



SPONSOR: Rep. Chukwuocha & Sen. Brown
Reps. Griffith, Burns, K. Johnson, Ross Levin, Snyder-
Hall, Harris

HOUSE OF REPRESENTATIVES
153rd GENERAL ASSEMBLY

HOUSE BILL NO. 341
AS AMENDED BY
HOUSE AMENDMENT NO. 1

AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO CHILD SUPPORT.

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

Section 1. Amend § 9019, Title 29 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 9019. Liability for maintenance of children in care of Department; collection remedies.

(a) ~~Any~~ A person liable for the support of a child under any law of this State ~~shall be~~ is not liable for the care, ~~maintenance~~ maintenance, and support furnished to a child committed or admitted to any service provided by the Department of Services for Children, Youth and Their Families. ~~Families, unless the Family Court finds that care, maintenance, and support payments will not pose a barrier to proposed reunification efforts.~~

(b) ~~The~~ If the Family Court finds a person is liable for care, maintenance, and support of a child under subsection (a) of this section, the Department of Services for Children, Youth and Their Families may collect from ~~any such~~ the person all moneys necessary to discharge and pay all liability of ~~such~~ the child for the child's care, ~~maintenance~~ maintenance, and support; provided, however, that such liability is based upon ability to pay and in accordance with ~~§ 7940 of this title.~~ § 514 of Title 13.

(c) The Department of Services for Children, Youth and Their Families may also proceed for the recovery of the moneys necessary for care, ~~maintenance~~ maintenance, and support in an action to be brought in any court of competent jurisdiction in the name of the Department.

(d) All fees collected under this section shall be deposited into the General Fund.

Section 2. This Act applies to care, maintenance, or support liabilities incurred after the [effective date of this Act] and does not affect the collection, payment, or imposition of liabilities incurred prior to [the effective date of this Act].