of genetic testing to establish paternity.~~
 - ~~.25 Notify the IV-D Agency of the responding state to implement interstate wage withholding within 20 calendar days of determining that wage withholding is required.~~
 - ~~.251 The notification to implement interstate withholding shall include all information necessary to carry out the withholding.~~
 - ~~.252 If the responding state requests additional information needed to implement the withholding, the district attorney shall provide that information within 30 days of receiving the request.~~
- ~~.3 When the district attorney receives an interstate case from the California Central Registry, the district attorney shall:~~
 - ~~.31 Do all of the following within 75 calendar days of receipt of the case:
 - ~~.311 Provide locate services, if needed.~~
 - ~~.312 Request any additional documentation from the initiating state if the provided documentation is not sufficient to process the case fully.~~~~

~~12-226 PROGRAM PERFORMANCE STANDARDS INTERSTATE (Continued) 12-226~~
~~CASES~~

- ~~.32 If the documentation initially received is insufficient to fully process the case, proceed with case processing to the extent possible with the information provided.~~
- ~~.33 Complete all of the following within 10 working days of locating the absent parent in another county:
 - ~~.331 Forward the case to the county in which the absent parent is located.~~
 - ~~.332 Notify the initiating state and the California Central Registry of the case transfer.~~~~
- ~~.34 Complete all of the following within 10 working days of locating the absent parent in another state:
 - ~~.341 Return the case and the information regarding the absent parent's location to the initiating state, or forward the case to the central registry of the state in which the absent parent is located if requested to do so by the initiating state.~~
 - ~~.342 Notify the California Central Registry of the case transfer.~~~~
- ~~.35 Provide any necessary services as for an intrastate case including establishing paternity, establishing a support order, enforcing a support order, and collecting and distributing payments.
 - ~~.351 If the district attorney establishes paternity, the district attorney shall attempt to secure a judgment against the absent parent to recover the cost of genetic testing and reimburse the initiating state.~~~~
- ~~.36 Provide timely notice to the initiating state in advance of any hearings which might result in establishment or modification of an order.~~
- ~~.37 Notify the initiating state within 10 working days of receipt of new information regarding the case.~~
- ~~.38 Notify the California Central Registry whenever an interstate case is closed.~~

~~NOTE: Authority cited: Sections 10553, 10554, 11475, and 11479.5, Welfare and Institutions Code. Reference: Sections 11479.5 and 15200.8, Welfare and Institutions Code; 45 CFR 303.7(b)(1) through (5), (c)(4)(i) through (iii), (c)(5), (c)(6), (c)(7)(i) through (iv), (c)(8), (c)(9), (c)(10), and (d)(2); and 45 CFR 303.100(h)(3).~~

Interstate Cases

R-5-01E

FINAL STATEMENT OF REASONS

UPDATE OF INITIAL STATEMENT OF REASONS

The Department of Child Support Services' regulations of Interstate Cases were filed on an emergency basis in OAL File No. 02-0312-03EE. The scope of the Interstate Case regulations described in the initial Informative Digest/Policy Statement Overview remains unchanged. The regulations are being adopted on a permanent basis by this certificate of compliance rulemaking. Changes have been made as a result of further analysis, extensive discussion with a wide array of stakeholders, and public comments. Specific detailed discussions of those changes are listed by section number below.

The amendments to the Interstate Regulations, in general terms, serve to clarify the language of the interstate regulations, but do not alter the scope of the regulatory package. Changes are reflected in the following areas: clarification of who the active parties are in an interstate case; clarification of terminology; clarification of the interstate case processing concept of establishing CEJ to modify a support order and when/how it is applied in a variety of circumstances; clarification that it is the issuing state's law that applies to the duration of the support order; clarification of the rules governing the determination of the controlling order; clarification of the general actions and timeframes required of the local child support agency (LCSA) when California is the initiating state; clarification that only upon the custodial parent's request, must the LCSA seek an order of nondisclosure; clarification that when California is the responding state, communications from the party against whom the order is being enforced or that party's attorney must be forwarded within a specified timeframe to the initiating state; clarification that the LCSA must enforce collection of accrued arrears on cases that are or were either assistance cases or non-assistance cases; clarification that a case must be transferred upon location of the non-custodial parent's new residence; and clarification that the federal notice requesting order registration must be signed and notarized.

