

**Notice of Intended Action**

**AGENCY NAME:** Department of Human Resources

<b><u>RULE NO. &amp; TITLE:</u></b>	660-3-16-.01	<b><u>Definitions</u></b>
	660-3-16-.04	<b><u>Withholding Limits and Costs</u></b>
	660-3-16-.05	<b><u>Administrative Implementation of an Income Withholding Order</u></b>
	660-3-16-.06	<b><u>Administratively Adding an Amount Toward Arrears</u></b>

**INTENDED ACTION:** Proposed permanent rules to comply with 45 C.F.R. 303.100, 42 U.S.C. 666(b) and 42 U.S.C. 666(c), Code of Alabama 1975, Sections 30-3-60 through 30-3-71, 30-3-197(a)(5), 30-3-197(a)(7), Sections 30-3A-501 through 30-3A-506.

**SUBSTANCE OF PROPOSED ACTION:** These rules have been amended to comply with State Law regarding Income Withholding for the purpose of collecting child support. This amendment provides for the use of an income withholding order to collect child support arrears that accrued during a child's minority and are still owed post-majority. It also allows the State IV-D agency to add an amount toward arrears where a child support arrearage exists and the order does not address an amount toward the past-due support on cases where there is no pending court action. This amendment states that in IV-D child support cases when the noncustodial parent is ordered to provide current child support and medical support and there is not sufficient income to cover both obligations that current support must be withheld first.

**TIME, PLACE, MANNER OF PRESENTING VIEWS:** All interested parties may submit data, views or arguments respecting the proposed rules by mail or in person through close of business on August 4, 2009. 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:**

August 4, 2009

**CONTACT PERSON AT AGENCY:**

Ms. Gail Grobe  
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Montgomery, Alabama 36130-1801

  
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Commissioner Nancy T. Buckner

FILING DATE:  
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