

# AN ACT

To amend sections 149.43, 169.03, 169.08, 329.12, 1336.07, 1336.08, 1349.01, 1533.82, 2105.18, 2151.23, 2151.231, 2151.33, 2151.49, 2301.34, 2301.35, 2301.353, 2301.356, 2301.357, 2301.358, 2301.36, 2301.37, 2301.371, 2301.373, 2301.374, 2705.02, 2919.21, 2919.231, 3103.03, 3103.031, 3105.18, 3105.21, 3107.01, 3107.06, 3107.064, 3109.05, 3109.12, 3109.19, 3111.02, 3111.03, 3111.04, 3111.06, 3111.07, 3111.09, 3111.12, 3111.13, 3111.20, 3111.22, 3111.23, 3111.24, 3111.241, 3111.242, 3111.25, 3111.26, 3111.27, 3111.28, 3111.37, 3111.99, 3113.04, 3113.07, 3113.21, 3113.211, 3113.212, 3113.213, 3113.215, 3113.216, 3113.217, 3113.218, 3113.219, 3113.31, 3113.99, 3317.02, 3705.07, 3705.09, 3705.16, 3727.17, 3770.071, 3924.48, 3924.49, 3317.02, 4141.16, 4141.28, 5101.26, 5101.28, 5101.31, 5101.311, 5101.312, 5101.322, 5101.323, 5101.324, 5101.37, 5101.99, 5104.01, 5104.34, 5107.14, 5107.20, and 5153.16; to amend for purposes of adopting a new section number 2105.18 (5101.314); to revive section 2301.355; to enact new sections 3111.21, 3113.214, 3115.01, 3115.02, 3115.03, 3115.04, 3115.05, 3115.06, 3115.07, 3115.08, 3115.09, 3115.10, 3115.11, 3115.12, 3115.13, 3115.14, 3115.15, 3115.16, 3115.17, 3115.18, 3115.19, 3115.20, 3115.21, 3115.22, 3115.23, 3115.24, 3115.25, 3115.26, 3115.27, 3115.28, 3115.29, 3115.30, 3115.31, 3115.32, 3115.33, and 3115.34, and sections 2151.232, 2301.375, 2301.43, 2301.44, 2301.45, 2301.46, 3105.72, 3109.042, 3111.111, 3111.211, 3111.221, 3111.231,

5.35, 3115.36, 3115.37, 3115.38, 3115.39, 3115.40, 3115.41, 3115.42, 3115.43, 3115.44, 3115.45, 3115.46, 3115.47, 3115.48, 3115.49, 3115.50, 3115.51, 3115.52, 3115.53, 3115.54, 3115.55, 3115.56, 3115.57, 3115.58, 3115.59, 3705.091, 5101.315, 5101.316, 5101.317, 5101.318, 5101.319, 5101.325, 5101.326, and 5101.327; and to repeal sections 329.043, 2301.351, 2301.352, 2301.42, 3111.21, 3113.214, 3115.01, 3115.02, 3115.03, 3115.04, 3115.05, 3115.06, 3115.07, 3115.08, 3115.09, 3115.10, 3115.11, 3115.12, 3115.13, 3115.14, 3115.15, 3115.16, 3115.17, 3115.18, 3115.19, 3115.20, 3115.21, 3115.22, 3115.23, 3115.24, 3115.25, 3115.26, 3115.27, 3115.28, 3115.29, 3115.30, 3115.31, 3115.32, 3115.33, 3115.34, 3701.042, and 5153.164 of the Revised Code to make changes to the laws governing child support, and to declare an emergency.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That sections 149.43, 169.03, 169.08, 329.12, 1336.07, 1336.08, 1349.01, 1533.82, 2105.18, 2151.23, 2151.231, 2151.33, 2151.49, 2301.34, 2301.35, 2301.353, 2301.356, 2301.357, 2301.358, 2301.36, 2301.37, 2301.371, 2301.373, 2301.374, 2705.02, 2919.21, 2919.231, 3103.03, 3103.031, 3105.18, 3105.21, 3107.01, 3107.06, 3107.064, 3109.05, 3109.12, 3109.19, 3111.02, 3111.03, 3111.04, 3111.06, 3111.07, 3111.09, 3111.12, 3111.13, 3111.20, 3111.22, 3111.23, 3111.24, 3111.241, 3111.242, 3111.25, 3111.26, 3111.27, 3111.28, 3111.37, 3111.99, 3113.04, 3113.07, 3113.21, 3113.211, 3113.212, 3113.213, 3113.215, 3113.216, 3113.217, 3113.218, 3113.219, 3113.31, 3113.99, 3317.02, 3705.07, 3705.09, 3705.16, 3727.17, 3770.071, 3924.48, 3924.49, 4141.16, 4141.28, 5101.26, 5101.28, 5101.31, 5101.311, 5101.312, 5101.322, 5101.323, 5101.324, 5101.37, 5101.99, 5104.01, 5104.34, 5107.14, 5107.20, and 5153.16 be amended; section 2105.18 (5101.314) be amended for the purpose of adopting a new section number as indicated in the parentheses; section 2301.355 be revived; and new sections 3111.21, 3113.214, 3115.01, 3115.02, 3115.03, 3115.04,

3115.05, 3115.06, 3115.07, 3115.08, 3115.09, 3115.10, 3115.11, 3115.12, 3115.13, 3115.14, 3115.15, 3115.16, 3115.17, 3115.18, 3115.19, 3115.20, 3115.21, 3115.22, 3115.23, 3115.24, 3115.25, 3115.26, 3115.27, 3115.28, 3115.29, 3115.30, 3115.31, 3115.32, 3115.33, and 3115.34, and sections 2151.232, 2301.375, 2301.43, 2301.44, 2301.45, 2301.46, 3105.72, 3109.042, 3111.111, 3111.211, 3111.221, 3111.231, 3115.35, 3115.36, 3115.37, 3115.38, 3115.39, 3115.40, 3115.41, 3115.42, 3115.43, 3115.44, 3115.45, 3115.46, 3115.47, 3115.48, 3115.49, 3115.50, 3115.51, 3115.52, 3115.53, 3115.54, 3115.55, 3115.56, 3115.57, 3115.58, 3115.59, 3705.091, 5101.315, 5101.316, 5101.317, 5101.318, 5101.319, 5101.325, 5101.326, and 5101.327 of the Revised Code be enacted to read as follows:

Sec. 149.43. (A) As used in this section:

(1) "Public record" means any record that is kept by any public office, including, but not limited to, state, county, city, village, township, and school district units, except that "public record" does not mean any of the following:

(a) Medical records;

(b) Records pertaining to probation and parole proceedings;

(c) Records pertaining to actions under section 2151.85 of the Revised Code and to appeals of actions arising under that section;

(d) Records pertaining to adoption proceedings, including the contents of an adoption file maintained by the department of health under section 3705.12 of the Revised Code;

(e) Information in a record contained in the putative father registry established by section 3107.062 of the Revised Code, regardless of whether the information is held by the department of human services or, pursuant to section 5101.313 of the Revised Code, the division of child support in the department or a child support enforcement agency;

(f) Records listed in division (A) of section 3107.42 of the Revised Code or specified in division (A) of section 3107.52 of the Revised Code;

(g) Trial preparation records;

(h) Confidential law enforcement investigatory records;

(i) Records containing information that is confidential under section 2317.023 or 4112.05 of the Revised Code;

(j) DNA records stored in the DNA database pursuant to section 109.573 of the Revised Code;

(k) Inmate records released by the department of rehabilitation and correction to the department of youth services or a court of record pursuant to division (E) of section 5120.21 of the Revised Code;

(l) Records maintained by the department of youth services pertaining to

children in its custody released by the department of youth services to the department of rehabilitation and correction pursuant to section 5139.05 of the Revised Code;

(m) Intellectual property records;

(n) Donor profile records;

(o) Records maintained by the department of human services pursuant to section 5101.312 Of the Revised Code;

(p) Records the release of which is prohibited by state or federal law.

(2) "Confidential law enforcement investigatory record" means any record that pertains to a law enforcement matter of a criminal, quasi-criminal, civil, or administrative nature, but only to the extent that the release of the record would create a high probability of disclosure of any of the following:

(a) The identity of a suspect who has not been charged with the offense to which the record pertains, or of an information source or witness to whom confidentiality has been reasonably promised;

(b) Information provided by an information source or witness to whom confidentiality has been reasonably promised, which information would reasonably tend to disclose the source's or witness's identity;

(c) Specific confidential investigatory techniques or procedures or specific investigatory work product;

(d) Information that would endanger the life or physical safety of law enforcement personnel, a crime victim, a witness, or a confidential information source.

(3) "Medical record" means any document or combination of documents, except births, deaths, and the fact of admission to or discharge from a hospital, that pertains to the medical history, diagnosis, prognosis, or medical condition of a patient and that is generated and maintained in the process of medical treatment.