The Department of Child Support Services is required by Family Code Section 17306(d) to consult with a wide array of statutorily specified stakeholders. These stakeholders include: counties, custodial and noncustodial parent advocates, labor organizations, judiciary, and legislative committees. The Department met these requirements through a series of consultative interactions. The first was the establishment of the Policies, Procedures and Practices (P3) Project and Steering Committee with diverse membership as documented on the attached materials (Attachment A). Also various P3 committees were established with

even broader membership from the required groups. These P3 committees met biweekly for six months. This is also documented by the attached materials. Also, the certificate of compliance process requires at least a 45-day public comment period. This requirement was complied with and the mailing list to whom the regulations were mailed is provided in the permanent rulemaking file behind Tab 2. Finally, the regulations text was posted on the Department's public website at www.childsup.cahwnet.gov/ for the full 45 day public comment period making it available for anyone to comment.

Section 110355. Employer. This section defines the term employer.

The nonsubstantive post renote addition of a reference citation to Family Code Section 3760 was made to enhance clarity.

Section 110374. Interstate case. This section defines the term interstate case.

The text is amended to specify that an interstate case is one in which the children and the custodial parent, and the noncustodial parent, live or have lived in different states. This clarification was made in response to a comment received during the 45 day public notice period from the federal Office of Child Support.

Section 117019. Continuing, Exclusive Jurisdiction. This section defines the term Continuing, Exclusive Jurisdiction (CEJ).

The definition is amended to do both of the following: 1) clarify that the concept of continuing exclusive jurisdiction refer to the power to modify, not establish, support orders (making the definition consistent with the regulatory provision contained in Section 117300); and 2) make nonsubstantive grammatical corrections.

Section 117080. Register. This section defines the term Register.

The definition is amended as a result of comments received during the 45 day public notice period to clarify that support orders may be registered for either enforcement or modification, or both. As originally worded, the definition incorrectly implied that registration always conferred the power to both enforce and modify.

Section 117089. State. This section defines the term State.

Subparagraph (a) is amended to clarify that the provision identifying Indian tribes as states also includes certain Native Alaskan Villages. Although the definition of "state," as originally worded, comported with the definition in UIFSA, commenters correctly pointed out that federal law, at 42 U.S.C. 619, was recently amended to define Indian tribe as including certain Native Alaskan Villages. The amendment to this section therefore integrates both the requirements of the UIFSA and the recent amendment to the federal definition of Indian tribe.

Section 117200. General Requirements. This section specifies the requirements related to a state's ability to establish personal jurisdiction over an individual who lives in another state.

Subparagraph (a) is amended to replace the word "putative" with "alleged". This terminology is consistent with the surrounding text. This is a nonsubstantive change.

Section 117300. Continuing, Exclusive Jurisdiction. This section describes the concept of continuing, exclusive jurisdiction (CEJ), the steps LCSAs must follow to make a preliminary determination of whether it has CEJ, and the power of California and other states to modify orders in interstate cases.

Subsection (b) sets forth the general rules that apply for determining whether California or another state has jurisdiction to modify a support order. Subsection (b) is amended, pursuant to comments received by the Department, to clarify that the LCSAs' "determination" is not final, as the California court is the entity empowered to make the final determination as to whether the state has CEJ to modify, not the LCSAs.

