



SPONSOR: Rep. Bentz & Sen. Townsend
Reps. Bolden, Brady, Dukes, J. Johnson, Mitchell,
Osienski, Ramone, Viola; Sens. Hansen, Henry, Lavelle

HOUSE OF REPRESENTATIVES
149th GENERAL ASSEMBLY

HOUSE BILL NO. 351

AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO CHILD SUPPORT.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

1 Section 1. Amend § 513, Title 13 of the Delaware Code by making deletions as shown by strike through and
2 insertions as shown by underline as follows:

3 § 513 Judgment; order of support; other terms.

4 (a) Where the duty of support has been determined to exist, the court may:

5 (1) Order the defendant to pay a certain sum periodically into the Division of Child Support Services or
6 directly to a resident parent, dependent, his or her legal guardian, caretaker relative having custody of or responsibility
7 for the child, custodian or trustee, conservator representing the custodial parent and child directly with a legal and
8 fiduciary duty, or alternate caretaker designated in a record by the custodial parent for a dependent's support for so long
9 as the obligation of support shall exist;

10 (2) Order the defendant to pay a specific total amount into the Division of Child Support Services or directly
11 to a resident parent, dependent, his or her legal guardian, caretaker relative having custody of or responsibility for the
12 child, custodian or trustee, conservator representing the custodial parent and child directly with a legal and fiduciary
13 duty, or alternate caretaker designated in a record by the custodial parent in a lump sum or in such stated periodic
14 amounts as the court deems proper;

15 Section 2. Amend § 2204, Title 13 of the Delaware Code by making deletions as shown by strike through and
16 insertions as shown by underline as follows:

17 § 2204A Disbursement of support payments.

18 (a)(1) The Division of Child Support Services may establish a process to transfer support payments electronically
19 to an account designated by the obligee of the support order or to an alternate account that can be accessed by the obligee
20 through an electronic access card. The electronic transfer of support payments shall begin when the Department of Health
21 and Social Services certifies all necessary steps in the process are established and complete.

22 (2) For the purposes of this chapter, an obligee is considered a resident parent, a dependent, his or her legal
23 guardian, caretaker relative having custody of or responsibility for the child, custodian or trustee, conservator representing
24 the custodial parent and child directly with a legal and fiduciary duty, or alternate caretaker designated in a record by the
25 custodial parent for a dependent's support as long as the obligation of support exists.

SYNOPSIS

In December 2016, the federal Office of Child Support Enforcement issued final regulations titled "Flexibility, Efficiency, and Modernization in Child Support Enforcement Programs," 81 Fed. Reg. 93,492 (Dec. 20, 2016) (codified at 42 C.F.R. Pt. 433). This Act updates to whom Delaware's Division of Child Support Services can send child support payments, in compliance with the federal regulations.