(4) "Trial preparation record" means any record that contains information that is specifically compiled in reasonable anticipation of, or in defense of, a civil or criminal action or proceeding, including the independent thought processes and personal trial preparation of an attorney.

(5) "Intellectual property record" means a record, other than a financial or administrative record, that is produced or collected by or for faculty or staff of a state institution of higher learning in the conduct of or as a result of study or research on an educational, commercial, scientific, artistic, technical, or scholarly issue, regardless of whether the study or research was sponsored by the institution alone or in conjunction with a governmental body or private concern, and that has not been publicly released, published,

or patented.

(6) "Donor profile record" means all records about donors or potential donors to a public institution of higher education except the names and reported addresses of the actual donors and the date, amount, and conditions of the actual donation.

(B) All public records shall be promptly prepared and made available for inspection to any person at all reasonable times during regular business hours. Upon request, a person responsible for public records shall make copies available at cost, within a reasonable period of time. In order to facilitate broader access to public records, governmental units shall maintain public records in a manner that they can be made available for inspection in accordance with this division.

(C) If a person allegedly is aggrieved by the failure of a governmental unit to promptly prepare a public record and to make it available to the person for inspection in accordance with division (B) of this section, or if a person who has requested a copy of a public record allegedly is aggrieved by the failure of a person responsible for the public record to make a copy available to the person allegedly aggrieved in accordance with division (B) of this section, the person allegedly aggrieved may commence a mandamus action to obtain a judgment that orders the governmental unit or the person responsible for the public record to comply with division (B) of this section and that awards reasonable attorney's fees to the person that instituted the mandamus action. The mandamus action may be commenced in the court of common pleas of the county in which division (B) of this section allegedly was not complied with, in the supreme court pursuant to its original jurisdiction under Section 2 of Article IV, Ohio Constitution, or in the court of appeals for the appellate district in which division (B) of this section allegedly was not complied with pursuant to its original jurisdiction under Section 3 of Article IV, Ohio Constitution.

(D) Chapter 1347. of the Revised Code does not limit the provisions of this section.

(E)(1) The bureau of motor vehicles may adopt rules pursuant to Chapter 119. of the Revised Code to reasonably limit the number of bulk commercial special extraction requests made by a person for the same records or for updated records during a calendar year. The rules may include provisions for charges to be made for bulk commercial special extraction requests for the actual cost of the bureau, plus special extraction costs, plus ten per cent. The bureau may charge for expenses for redacting information, the release of which is prohibited by law.

(2) As used in division (E)(1) of this section:

(a) "Actual cost" means the cost of depleted supplies, records storage media costs, actual mailing and alternative delivery costs, or other transmitting costs, and any direct equipment operating and maintenance costs, including actual costs paid to private contractors for copying services.

(b) "Bulk commercial special extraction request" means a request for copies of a record for information in a format other than the format already available, or information that cannot be extracted without examination of all items in a records series, class of records, or data base by a person who intends to use or forward the copies for surveys, marketing, solicitation, or resale for commercial purposes. "Bulk commercial special extraction request" does not include a request by a person who gives assurance to the bureau that the person making the request does not intend to use or forward the requested copies for surveys, marketing, solicitation, or resale for commercial purposes.

(c) "Commercial" means profit-seeking production, buying, or selling of any good, service, or other product.

(d) "Special extraction costs" means the cost of the time spent by the lowest paid employee competent to perform the task, the actual amount paid to outside private contractors employed by the bureau, or the actual cost incurred to create computer programs to make the special extraction. "Special extraction costs" include any charges paid to a public agency for computer or records services.

(3) For purposes of divisions (E)(1) and (2) of this section, "commercial surveys, marketing, solicitation, or resale" shall be narrowly construed and does not include reporting or gathering news, reporting or gathering information to assist citizen oversight or understanding of the operation or activities of government, or nonprofit educational research.

Sec. 169.03. (A)(1) Every holder of unclaimed funds and, when requested, person which could be the holder of unclaimed funds, under this chapter shall report to the director of commerce with respect to the unclaimed funds as provided in this section. The report shall be verified.

(2) With respect to items of unclaimed funds each having a value of ten dollars or more, the report required under division (A)(1) of this section shall include:

(a) The full name, if known, and last known address, if any, of each person appearing from the records of the holder to be the owner of unclaimed funds under this chapter;

(b) In the case of unclaimed funds reported by holders providing life insurance coverage, the full name of the insured or annuitant and beneficiary, if any, and their last known addresses according to such holder's

records;

(c) The nature and identifying number, if any, or description of the funds and the amount appearing from the records to be due;

(d) The date when the funds became payable, demandable, or returnable and the date of the last transaction with the owner with respect to the funds except with respect to each item of unclaimed funds having a value of less than twenty-five dollars;

(e) Subject to division (I) of this section, the social security number of the owner of the unclaimed funds, if it is available.

(f) Other information which the director prescribes as necessary for the administration of this chapter.

(3) With respect to items of unclaimed funds each having a value of less than ten dollars, the report required under division (A)(1) of this section shall include:

(a) Each category of items of unclaimed funds as described in section 169.02 of the Revised Code;

(b) The number of items of unclaimed funds within each category;

(c) The aggregated value of the items of unclaimed funds within each category.

(B) If the holder of unclaimed funds is a successor to other organizations that previously held the funds for the owner, or if the holder has changed its name while holding the funds, it shall file with the report all prior known names and addresses and date and state of incorporation or formation of each holder of the funds.

(C) The report shall be filed before the first day of November of each year as of the preceding thirtieth day of June, but the report of holders providing life insurance coverage shall be filed before the first day of May of each year as of the preceding thirty-first day of December. The director may postpone, for good cause shown, the reporting date upon written request by any holder required to file a report.

(D) The holder of unclaimed funds under this chapter shall send notice to each owner of each item of unclaimed funds having a value of twenty-five dollars or more at the last known address of the owner as shown by the records of the holder before filing the annual report. In case of holders providing life insurance coverage, such notice shall also be mailed to each beneficiary at the last known address of such beneficiary as shown by the records of such holder, except that such notice to beneficiaries shall not be mailed if such address is the same as that of the insured and the surname of the beneficiary is the same as that of the insured. The holder shall not report an item of unclaimed funds earlier than the thirtieth day after

the mailing of notice required by this division.

Such notice shall set forth the nature and identifying number, if any, or description of the funds and the amount appearing on the records of the holder to be due the owner, and shall inform the owner that the funds will, thirty days after the mailing of such notice, be reported as unclaimed funds under this chapter. A self-addressed, stamped envelope shall be included with the notice, with instructions that the owner may use such envelope to inform the holder of the owner's continued interest in the funds and, if so informed before the date for making the report to the director, the holder shall not report said funds to the director. The notice shall be mailed by first class mail. If there is no address of record for the owner or other person entitled to the unclaimed funds, the holder is relieved of any responsibility of sending notice, attempting to notify, or notifying the owner. The mailing of notice pursuant to this section shall discharge the holder from any further responsibility to give notice.

(E) Verification of the report and of the mailing of notice, where required, shall be executed by an officer of the reporting holder.

(F) The director may at reasonable times and upon reasonable notice examine or cause to be examined, by auditors of supervisory departments or divisions of the state, the records of any holder to determine compliance with this chapter. The director may enter into contracts, pursuant to procedures prescribed by the director, with persons for the sole purpose of examining the records of holders, determining compliance with this chapter, and collecting, taking possession of, and remitting to the department's division of unclaimed funds, in a timely manner, the amounts found and defined as unclaimed. Holders shall retain records, designated by the director as applicable to unclaimed funds, for five years beyond the relevant time period provided in section 169.02 of the Revised Code, or until completion of an audit conducted pursuant to this division, whichever occurs first.

Records audited pursuant to this division are confidential, and shall not be disclosed except as required by section 169.06 of the Revised Code or as the director considers necessary in the proper administration of this chapter.

(G) All holders shall make sufficient investigation of their records to insure that the funds reported to the director are unclaimed as set forth in division (B) of section 169.01 and section 169.02 of the Revised Code.

(H) The expiration of any period of limitations on or after March 1, 1968, within which a person entitled to any moneys, rights to moneys, or intangible property could have commenced an action or proceeding to obtain the same shall not prevent such items from becoming unclaimed

funds or relieve the holder thereof of any duty to report and give notice as provided in this section and deliver the same in the manner provided in section 169.05 of the Revised Code, provided that the holder may comply with the provisions of this section and section 169.05 of the Revised Code with respect to any moneys, rights to moneys, or intangible property as to which the applicable statute of limitations has run prior to March 1, 1968, and in such event the holder shall be entitled to the protective provisions of section 169.07 of the Revised Code.

(I) No social security number contained in a report made pursuant to this section shall be used for any purpose other than to respond to a request made by the division of child support in the department of human services made pursuant to section 5101.327 Of the Revised Code.

