TRANSMITTAL SHEET FOR NOTICE OF INTENDED ACTION

Control <u>660</u>		artment or Agen		<u>łuman Res</u> c		· · · · · · · · · · · · · · · · · · ·	
Rule No. and Title	<u>660-3-1</u>						
New _	X	Amend	Repeal		Adopt by I	Reference	
Would the absence significantly harm of							
health, welfare, or			N/A				
Is there a reasonal state's policed pow	er and th	e protection of the				N/A	
public health, safet	y, or went	3101			-	IN//A	
Is there another, le regulation available protect the public?				e e e e e e e e e e e e e e e e e e e		N/A	
5							
Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved and, if so,							
to what degree?	111000 1111	orvoa arra, ir oo,				NO	
Is the increase in o	ost, if any	, more harmful					
to the public than t			t				
from the absence	of the pro	posed rule?				N/A	
Are all facets of the designed solely for they have, as their	r the purp	ose of, and so					
protection of the pr		•				YES	
*******	*****	******	*****	*****	*****	*****	**************
Does the proposed	d rule hav	e an economic in	npact?			YES	
If the proposed rul is required to be a accordance with s	ccompan	ed by a fiscal not	e prepared	in	na 197 <u>5</u> .		
******	******	******	******	*****	******	******	*******
Certification of Aut	thorized C	Official					
I certify that the a Chapter 22, Title Administrative Pro	41, <u>Code</u>	of Alabama 1975	<u>5,</u> and that i	t conforms	to all applic		
Signature of certify	ying office	er:					
Banen H	Link	₂₄)					1
Date:	17-16				DATE	FILED	

DATE FILED (STAMP)

NOTICE OF INTENDED ACTION

AGENCY NAME: Department of Human Resources

RULE NO. & TITLE: 660-3-12-.01 Definitions

660-3-12-.03 Data Match Criteria

660-3-12-.04 Implementation of Administrative Lien Implementation of Administrative Levy

660-3-12-.06 Right To Contest Lien/Levy

660-3-12-.07 Release of Lien/Levy

INTENDED ACTION: Proposed amendment to rules to comply with Code of Ala. 1975, as amended, § 30-3-197(a)(6) and § 30-3-198.

SUBSTANCE OF PROPOSED ACTION: The rule has been proposed to comply with Alabama law in regards to the enforcement of support orders by implementation of an administrative lien/levy and to comply with Departmental procedures or changes to lien/levy.

TIME, PLACE, MANNER OF PRESENTING VIEWS: All interested parties may submit data, views or arguments respecting the proposed amendment by mail or in person through close of business on April 4, 2016. Persons wishing to submit data, views or arguments orally should contact the Department's Administrative Procedures Secretary between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday, excluding State holidays, at (334) 242-9330 to set up an appointment for such oral/in person presentations.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

April 4, 2016

CONTACT PERSON AT AGENCY:

Ms. Gail Grobe State Department of Human Resources Gordon Persons Building 50 Ripley Street Montgomery, Alabama 36130-1801

> Nancy f. Buckner, Commissioner Department of Human Resources

ECONOMIC IMPACT STATEMENT FOR APA RULE

Cor	ntrol No. <u>6</u>	60_ D	epartment or Ag	ency <u>Departmer</u>	nt of Human Resources					
Rul	e No. <u>660-</u>	3-12								
Rul	e Title: <u>Finar</u>	ncial Inst	titution Data Mat	ch						
	New	Х	Amend	Repeal	Adopt by Reference					
	Th	is rule h	as no economic	impact.						
	X Th	is rule h	as an economic	impact, as explain	ed below:					
1.	NEED/EXPE	ECTED	BENEFIT OF RU	ILE:						
		ı balance	e of at least \$500		ded rule in that the financial account f the financial institution data match in					
2.	COSTS/BENEFITS OF RULE AND WHY RULE IS THE MOST EFFECTIVE, EFFICIIENT, AND FEASIBLE MEANS FOR ALLOCATING RESOURCES AND ACHIEVING THE STATED PURPOSE:									
		the date	e of the financial		nancial account balance to be at least tch, which is an increase over the					
3.	. EFFECT OF THIS RULE ON COMPETITION:									
	N/A			·						
4.	EFFECT OF THIS RULE ON COST-OF-LIVING AND DOING BUSINESS IN THE GEOGRAPHICAL AREA WHERE THE RULE IS TO BE IMPLEMENTED:									
	N/A									
5.	EFFECT OF THIS RULE ON EMPLOYMENT IN THE GERGRAPHICAL AREA WHERE THE RULE IS TO BE IMPLEMENTED:									
	N/A									
6.	SOURCE C	OF REVE	ENUE TO BE US	ED FOR IMPLEM	ENTING AND ENFORCING THIS					
	N/A									

660-3-12-.05 Implementation Of Administrative Levy.

- (1) Upon acknowledgment from the Secretary of State that a lien has been filed, the state IV-D agency sends:
- (a) An Obligor Notice of Lien to the noncustodial parent informing him/her that a lien has arisen by operation of law on any personal property belonging to him/her or acquired after the lien arises.
- (b) A Request for Administrative Review form to the noncustodial parent that may be used to request a desk review of the action taken within fifteen (15) days of the date of the notice of lien.
- (c) A Notice of Levy to the appropriate financial institution to place a freeze on the noncustodial parent's account(s) for 21 days and to surrender the amount named in the document after that period of time.
- (2) For a case to qualify for filing a levy with a financial institution, it must meet the following criteria:
- (a) The noncustodial parent's total arrearages from all cases, including interest, must be at least \$\frac{1000.00}{2},000.00 as of the date of the financial institution data match.
- (b) The noncustodial parent's total arrearages from all cases, including interest, must be equal to at least three months current support obligation due under each case.
- (c) The balance of the noncustodial parent's financial account(s) must be at least \$500.00.\$5,000.00.
- (d) The noncustodial parent must not be involved in bankruptcy proceedings.
- (e) The noncustodial parent is not a SSI recipient.

Author: Clifford Smith

Statutory Authority: Code of Ala. 1975, §§30-3-191, 30-3-192, and 30-3-198, P.L. 104-193.

History: Emergency rule effective February 25, 2000. New Rule: Filed May 5, 2000; effective June 9, 2000.

Amended: Filed September 11, 2014; effective October 16, 2014.

Amended: Filed February 18, 2016; effective May 10, 2016.