Subparagraph (b)(3) establishes the requirement that states having CEJ retain jurisdiction as long as one of the parties lives in the state, but that CEJ to modify an order may be changed to another state if consent to do so is signed by both parties. This subparagraph is amended to clarify that a state retains jurisdiction so long as one of the parties "or children" in the must remain in the state. The subparagraph as originally drafted assumes that the children reside with one of the parents, so that the parent's location would necessarily impact the child's state of residence. The amendment is necessary for the rare instances where that is not the case.

Subsection (g) is added to emphasize the importance of establishing CEJ by requiring local child support agencies to diligently research whether any other state or county in California has established jurisdiction prior to a tribunal exercising jurisdiction to modify an order.

Subsection (h) is re-lettered to accommodate the added subsection (g) and establishes the conditions where California would lose jurisdiction over a child support order. The section is amended to clarify that LCSAs do not lose jurisdiction, rather the State of California and California courts lose jurisdiction to modify orders. As a result of this clarification, language is added to specify that what the LCSA loses is the authority to petition the court to modify the support order. The subsection is also amended to clarify that the state does not lose jurisdiction, and the LCSAs do not lose the authority to petition the court for a modification unless another state's assumption of jurisdiction is proper. This is a necessary clarification to ensure that California does not relinquish jurisdiction when it clear that another state's assumption of jurisdiction is clearly improper.

Subsection (i) is re-lettered to accommodate the added subsection (g). This subsection describes the power of LCSAs to enforce order after another state assumes CEJ. The section is amended in conformity with comments received during the 45-day public notice period. The concept of CEJ refers to the power to modify orders. The reference to CEJ to enforce is inappropriate, and is amended to instead refer to the authority to enforce a support order, or simply jurisdiction to take enforcement actions, but not CEJ.

Section 117301. Duration of Support. This section specifies that the period of time a support order remains in effect is determined by the issuing state's law and may only be modified by the issuing state.

The section is amended, pursuant to comments received, to clarify that the issuing state's law regarding both the age of majority and/or emancipation is controlling in determining the duration of the order. This change is necessary because an order may terminate either because a minor child reaches the age or majority, or because, although still a minor, the child emancipates.

Section 117303. Reconciling Multiple Orders/Determination of Controlling Order. This section specifies the rules for determining the controlling order when multiple orders for the same individuals exist.

Subparagraph (b) specifies the rules for applying collections received when there are multiple support orders in place that may cover the same time period. It is amended to clarify that, once the controlling order is determined, arrearages on all "other" orders stop accruing. Although the subsequent phrase already provided that arrearages could continue to accrue on the order that is found to be the controlling order, a commenter thought the addition of the word "other" would eliminate any possibility of confusion.

Subparagraph (c)(4) is amended to correct a grammatical error.

Subparagraph (d)(1) specifies the procedures to follow in cases where a DCO has been made, and subsequently, another order is discovered. This could effect either the determination of which order is controlling, or an arrears determination. Following the recommendation obtained during public comment, the amendment clarifies that the local child support agency must file a motion in court for a new determination of controlling order. The prior wording requiring the local child support agency to "make a recommendation" did not clearly indicate that the court makes the final determination. A nonsubstantive grammatical correction from "the" to "a" was also made.

Section 117400. California as the Initiating State, General Requirements and Timeframes. This section provides the general requirements a local child support agency (LCSA) is required to take when California is the initiating state in an interstate case.

Subparagraph (b) details the ways in which an LCSA must act on a case in which one or more parties reside in another state. Subparagraph (b) is nonsubstantively amended by the addition of clarifying language to the cross reference stating: "(commencing with Section 117200 of this Chapter)".

Subparagraph (c) establishes the requirement that when California petitions another state to establish or enforce a child support order, the case status must be identified. Pursuant to a comment received by the Department, the subparagraph is amended to clarify that, in addition to those statuses originally listed, a LCSA may also identify a case as "never assistance," where that terminology correctly identifies the case at issue.

Subsection (e) describes how a LCSA computes arrears owing when there are multiple support orders. A nonsubstantive change is made to subparagraph (e)(3) to change the word "assesses" to "charges," to add greater clarity.