Sec. 169.08. (A) Any person claiming a property interest in unclaimed funds delivered or reported to the state under Chapter 169. of the Revised Code, including the division of child support in the department of human services, pursuant to section 5101.327 Of the Revised Code, may file a claim thereto on the form prescribed by the director of commerce.

(B) The director shall consider matters relevant to any claim filed under division (A) of this section and shall hold a formal hearing if requested or considered necessary and receive evidence concerning such claim. A finding and decision in writing on each claim filed shall be prepared, stating the substance of any evidence received or heard and the reasons for allowance or disallowance of the claim. The evidence and decision shall be a public record. No statute of limitations shall bar the allowance of a claim.

(C) For the purpose of conducting any hearing, the director may require the attendance of such witnesses and the production of such books, records, and papers as the director desires, and the director may take the depositions of witnesses residing within or without this state in the same manner as is prescribed by law for the taking of depositions in civil actions in the court of common pleas, and for that purpose the director may issue a subpoena for any witness or a subpoena duces tecum to compel the production of any books, records, or papers, directed to the sheriff of the county where such witness resides or is found, which shall be served and returned. The fees and mileage of the sheriff and witnesses shall be the same as that allowed in the court of common pleas in criminal cases. Fees and mileage shall be paid from the unclaimed funds trust fund.

(D) Interest is not payable to claimants of unclaimed funds held by the state. Claims shall be paid from the trust fund. If the amount available in the trust fund is not sufficient to pay pending claims, or other amounts disburseable from the trust fund, the treasurer of state shall certify such fact

to the director, who shall then withdraw such amount of funds from the mortgage accounts as the director determines necessary to reestablish the trust fund to a level required to pay anticipated claims but not more than ten per cent of the net unclaimed funds reported to date.

The director shall retain in the trust fund, as a fee for administering the funds, five per cent of the total amount of unclaimed funds payable to the claimant and may withdraw the funds paid to the director by the holders and deposited by the director with the treasurer of state or in a financial institution as agent for such funds. Whenever these funds are inadequate to meet the requirements for the trust fund, the director shall provide for a withdrawal of funds, within a reasonable time, in such amount as is necessary to meet the requirements, from financial institutions in which such funds were retained or placed by a holder and from other holders who have retained funds, in an equitable manner as prescribed by the director. In the event that the amount to be withdrawn from any one such holder is less than five hundred dollars, the amount to be withdrawn shall be at the discretion of the director. Such funds may be reimbursed in the amounts withdrawn when the trust fund has a surplus over the amount required to pay anticipated claims. Whenever the trust fund has a surplus over the amount required to pay anticipated claims, the director may transfer such surplus to the mortgage accounts.

(E) If a claim which is allowed under this section relates to funds which have been retained by the reporting holder, and if the funds, on deposit with the treasurer of state pursuant to this chapter, are insufficient to pay claims, the director may notify such holder in writing of the payment of the claim and such holder shall immediately reimburse the state in the amount of such claim. The reimbursement shall be credited to the unclaimed funds trust fund.

(F) Any person, including the division of child support, adversely affected by a decision of the director may appeal such decision in the manner provided in Chapter 119. of the Revised Code.

In the event the claimant prevails, the claimant shall be reimbursed for reasonable attorney's fees and costs.

(G) Notwithstanding anything to the contrary in this chapter, any holder who has paid moneys to or entered into an agreement with the director pursuant to section 169.05 of the Revised Code on certified checks, cashiers' checks, bills of exchange, letters of credit, drafts, money orders, or travelers' checks, may make payment to any person entitled thereto, including the division of child support, and upon surrender of the document, except in the case of travelers' checks, and proof of such payment, the director shall

reimburse the holder for such payment without interest.

Sec. 329.12. (A) A county department of human services may establish an individual development account program for residents of the county. The program shall provide for establishment of accounts for participants and acceptance of contributions from others to be used as matching funds for deposit in the accounts.

(B) A county department shall select a fiduciary organization to administer its individual development account program. In selecting a fiduciary organization, the department shall consider all of the following regarding the organization:

(1) Its ability to market the program to potential participants and matching fund contributors;

(2) Its ability to invest money in the accounts in a way that provides for return with minimal risk of loss;

(3) Its overall administrative capacity, including the ability to verify eligibility of individuals for participation in the program, prevent unauthorized use of matching contributions, and enforce any penalties for unauthorized uses that may be provided for by rule adopted by the state department of human services under section 5101.971 of the Revised Code.

(4) Its ability to provide financial counseling to participants;

(5) Its affiliation with other activities designed to increase the independence of individuals and families through postsecondary education, home ownership, and business development;

(6) Any other factor the county department considers appropriate.

(C) At the time it commences the program and on the first day of each subsequent program year, the county department may make a grant to the fiduciary organization to pay all or part of the administrative costs of the program.

(D) The county department shall require the fiduciary organization to collect and maintain information regarding the program, including all of the following:

(1) The number of accounts established;

(2) The amount deposited by each participant and the amount matched by contributions;

(3) The uses of funds withdrawn from the account, including the number of participants who used funds for postsecondary educational expenses and the institutions attended, the number of personal residences purchased, and the number of participants who used funds for business capitalization;

(4) The demographics of program participants;

(5) The number of participants who withdrew from the program and the reasons for withdrawal.

(E) The county department shall prepare and file with the state department of human services a semi-annual report containing the information the state department requires by rule adopted under section 5101.971 of the Revised Code, with the first report being filed at the end of the six-month period following the effective date of this section.

Sec. 1336.07. (A) In an action for relief arising out of a transfer or an obligation that is fraudulent under section 1336.04 or 1336.05 of the Revised Code, a creditor or a child support enforcement agency on behalf of a support creditor, subject to the limitations in section 1336.08 of the Revised Code, may obtain one of the following:

(1) Avoidance of the transfer or obligation to the extent necessary to satisfy the claim of the creditor;

(2) An attachment or garnishment against the asset transferred or other property of the transferee in accordance with Chapters 2715. and 2716. of the Revised Code;

(3) Subject to the applicable principles of equity and in accordance with the Rules of Civil Procedure, any of the following:

(a) An injunction against further disposition by the debtor or a transferee, or both, of the asset transferred or of other property;

(b) Appointment of a receiver to take charge of the asset transferred or of other property of the transferee;

(c) Any other relief that the circumstances may require.

(B) If a creditor or child support enforcement agency has obtained a judgment on a claim against the debtor, the creditor or agency, if the court so orders, may levy execution on the asset transferred or its proceeds in accordance with Chapter 2329. of the Revised Code.

Sec. 1336.08. (A) A transfer or an obligation is not fraudulent under division (A)(1) of section 1336.04 of the Revised Code against a person who took in good faith and for a reasonably equivalent value or against any subsequent transferee or obligee.

(B)(1) Except as otherwise provided in this section, to the extent a transfer is voidable in an action by a creditor or a child support enforcement agency under division (A)(1) of section 1336.07 of the Revised Code, the creditor or agency may recover a judgment for the value of the asset transferred, as adjusted under division (B)(2) of this section, or the amount necessary to satisfy the claim of the creditor or agency, whichever is less. The judgment may be entered against either of the following:

(a) The first transferee of the asset or the person for whose benefit the

transfer was made;

(b) Any subsequent transferee other than a good faith transferee who took for value or from any subsequent transferee.

(2) If the judgment under division (B)(1) of this section is based upon the value of the asset transferred, the judgment shall be in an amount equal to the value of the asset at the time of the transfer, subject to adjustment as the equities may require.

(C) Notwithstanding the voidability of a transfer or an obligation under division (A)(1) of section 1336.07 of the Revised Code, a good faith transferee or obligee is entitled, to the extent of the value given to the debtor for the transfer or obligation, to any of the following:

- (1) A lien on or a right to retain any interest in the asset transferred;
- (2) Enforcement of any obligation incurred;
- (3) A reduction in the amount of the liability on the judgment.

(D) A transfer is not fraudulent under division (A)(2) of section 1336.04 or section 1336.05 of the Revised Code if the transfer results from either of the following:

- (1) Termination of a lease upon default by the debtor when the termination is pursuant to the lease and applicable law;
- (2) Enforcement of a security interest in compliance with section 1309.44 of the Revised Code.

(E) A transfer is not fraudulent under division (B) of section 1336.05 of the Revised Code as follows:

- (1) To the extent the insider gave new value to or for the benefit of the debtor after the transfer was made, unless the new value was secured by a valid lien;
- (2) If made in the ordinary course of business or financial affairs of the debtor and the insider;
- (3) If made pursuant to a good faith effort to rehabilitate the debtor and the transfer secured present value given for that purpose as well as an antecedent debt of the debtor.

Sec. 1349.01. (A) As used in this section:

(1) "Consumer reporting agency" has the same meaning as in the "Fair Credit Reporting Act," 84 Stat. 1128, 15 U.S.C.A. 1681a.

