

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
660-3-12-.05	Implementation of Administrative Levy
660-3-12-.06	Right To Contest Lien/Levy
660-3-12-.07	Release of Lien/Levy

INTENDED ACTION: Proposed permanent 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.


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 September 4, 2014. 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:

September 4, 2014

CONTACT PERSON AT AGENCY:

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



(Signature of officer authorized to promulgate
and adopt rules or his or her deputy)

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

~~The lien/levy will be released if it is determined that:~~ A Notice of Release of Lien shall be sent by the state IV-D agency to the Office of Secretary of State when:

~~(a) The child support debt is paid in full.~~

~~(b) The wrong person's social security number was used in filing the lien.~~

~~(c) The noncustodial parent has an order for retroactive child support and has paid according to the order since the initial adjudication.~~

(a) The child support debt is paid in full;

(b) The Notice of Lien was filed in error;

(c) The noncustodial parent has filed bankruptcy;

(d) Documents indicate that the noncustodial parent's name is on the account strictly for fiduciary purposes, for example the management of the funds of an elderly parent.

Author: ~~Janice Grubbs~~ 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 5, 2014; effective October 10, 2014.