Section 117401. Paternity. This section delineates responsibility for costs related to genetic testing for paternity establishment when California is the initiating state.

Subparagraph (b) is nonsubstantively amended to improve the sentence grammatically.

Section 117402. Disclosure of Information on Uniform Interstate Family Support Act Pleadings. This section sets forth the procedures for keeping confidential the address of the custodial party if otherwise required disclosure may put the party at risk.

Subsection (b) requires the LCSA to seek an order protecting such information from disclosure upon notice that the party has a protective order or has been granted a "good cause" exception from the requirement to cooperate with a LCSA or risk welfare benefits. The subsection is amended to clarify that the LCSA will seek an order only if requested to do so by the custodial party. This amendment is necessary to ensure that LCSAs and custodial parties understand the obligations imposed by the section. The section is further amended to delete an unnecessary comma.

Section 117500. California As Responding State, General Requirements/Timeframes. This section provides the general requirements an LCSA is required to take when California is the responding state in an interstate case.

Subparagraph (b)(1) is nonsubstantively amended to strikeout the unnecessary blank space between the end of the sentence and the period.

Subsection (d) provides that if the LCSA receives substantive communication from the noncustodial party (NCP) or the NCP's attorney, the LCSA must forward the communication to the initiating state within 14 business days of receipt. The subsection is restructured for clarity, and is amended to clarify that this subsection relates to communications from the party against whom the order is being enforced, or that party's attorney. Although the section as originally drafted comports with the governing Family Code section, the Department determined that the Family Code section assumes the "respondent" in the case is always the party against whom the order is being enforced. Although that is usually the case, it is not always. The subsection is therefore amended to use terminology that would apply whether or not the party against whom the order is being enforced is listed as the "respondent" on the legal pleadings.

Subsection (e) specifies the time frame for notifying an initiating state of receipt of new information. Use of the federal form OMB No.: 0970-0085 is required. Nonsubstantive clarification made by insertion of the word "Federal" before the form number.

A technical, nonsubstantive amendment is made to subsection (g).

Section 117502. Transferring Interstate Cases. This section specifies the requirements and procedures for transferring interstate cases from one California county to another, and from California to another state.

Subsection (a) describes the actions the LCSA must take when an NCP is located in a different county within California. The subsection is amended to clarify that an NCP is "located" in a county based upon his or her county of residence. This amendment is necessary to avoid any confusion or repeated transfers when the NCP's county of residence is different from his or her county of employment.

Section 117503. Registration of Foreign Orders. This section specifies the procedures for LCSAs to follow when requested by an initiating state to register another state's order.

Subsection (b) requires registration after receipt of specified documents from the initiating state. Subparagraph (3) is amended to require the statement of arrears to be signed and notarized. This amendment is made to conform to the requirements of the Family Code, and in response to comments received during public notice.

Section 117504. Modification of Child Support Orders. This section specifies the LCSA's responsibilities when modifying interstate child support orders.

The Authority citation to "117300" was a typographical error which is being deleted.

Section 117600. Limited Interstate Services. This section provides the LCSA with authority to aid other states with requests for limited interstate services without opening a Title IV-D case.

The term "Federal Form" was added to nonsubstantively clarify that the form being discussed is a federal form.

Manual of Policies and Procedures (MPP)

No additional sections of the MPP, beyond those listed in the initial statement of reasons, are being repealed by this regulatory package.

Local Mandate Determination:

The Department has determined that the regulations would not impose a mandate on local agencies or school districts

Consideration of Alternatives:

The Department has determined that no reasonable alternative considered by the Department or that has otherwise been identified or brought to the attention of the Department would be more effective in carrying out the purpose for which these regulations are being implemented or would be as effective and less burdensome to affected private persons than these regulations.

Documents Relied Upon:

No additional documents, not otherwise listed in the initial statement of reasons, were relied upon in completing this regulatory package.