(2) "Court" means the division of the court of common pleas having jurisdiction over actions for divorce, annulment, dissolution of marriage, legal separation, child support, or spousal support.

(3) "Health insurance coverage" means hospital, surgical, or medical expense coverage provided under any health insurance or health care policy, contract, or plan or any other health benefits arrangement.

(4) "Provider" has the same meaning as in section 3901.38 of the Revised Code.

(B) If, pursuant to an action for divorce, annulment, dissolution of marriage, or legal separation, the court determines that a party who is a resident of this state is responsible for obtaining health insurance coverage for the party's former spouse or children or if, pursuant to a child support order issued ~~under~~ in accordance with section 3113.217 of the Revised Code, the court requires a party who is a resident of this state to obtain health insurance coverage for the children who are the subject of the child support order, and the party fails to obtain such coverage, no provider or collection agency shall collect or attempt to collect from the former spouse, children, or person responsible for the children, any reimbursement of any hospital, surgical, or medical expenses incurred by the provider for services rendered to the former spouse or children, which expenses would have been covered but for the failure of the party to obtain the coverage, if the former spouse, any of the children, or a person responsible for the children, provides the following to the provider or collection agency:

(1) A copy of the court order requiring the party to obtain health insurance coverage for the former spouse or children.

(2) Reasonable assistance in locating the party and obtaining information about the party's health insurance coverage.

(C) If the requirements of divisions (B)(1) and (2) of this section are not met, the provider or collection agency may collect the hospital, surgical, or medical expenses both from the former spouse or person responsible for the children and from the party who failed to obtain the coverage. If the requirements of divisions (B)(1) and (2) are met, the provider or collection agency may collect or attempt to collect the expenses only from the party.

A party required to obtain health insurance coverage for a former spouse or children who fails to obtain the coverage is liable to the provider for the hospital, surgical, or medical expenses incurred by the provider as a result of the failure to obtain the coverage. This section does not prohibit a former spouse or person responsible for the children from initiating an action to enforce the order requiring the party to obtain health insurance for the former spouse or children or to collect any amounts the former spouse or person responsible for the children pays for hospital, surgical, or medical expenses for which the party is responsible under the order requiring the party to obtain health insurance for the former spouse or children.

(D)(1) If the requirements of divisions (B)(1) and (2) of this section are met, both of the following restrictions shall apply:

(a) No collection agency or provider of hospital, surgical, or medical

services may report to a consumer reporting agency, for inclusion in the credit file or credit report of the former spouse or person responsible for the children, any information relative to the nonpayment of expenses for the services incurred by the provider, if the nonpayment is the result of the failure of the party responsible for obtaining health insurance coverage to obtain health insurance coverage.

(b) No consumer reporting agency shall include in the credit file or credit report of the former spouse or person responsible for the children, any information relative to the nonpayment of any hospital, surgical, or medical expenses incurred by a provider as a result of the party's failure to obtain the coverage.

(2) If the requirements of divisions (B)(1) and (2) of this section are not met, both of the following provisions shall apply:

(a) A provider of hospital, surgical, or medical services, or a collection agency, may report to a consumer reporting agency, for inclusion in the credit file or credit report of the former spouse or person responsible for the children, any information relative to the nonpayment of expenses for the services incurred by the provider, if the nonpayment is the result of the failure of the party responsible for obtaining health insurance coverage to obtain such coverage.

(b) A consumer reporting agency may include in the credit file or credit report of the former spouse or person responsible for the children, any information relative to the nonpayment of any hospital, surgical, or medical expenses incurred by the provider, if the nonpayment is the result of the failure of the party responsible for obtaining health insurance coverage to obtain such coverage.

(3)(a) A provider of hospital, surgical, or medical services, or a collection agency, may report to a consumer reporting agency, for inclusion in the credit file or credit report of that party, any information relative to the nonpayment of expenses for the services incurred by the provider, if the nonpayment is the result of the failure of the party responsible for obtaining health insurance coverage to obtain such coverage.

(b) A consumer reporting agency may include in the credit file or credit report of the party responsible for obtaining health insurance coverage, any information relative to the nonpayment of any hospital, surgical, or medical expenses incurred by a provider, if the nonpayment is the result of the failure of that party to obtain health insurance coverage.

(4) If any information described in division (D)(2) of this section is placed in the credit file or credit report of the former spouse or person responsible for the children, the consumer reporting agency shall remove the

information from the credit file and credit report if the former spouse or person responsible for the children provides the agency with the information required in divisions (B)(1) and (2) of this section. If the agency fails to remove the information from the credit file or credit report pursuant to the terms of the "Fair Credit Reporting Act," 84 Stat. 1128, 15 U.S.C. 1681a, within a reasonable time after receiving the information required by divisions (B)(1) and (2) of this section, the former spouse may initiate an action to require the agency to remove the information.

If any information described in division (D)(3) of this section is placed in the party's credit file or credit report, the party has the burden of proving that the party is not responsible for obtaining the health insurance coverage or, if responsible, that the expenses incurred are not covered expenses. If the party meets that burden, the agency shall remove the information from the party's credit file and credit report immediately. If the agency fails to remove the information from the credit file or credit report immediately after the party meets the burden, the party may initiate an action to require the agency to remove the information.

Sec. 1533.82. (A) On receipt of a notice pursuant to section 2301.373 of the Revised Code, the chief of the division of wildlife shall comply with that section with respect to a license or permit issued pursuant to section 1533.23, 1533.34, 1533.342, 1533.39, 1533.40, 1533.51, 1533.631, 1533.71, 1533.72, or 1533.81 of the Revised Code.

(B) On receipt of a notice pursuant to section 2301.375 Of the Revised Code, the chief of the division of wildlife shall comply with that section with respect to a license, permit, or stamp issued pursuant to section 1533.10, 1533.11, 1533.111, 1533.112, or 1533.32 Of the Revised Code.

Sec. 2151.23. (A) The juvenile court has exclusive original jurisdiction under the Revised Code as follows:

(1) Concerning any child who on or about the date specified in the complaint is alleged to be a juvenile traffic offender or a delinquent, unruly, abused, neglected, or dependent child;

(2) Subject to division (V) of section 2301.03 of the Revised Code, to determine the custody of any child not a ward of another court of this state;

(3) To hear and determine any application for a writ of habeas corpus involving the custody of a child;

(4) To exercise the powers and jurisdiction given the probate division of the court of common pleas in Chapter 5122. of the Revised Code, if the court has probable cause to believe that a child otherwise within the jurisdiction of the court is a mentally ill person subject to hospitalization by court order, as defined in section 5122.01 of the Revised Code;

(5) To hear and determine all criminal cases charging adults with the violation of any section of this chapter;

(6) To hear and determine all criminal cases in which an adult is charged with a violation of division (C) of section 2919.21, division (B)(1) of section 2919.22, division (B) of section 2919.23, or section 2919.24 of the Revised Code, provided the charge is not included in an indictment that also charges the alleged adult offender with the commission of a felony arising out of the same actions that are the basis of the alleged violation of division (C) of section 2919.21, division (B)(1) of section 2919.22, division (B) of section 2919.23, or section 2919.24 of the Revised Code;

(7) Under the interstate compact on juveniles in section 2151.56 of the Revised Code;

(8) Concerning any child who is to be taken into custody pursuant to section 2151.31 of the Revised Code, upon being notified of the intent to take the child into custody and the reasons for taking the child into custody;

(9) To hear and determine requests for the extension of temporary custody agreements, and requests for court approval of permanent custody agreements, that are filed pursuant to section 5103.15 of the Revised Code;

(10) To hear and determine applications for consent to marry pursuant to section 3101.04 of the Revised Code;

(11) Subject to division (V) of section 2301.03 of the Revised Code, to hear and determine a request for an order for the support of any child if the request is not ancillary to an action for divorce, dissolution of marriage, annulment, or legal separation, a criminal or civil action involving an allegation of domestic violence, or an action for support brought under Chapter 3115. of the Revised Code;

(12) Concerning an action commenced under section 121.38 of the Revised Code;

(13) Concerning an action commenced under section 2151.55 of the Revised Code.

(B) The juvenile court has original jurisdiction under the Revised Code:

(1) To hear and determine all cases of misdemeanors charging adults with any act or omission with respect to any child, which act or omission is a violation of any state law or any municipal ordinance;

(2) To determine the paternity of any child alleged to have been born out of wedlock pursuant to sections 3111.01 to 3111.19 of the Revised Code;

(3) Under the uniform ~~reciprocal enforcement~~ of interstate family support act in Chapter 3115. of the Revised Code;

(4) To hear and determine an application for an order for the support of

any child, if the child is not a ward of another court of this state;

(5) To hear and determine an action commenced under section 5101.314 Of the Revised Code.

(C) The juvenile court, except as to juvenile courts that are a separate division of the court of common pleas or a separate and independent juvenile court, has jurisdiction to hear, determine, and make a record of any action for divorce or legal separation that involves the custody or care of children and that is filed in the court of common pleas and certified by the court of common pleas with all the papers filed in the action to the juvenile court for trial, provided that no certification of that nature shall be made to any juvenile court unless the consent of the juvenile judge first is obtained. After a certification of that nature is made and consent is obtained, the juvenile court shall proceed as if the action originally had been begun in that court, except as to awards for spousal support or support due and unpaid at the time of certification, over which the juvenile court has no jurisdiction.

(D) The juvenile court has jurisdiction to hear and determine all matters as to custody and support of children duly certified by the court of common pleas to the juvenile court after a divorce decree has been granted, including jurisdiction to modify the judgment and decree of the court of common pleas as the same relate to the custody and support of children.

(E) The juvenile court has jurisdiction to hear and determine the case of any child certified to the court by any court of competent jurisdiction if the child comes within the jurisdiction of the juvenile court as defined by this section.

(F)(1) The juvenile court shall exercise its jurisdiction in child custody matters in accordance with sections 3109.04, 3109.21 to 3109.36, and 5103.20 to 5103.28 of the Revised Code.

(2) The juvenile court shall exercise its jurisdiction in child support matters in accordance with section 3109.05 of the Revised Code.

(G)(1) Each order for child support made or modified by a juvenile court ~~on or after December 31, 1993,~~ shall include as part of the order a general provision, as described in division (A)(1) of section 3113.21 of the Revised Code, requiring the withholding or deduction of ~~wages~~ income or assets of the obligor under the order as described in division (D) of section 3113.21 of the Revised Code, or another type of appropriate requirement as described in division (D)~~(6)(3)~~, (D)~~(7)(4)~~, or (H) of that section, to ensure that withholding or deduction from the ~~wages~~ income or assets of the obligor is available from the commencement of the support order for collection of the support and of any arrearages that occur; a statement requiring all parties to the order to notify the child support enforcement

agency in writing of their current mailing address, ~~their~~ current residence address, current residence telephone number, and current driver's license number, and any changes ~~in either address to that information;~~ and a notice that the requirement to notify the child support enforcement agency of all changes ~~in either address to that information~~ continues until further notice from the court. Any juvenile court that makes or modifies an order for child support ~~on or after April 12, 1990,~~ shall comply with sections 3113.21 to 3113.219 of the Revised Code. If any person required to pay child support under an order made by a juvenile court on or after April 15, 1985, or modified on or after December 1, 1986, is found in contempt of court for failure to make support payments under the order, the court that makes the finding, in addition to any other penalty or remedy imposed, shall assess all court costs arising out of the contempt proceeding against the person and require the person to pay any reasonable attorney's fees of any adverse party, as determined by the court, that arose in relation to the act of contempt.

(2) Notwithstanding section 3109.01 of the Revised Code, if a juvenile court issues a child support order under this chapter, the order shall remain in effect beyond the child's eighteenth birthday as long as the child continuously attends on a full-time basis any recognized and accredited high school or the order provides that the duty of support of the child continues beyond the child's eighteenth birthday. Except in cases in which the order provides that the duty of support continues for any period after the child reaches nineteen years of age the order shall not remain in effect after the child reaches nineteen years of age. Any parent ordered to pay support under a child support order issued under this chapter shall continue to pay support under the order, including during seasonal vacation periods, until the order terminates.

(H) If a child who is charged with an act that would be an offense if committed by an adult was fourteen years of age or older and under eighteen years of age at the time of the alleged act and if the case is transferred for criminal prosecution pursuant to section 2151.26 of the Revised Code, the juvenile court does not have jurisdiction to hear or determine the case subsequent to the transfer. The court to which the case is transferred for criminal prosecution pursuant to that section has jurisdiction subsequent to the transfer to hear and determine the case in the same manner as if the case originally had been commenced in that court, including, but not limited to, jurisdiction to accept a plea of guilty or another plea authorized by Criminal Rule 11 or another section of the Revised Code and jurisdiction to accept a verdict and to enter a judgment of conviction pursuant to the Rules of

Criminal Procedure against the child for the commission of the offense that was the basis of the transfer of the case for criminal prosecution, whether the conviction is for the same degree or a lesser degree of the offense charged, for the commission of a lesser-included offense, or for the commission of another offense that is different from the offense charged.

(I) If a person under eighteen years of age allegedly commits an act that would be a felony if committed by an adult and if the person is not taken into custody or apprehended for that act until after the person attains twenty-one years of age, the juvenile court does not have jurisdiction to hear or determine any portion of the case charging the person with committing that act. In those circumstances, divisions (B) and (C) of section 2151.26 of the Revised Code do not apply regarding the act, the case charging the person with committing the act shall be a criminal prosecution commenced and heard in the appropriate court having jurisdiction of the offense as if the person had been eighteen years of age or older when the person committed the act, all proceedings pertaining to the act shall be within the jurisdiction of the court having jurisdiction of the offense, and the court having jurisdiction of the offense has all the authority and duties in the case as it has in other criminal cases commenced in that court.

Sec. 2151.231. The parent, guardian, or custodian of a child, the person with whom a child resides, or the child support enforcement agency of the county in which the child, parent, guardian, or custodian of the child resides may bring an action in a juvenile court under this section requesting the court to issue an order requiring a parent of the child to pay an amount for the support of the child without regard to the marital status of the child's parents.

The parties to an action under this section may raise the issue of the existence or nonexistence of a parent-child relationship, unless a final and enforceable determination of the issue has been made with respect to the parties pursuant to Chapter 3111. of the Revised Code or an acknowledgment of paternity signed by the child's parents has become final pursuant to section 2151.232, 3111.211, or 5101.314 Of the Revised Code. If a complaint is filed under this section and an issue concerning the existence or nonexistence of a parent-child relationship is raised, the court shall treat the action as an action pursuant to sections 3111.01 to 3111.19 of the Revised Code. An order issued in an action under this section does not preclude a party to the action from bringing a subsequent action pursuant to sections 3111.01 to 3111.19 of the Revised Code if the issue concerning the existence or nonexistence of the parent-child relationship was not determined with respect to the party pursuant to a proceeding under this

section, a proceeding under Chapter 3111. Of the Revised Code, or an acknowledgment of paternity that has become final under section 2151.232, 3111.211, or 5101.314 Of the Revised Code. An order issued pursuant to this section shall remain effective until an order is issued pursuant to sections 3111.01 to 3111.19 of the Revised Code that a parent-child relationship does not exist between the alleged father of the child and the child or until the occurrence of an event described in division (G)(4)(a) of section 3113.21 of the Revised Code that would require the order to terminate.

The court, in accordance with section 3113.217 Of the Revised Code, shall include in each support order made under this section the requirement that one or both of the parents provide for the health care needs of the child to the satisfaction of the court.

Sec. 2151.232. If an acknowledgment has been filed and entered into the birth registry pursuant to section 5101.314 of the Revised Code but has not yet become final, either parent who signed the acknowledgment may bring an action in the juvenile court under this section requesting that the court issue an order requiring a parent of the child to pay an amount for the support of the child in accordance with sections 3113.21 to 3113.219 Of the Revised Code.

The parties to an action under this section may raise the issue of the existence or nonexistence of a parent-child relationship. If an action is commenced pursuant to this section and the issue of the existence or nonexistence of a parent-child relationship is raised, the court shall treat the action as an action commenced pursuant to sections 3111.01 to 3111.19 of the Revised Code. If the issue is raised, the court shall promptly notify the division of child support in the department of human services that it is conducting proceedings in compliance with sections 3111.01 to 3111.19 of the Revised Code. On receipt of the notice by the division, the acknowledgment of paternity signed by the parties and filed pursuant to section 5101.314 of the Revised Code shall be considered rescinded.

If the parties do not raise the issue of the existence or nonexistence of a parent-child relationship in the action and an order is issued pursuant to this section prior to the date the acknowledgment filed and entered on the birth registry under section 5101.314 of the Revised Code becomes final, the acknowledgment shall be considered final as of the date of the issuance of the order. An order issued pursuant to this section shall not affect an acknowledgment that becomes final pursuant to section 5101.314 of the Revised Code prior to the issuance of the order.

Sec. 2151.33. (A) Pending hearing of a complaint filed under section

51.27 of the Revised Code or a motion filed or made under division (B) of this section and the service of citations, the juvenile court may make any temporary disposition of any child that it considers necessary to protect the best interest of the child and that can be made pursuant to division (B) of this section. Upon the certificate of one or more reputable practicing physicians, the court may summarily provide for emergency medical and surgical treatment that appears to be immediately necessary to preserve the health and well-being of any child concerning whom a complaint or an application for care has been filed, pending the service of a citation upon the child's parents, guardian, or custodian. The court may order the parents, guardian, or custodian, if the court finds the parents, guardian, or custodian able to do so, to reimburse the court for the expense involved in providing the emergency medical or surgical treatment. Any person who disobeys the order for reimbursement may be adjudged in contempt of court and punished accordingly.

If the emergency medical or surgical treatment is furnished to a child who is found at the hearing to be a nonresident of the county in which the court is located and if the expense of the medical or surgical treatment cannot be recovered from the parents, legal guardian, or custodian of the child, the board of county commissioners of the county in which the child has a legal settlement shall reimburse the court for the reasonable cost of the emergency medical or surgical treatment out of its general fund.

(B)(1) After a complaint, petition, writ, or other document initiating a case dealing with an alleged or adjudicated abused, neglected, or dependent child is filed and upon the filing or making of a motion pursuant to division (C) of this section, the court, prior to the final disposition of the case, may issue any of the following temporary orders to protect the best interest of the child:

(a) An order granting temporary custody of the child to a particular party;

(b) An order for the taking of the child into custody pursuant to section 2151.31 of the Revised Code pending the outcome of the adjudicatory and dispositional hearings;

(c) An order granting, limiting, or eliminating visitation rights with respect to the child;

(d) An order requiring a party to vacate a residence that will be lawfully occupied by the child;

(e) An order requiring a party to attend an appropriate counseling program that is reasonably available to that party;

(f) Any other order that restrains or otherwise controls the conduct of

any party which conduct would not be in the best interest of the child.

(2) Prior to the final disposition of a case subject to division (B)(1) of this section, the court shall do both of the following:

(a) Issue an order pursuant to sections 3113.21 to 3113.219 of the Revised Code requiring the parents, guardian, or person charged with the child's support to pay support for the child.

(b) Issue an order requiring the parents, guardian, or person charged with the child's support to continue to maintain any health insurance coverage for the child that existed at the time of the filing of the complaint, petition, writ, or other document, or to obtain health insurance coverage ~~pursuant to~~ in accordance with section 3113.217 of the Revised Code.

(C)(1) A court may issue an order pursuant to division (B) of this section upon its own motion or if a party files a written motion or makes an oral motion requesting the issuance of the order and stating the reasons for it. Any notice sent by the court as a result of a motion pursuant to this division shall contain a notice that any party to a juvenile proceeding has the right to be represented by counsel and to have appointed counsel if the person is indigent.

(2) If a child is taken into custody pursuant to section 2151.31 of the Revised Code and placed in shelter care, the public children services agency or private child placing agency with which the child is placed in shelter care shall file or make a motion as described in division (C)(1) of this section before the end of the next day immediately after the date on which the child was taken into custody and, at a minimum, shall request an order for temporary custody under division (B)(1)(a) of this section.

(3) Any court that issues an order pursuant to division (B)(1)(b) of this section shall make the determination and issue the written finding of facts required by section 2151.419 of the Revised Code.

(D) The court may grant an ex parte order upon its own motion or a motion filed or made pursuant to division (C) of this section requesting such an order if it appears to the court that the best interest and the welfare of the child require that the court issue the order immediately. The court, if acting on its own motion, or the person requesting the granting of an ex parte order, to the extent possible, shall give notice of its intent or of the request to the parents, guardian, or custodian of the child who is the subject of the request. If the court issues an ex parte order, the court shall hold a hearing to review the order within seventy-two hours after it is issued or before the end of the next day after the day on which it is issued, whichever occurs first. The court shall give written notice of the hearing to all parties to the action and shall appoint a guardian ad litem for the child prior to the hearing.

The written notice shall be given by all means that are reasonably likely to result in the party receiving actual notice and shall include all of the following:

- (1) The date, time, and location of the hearing;
- (2) The issues to be addressed at the hearing;
- (3) A statement that every party to the hearing has a right to counsel and to court appointed counsel, if the party is indigent;
- (4) The name, telephone number, and address of the person requesting the order;
- (5) A copy of the order, except when it is not possible to obtain it because of the exigent circumstances in the case.

If the court does not grant an ex parte order pursuant to a motion filed or made pursuant to division (C) of this section or its own motion, the court shall hold a shelter care hearing on the motion within ten days after the motion is filed. The court shall give notice of the hearing to all affected parties in the same manner as set forth in the Juvenile Rules.

(E) The court, pending the outcome of the adjudicatory and dispositional hearings, shall not issue an order granting temporary custody of a child to a public children services agency or private child placing agency pursuant to this section, unless the court determines and specifically states in the order that the continued residence of the child in the child's current home will be contrary to the child's best interest and welfare and makes the determination and issues the written finding of facts required by section 2151.419 of the Revised Code.

(F) Each public children services agency and private child placing agency that receives temporary custody of a child pursuant to this section shall maintain in the child's case record written documentation that it has placed the child, to the extent that it is consistent with the best interest, welfare, and special needs of the child, in the most family-like setting available and in close proximity to the home of the parents, custodian, or guardian of the child.

(G) For good cause shown, any court order that is issued pursuant to this section may be reviewed by the court at any time upon motion of any party to the action or upon the motion of the court.

Sec. 2151.49. In every case of conviction under sections 2151.01 to 2151.54 of the Revised Code, where imprisonment is imposed as part of the punishment, the juvenile judge may suspend sentence, before or during commitment, upon such condition as ~~he~~ the juvenile judge imposes. In the case of conviction for non-support of a child who is receiving aid under Chapter 5107. or 5115. of the Revised Code, if the juvenile judge suspends

sentence on condition that the person make payments for support, the payment shall be made to the county department of human services rather than to the child or custodian of the child.

The court, in accordance with section 3113.217 Of the Revised Code, shall include in each support order made under this section the requirement that one or both of the parents provide for the health care needs of the child to the satisfaction of the court.

Sec. 2301.34. As used in sections 2301.34 to ~~2301.42~~ 2301.46 of the Revised Code:

(A) "Default" means any failure to pay under a support order that is an amount greater than or equal to the amount of support payable under the support order for one month.

(B) "Support order" means an order ~~of a court~~ requiring ~~payments~~ payment of support issued pursuant to section 2151.23, 2151.231, 2151.232, 2151.33, 2151.36, 2151.49, 3105.18, 3105.21, 3109.05, 3109.19, 3111.13, 3111.20, ~~3111.21~~ 3111.211, 3111.22, 3113.04, 3113.07, 3113.31, or ~~3115.22~~ 3115.31 of the Revised Code.

(C) "Obligor" and "obligee" have the same meaning as in section 3113.21 of the Revised Code.

Sec. 2301.35. (A) Each county shall have a child support enforcement agency. A government entity designated under this section prior to the effective date of this amendment or a private or government entity designated under section 307.981 of the Revised Code on or after that date may serve as a county's child support enforcement agency.

(B) Each child support enforcement agency shall enter into a plan of cooperation with the board of county commissioners under section 307.983 of the Revised Code and comply with the partnership agreement the board enters into under section 307.98 and contracts the board enters into under sections 307.981 and 307.982 of the Revised Code that affect the agency.

(C) The child support enforcement agency for a county is the local Title IV-D agency for the county and shall operate a program for support enforcement in the county, which program shall comply with Title IV-D of the "Social Security Act," 88 Stat. 2351 (1975), 42 U.S.C. 651, as amended, any rules adopted pursuant to that title, and sections 2151.23, 2151.231, 2151.232, 2151.33, 2301.34 to ~~2301.42~~ 2301.46, 3105.18, 3105.21, 3109.05, 3109.19, 3111.13, 3111.20, ~~3111.21~~ 3111.211, 3111.22, 3113.04, 3113.21 to 3113.219, 3113.31, and ~~3115.22~~ 3115.31 of the Revised Code. Each child support enforcement agency shall be operated under the supervision of the state department of human services in accordance with the program of child support enforcement established pursuant to section

5101.31 of the Revised Code, shall be responsible in the county it serves for the ~~collection enforcement of payments due under~~ support orders, and shall perform all administrative duties related to the ~~collection enforcement of payments due under~~ any support order. Except as provided in division (H) of this section and pursuant to sections 2301.38 and 2301.45 Of the Revised Code, no child support enforcement agency shall collect any support amounts due under a support order as part of its duties to enforce support orders. No child support enforcement agency shall use any social security number made available to it under section 3705.07 of the Revised Code for any purpose other than child support enforcement. The department shall ensure that all child support enforcement agencies comply with all applicable state and federal support regulations, including the affirmative duties of Title IV-D of the Social Security Act.

Each child support enforcement agency may enter into contracts with public agencies and private vendors for ~~the collection of amounts due under support orders,~~ for assistance in establishing paternity or support obligations, or for the performance of other administrative duties of the agency. Each child support enforcement agency may contract with a collection agent ~~in accordance with section 2301.42 of the Revised Code~~ for the collection of arrearages ~~described in that section~~ owed under child support orders being administered by the agency. Before entering into a contract for ~~the collection of support,~~ assistance in establishing paternity or support obligations, ~~or for other administrative services,~~ or for the collection of arrearages by a collection agent, a child support enforcement agency shall comply with sections 307.86 to 307.92 of the Revised Code and any rules adopted by the state department of human services pursuant to division (D)(1) of this section.

(D)(1) The state department of human services shall adopt rules under Chapter 119. of the Revised Code governing the operation of support enforcement by child support enforcement agencies. The rules shall include, but shall not be limited to, provisions relating to contracts between the agencies and boards of county commissioners entered into under division (B)(1) of this section, requirements for public hearings by the agencies, and provisions for appeals of agency decisions under procedures established by the department.

(2) The state department of human services shall adopt in accordance with Chapter 119. of the Revised Code rules governing the establishment by child support enforcement agencies of on-site genetic testing programs to be used in actions under sections 3111.01 to 3111.19 of the Revised Code and in administrative procedures under sections 3111.20 to 3111.29 of the

Revised Code. The rules shall include, but are not limited to, provisions relating to the environment in which a blood or buccal cell sample may be drawn, the medical personnel who may draw a sample, the trained personnel who may perform the genetic comparison, the types of genetic testing that may be performed on a sample, and the procedure for notifying the court of the location at which the sample will be drawn, who will draw the sample, and who will perform the genetic testing on the sample, and any other procedures or standards the department determines are necessary for the implementation of on-site genetic testing.

(E) Each child support enforcement agency designated under this section shall enter into written agreements with the courts, the prosecuting attorney, and law enforcement officials of the county it serves, which agreements shall establish cooperative working arrangements and specify areas of responsibility for the enforcement of support among the agency, courts, and officials. The agreements shall provide for the reimbursement of the courts and law enforcement officials for the responsibilities they assume and actions they undertake pursuant to such agreements.

(F)(1) ~~Every~~ A child support enforcement agency shall maintain records ~~listing the date a support order was entered, the amount of any payment made under it, the date on which payments are required to be made, the names and addresses of the parties affected by the order, and the current records of payments and disbursements of support orders being administered or otherwise handled by the agency pursuant to section 5101.319 Of the Revised Code.~~

(2) Each obligor and each obligee under a support order may review all records maintained under division (F)(1) of this section that pertain to the support order and any other information ~~in any file~~ maintained by the child support enforcement agency, except to the extent prohibited by state or federal law.

(G)(1) ~~If a~~ A court or administrative agency that issues or modifies a support order ~~on or after October 5, 1987, regardless of when the modified support order was issued, the child support enforcement agency of the county shall collect~~ impose a processing charge that is the greater of two per cent of the support payment to be collected under a support order or one dollar per month from on the obligor under the support order. ~~The child support enforcement agency and the court shall enter into an agreement that provides for the application by December 31, 1988, of that amount to all support orders issued prior to October 5, 1987, unless the date for the application of that amount to those orders is extended by mutual agreement between the child support enforcement agency and the court.~~ The obligor

shall pay the amount with every current support payment, and with every payment on arrearages. ~~If an obligor fails to pay the required amount with each support payment due in increments specified under the support order, the child support enforcement agency shall maintain a separate arrearage account of that amount for that obligor. The agency shall not deduct the unpaid amount from any support payment due to the obligee in increments specified under the support order. If an obligor pays the required amount, the child support enforcement agency is not required to apply that payment toward any arrearages under the support payment. No moneys received by a child support enforcement agency pursuant to this division shall be used for any purpose other than the provision of funds for the administration of its program of support enforcement.~~ No court or agency may call the charge a poundage fee.

(2) The board of county commissioners of each county shall budget and appropriate to the child support enforcement agency serving the county all of the following:

~~(a) Money collected pursuant to division (G)(1) of this section;~~

~~(b) All federal money payable to the county child support enforcement agency on the basis of its success in collecting overdue support obligations, establishing paternity, and implementing other activities related to child support enforcement under Title IV-D of the Social Security Act;~~

~~(c)(b) Any funds that may be received from other federal or state sources for the child support enforcement agency;~~

~~(d) Notwithstanding any provision of the Revised Code that provides otherwise, all interest earned on moneys in the child support enforcement agency's depository accounts.~~

(3) All moneys received from the federal or state government for reimbursement for support enforcement activities shall be used solely for support enforcement activities.

(4) A board of county commissioners may request that the department of human services grant a waiver of the requirement that the money specified in division (G)(2)~~(b)~~(a) of this section be budgeted and appropriated to the child support enforcement agency if the board can demonstrate, by meeting criteria established by the department, that the child support enforcement agency is effectively using procedures for establishing paternity, meeting the mandated service needs of clients, and complying with all applicable state and federal support rules and regulations.

~~(H)(5)~~(5) A child support enforcement agency may invest any of the moneys collected pursuant to the performance of its duties under sections

2301.34 to ~~2301.42~~ 2301.46 of the Revised Code in a repurchase agreement in which a bank agrees to sell short-term federally guaranteed securities with an obligation of the bank to repurchase the securities. All interest derived pursuant to investments made under this division shall be retained by the child support enforcement agency and used solely for support enforcement activities.

(H)(1) Notwithstanding any other section of the Revised Code and except as provided in division (H)(4) of this section, a child support enforcement agency shall collect and disburse all support amounts under a support order it is administering pursuant to law as it existed prior to the effective date of this amendment and shall collect the additional amount imposed under division (G)(1) of this section as it existed prior to the effective date of this amendment until the support order is converted to the automated data processing system under section 5101.322 of the Revised Code and the division of child support in the department of human services authorizes centralized collection and disbursement of support amounts under the support order pursuant to the rules adopted under division (F)(1) of section 5101.325 of the Revised Code. Once the support order is converted and the division gives the authorization, the support amounts and the additional amount shall be collected, and the support amount shall be disbursed, under the support order according to the provisions of House Bill No. 352 of the 122nd general assembly.

(2) Notwithstanding any other section of the Revised Code and except as provided in division (H)(4) of this section, the agency administering the support order shall collect the amounts permitted to be collected, and perform other duties required, with respect to the support order pursuant to division (D)(1) of section 2301.373, division (B)(3)(a) of section 2301.374, divisions (E)(4)(b), (F), and (I) of section 3111.23, division (E) of section 3111.99, divisions (G)(4)(b), (H)(3), and (K) of section 3113.21, division (B) of section 3113.212, division (E) of section 3113.99, and division (A)(3) of section 5101.323 of the Revised Code as those sections existed prior to the effective date of this amendment, and the agency shall collect the amounts permitted to be collected by the division, and perform other duties required of the division, with respect to the support order pursuant to division (D)(1)(a) of section 2301.375 and division (D)(2) of section 2301.43 of the Revised Code as those sections are enacted by House Bill No. 352 of the 122nd general assembly, until the support order is converted and authorization for centralized collection and disbursement is given. Once the support order is converted and the authorization is given, the amounts shall be collected, and the duties shall be performed, by the division

ding to the provisions of House Bill No. 352 of the 122nd general assembly.

(3) All support orders shall be converted and all authorizations shall be given by the division prior to July 1, 1999.

(4)(a) After conversion occurs and authorization for centralized collection and disbursement is granted pursuant to this section, a child support enforcement agency may continue to collect the following amounts from obligors who pay the amounts in person at the office of the agency:

(i) Current support amounts and arrearages due under a support order being administered by the agency and the additional amount imposed pursuant to division (G)(1) of this section with respect to the order:

(ii) Amounts collected pursuant to division (D)(1) of section 2301.373, divisions (B)(3)(a) and (C)(3)(a) of section 2301.374, section 2301.375, division (D)(2) of section 2301.43, division (E) of section 3111.99, division (E) of section 3113.99, and division (A)(3) of section 5101.323 of the Revised Code.

(b) All amounts collected pursuant to division (H)(4)(a) of this section shall be forwarded to the division no later than one day after receipt of the amounts.

(5) Amounts collected by a collection agent that has a contract with a child support enforcement agency pursuant to division (C) of this section shall be paid to the division. The agency shall forward any amounts collected pursuant to sections 2301.38 and 2301.45 Of the Revised Code to the division no later than one day after receipt of those amounts.

(I)(1) Subject to division (I)(2) of this section, all support orders that are administered by a child support enforcement agency designated under this section and are eligible for Title IV-D services shall be Title IV-D cases under Title IV-D of the "Social Security Act." Subject to division (I)(2) of this section, all obligees of support orders administered by the child support enforcement agency shall be considered to have filed a signed application for Title IV-D services.

(2) A court that, ~~on or after July 1, 1990,~~ issues or modifies a support order shall require the obligee under the order to sign, at the time of the issuance or modification of the order, an application for Title IV-D services and to file, as soon as possible, the signed application with the child support enforcement agency that will administer the order. The application shall be on a form prescribed by the department of human services. A support order that ~~is issued or modified on or after July 1, 1990,~~ that is administered by a child support enforcement agency, and that is eligible for Title IV-D services shall be a Title IV-D case under Title IV-D of the "Social Security Act" only upon the filing of the signed application for Title IV-D services.

(3) A child support enforcement agency shall make available an application for Title IV-D services to all persons requesting a child support enforcement agency's assistance in an action under sections 3111.01 to 3111.19 of the Revised Code or in an administrative proceeding brought under sections 3111.20 to 3111.29 of the Revised Code.

(J)(1) As used in this section, "current support payment" means the amount of support due an obligee that an obligor is required to pay in a particular payment for the current month as specified in a support order. "Current support payment" does not include payments on arrearages under the support order.

(2) As used in the Revised Code, "child support enforcement agency" means the child support enforcement agency designated under this section prior to the effective date of this amendment or a private or government entity designated a child support enforcement agency under section 307.981 of the Revised Code on or after that date.

~~Sec. 2301.353. (A)(1)(a) Any consumer reporting agency may contact any child support enforcement agency and request the child support enforcement agency to provide to the consumer reporting agency, in accordance with this section, information as to all persons who have been found by a court to be in default under a support order being administered or otherwise handled by the child support enforcement agency. If a request of that nature is received by a child support enforcement agency, if the consumer reporting agency pays the requisite fee for the requested information as prescribed pursuant to division (F) of this section, and if, after complying with divisions (A)(2) and (B) to (D) of this section, the child support enforcement agency is required to provide the requested information with respect to any obligor in default under a support order being administered or otherwise handled by the child support enforcement agency, the child support enforcement agency shall comply with the request of the consumer reporting agency.~~

~~(b) After complying with divisions (A)(2) and (B) to (D) of this section, any If a court or child support enforcement agency makes a final and enforceable determination pursuant to division (B) of section 3113.21 Of the Revised Code that an obligor is in default under a support order, the child support enforcement agency may administering the support order shall contact any at least one consumer reporting agency in the county in which the child support enforcement agency is located, in any other county of this state, or in another state and may provide to the consumer reporting agency information as to persons who have been found by a court to be in default under a support order being administered or otherwise handled by the child~~

~~support enforcement agency. The administrative head of the obligor's name, address, and social security number or other identification number and any other identifying information concerning the obligor the child support enforcement agency shall determine, in his discretion and pursuant to division (A)(1)(b) of this section, when any consumer reporting agency will be contacted has. A child support enforcement agency shall not charge a consumer reporting agency a fee for information provided by the child support enforcement agency pursuant to division (A)(1)(b) of this section.~~

~~(2) For purposes of this section, each child support enforcement agency periodically shall review its records maintained under section 2301.35 of the Revised Code to determine whether an obligor under any support order being administered or otherwise handled by the agency has been found by a court to be in default under the support order.~~

~~(B) If a child support enforcement agency, upon conducting a review of its records under division (A)(2) of this section, determines that an obligor has been found by a court to be in default under a support order being administered or otherwise handled by it, the agency shall send written notice of its determination and the possible consequences to the obligor, by ordinary first class mail, at the most recent address it has for the obligor. The notice may be incorporated in a notice of default sent to the obligor pursuant to section 3113.21 of the Revised Code or in a notice sent to the obligor pursuant to section 5101.32 or 5101.321 of the Revised Code. The mailing of the notice shall be evidenced by a certificate of mailing filed with the clerk of the court. The notice shall indicate all of the following:~~

~~(1) That the records of the child support enforcement agency show that the obligor has been found by a court to be in default under a support order;~~

~~(2) The amount of the arrearage allegedly resulting from the default, as shown in the records;~~

~~(3) That, if he does not wish to contest the records, he must pay the arrearage within fourteen days after his receipt of the notice or either or both of the following may occur:~~

~~(a) The child support enforcement agency, in the discretion of its administrative head, may contact one or more consumer reporting agencies in the county in which the child support enforcement agency is located, in another county of this state, or in another state and inform those agencies that the obligor has been found by a court to be in default under a support order being administered or otherwise handled by the child support enforcement agency.~~

~~(b) The child support enforcement agency will inform each consumer reporting agency that requests the information that the obligor has been~~

~~found by a court to be in default under a support order being administered or otherwise handled by the child support enforcement agency.~~

~~(4) That, if he believes the records are erroneous, he may file, within ten days after his receipt of the notice, a written request with the child support enforcement agency for a hearing to contest the records;~~

~~(5) That, if he requests a hearing within the specified time period, a hearing will be conducted, and, if he proves to the child support enforcement agency at the hearing that the amount of arrearage indicated is incorrect or that he actually is not in default under the support order, the agency will modify its records accordingly;~~

~~(6) That, if he does not timely request a hearing or timely pay the amount of the arrearage or if he timely requests a hearing but the child support enforcement agency determines at the hearing that the obligor has been found by a court to be in default under a support order and that he is in default under the order, either or both of the following may occur:~~

~~(a) The child support enforcement agency, in the discretion of its administrative head, may contact one or more consumer reporting agencies in the county in which the child support enforcement agency is located, in another county of this state, or in another state, inform those agencies that the obligor has been found by a court to be in default under a support order being administered or otherwise handled by the child support enforcement agency, and indicate the amount of the arrearage as of that time resulting from the default.~~

~~(b) The child support enforcement agency will inform each consumer reporting agency that requests the information that he has been found by a court to be in default under a support order being administered or otherwise handled by the child support enforcement agency and indicate to that consumer reporting agency the amount of the arrearage as of that time resulting from the default.~~

~~(C)(1) Upon receipt of a notice pursuant to division (B) of this section, the obligor who is sent the notice, within ten days after his receipt of the notice, may file a request for a hearing to contest the accuracy of the records that are the subject of the notice. The request shall be filed with the child support enforcement agency that sent the notice to him and shall be made on a form provided by that agency.~~

~~(2) If an obligor who is sent a written notice under division (B) of this section requests a hearing pursuant to division (C)(1) of this section within ten days after his receipt of the notice, the child support enforcement agency shall schedule a hearing within ten days after the request is made, shall give notice of the date, time, and place of the hearing to the obligor who made~~

~~the request and to the obligee under the order, and shall conduct the hearing accordingly. At the hearing, the sole issues to be decided are whether a court determined that the obligor is in default under the related support order, whether the obligor who requested the hearing actually is in default under the related support order and, if he is in default, the amount of the arrearage resulting from the default. Any interested party may present testimony and other evidence that is relevant to the issues to be decided at the hearing.~~

~~If the child support enforcement agency determines by a preponderance of the evidence from the testimony and evidence presented at the hearing that no court has determined that the obligor is in default under the related support order or that the obligor is not in default under the related support order, the agency shall modify its records accordingly and shall not notify pursuant to division (A)(1)(a) or (b) of this section any consumer reporting agency of any default relative to that support order. If the child support enforcement agency determines at the hearing that a court has determined that the obligor is in default under the related support order and that the obligor actually is in default under the related support order, it shall issue a written statement that the obligor has been found by a court to be in default under a support order and of the amount of the arrearage as of that time. The child support enforcement agency shall give each consumer reporting agency that requested information pursuant to division (A)(1)(a) of this section or each consumer reporting agency selected by the administrative head of the child support enforcement agency pursuant to division (A)(1)(b) of this section a copy of the written statement or provide the consumer reporting agency with the information contained in the written statement. The child support enforcement agency shall notify the obligor of the name, address, and telephone number of each consumer reporting agency to which it gives a copy of the written statement and of each consumer reporting agency to which it provides the information contained in the written statement.~~

~~(3) If an obligor who is sent a written notice under division (B) of this section does not request a hearing within ten days after his receipt of the notice but the obligor pays the arrearage under the support order within fourteen days after his receipt of the notice, the child support enforcement agency shall modify its records accordingly and shall not notify pursuant to division (A)(1)(a) or (b) of this section any consumer reporting agency of any default relative to that order.~~

~~(4)(B) If a child support enforcement agency gives contacts a consumer reporting agency a copy of a written statement that an obligor has been found by a court to be in default under a support order or gives the consumer~~

~~reporting agency the information contained in the written statement pursuant to division (A) of this section and if that the obligor pays the entire arrearage under the support order that is the subject of the statement basis for the determination of default, both of the following apply:~~

~~(a)(1) The obligor may give each consumer reporting agency that received a copy of the written statement or the information contained in the written statement contacted a written notice that the arrearage specified in the statement has been paid in full and may request the child support enforcement agency to give each consumer reporting agency that received the written statement or information was contacted a written confirmation that the arrearage specified in the statement has been paid in full. The consumer reporting agency shall not record the full payment of the obligor's arrearage until the child support enforcement agency confirms the payment.~~

~~(b)(2) If the obligor requests the child support enforcement agency to confirm that the arrearage has been paid in full, the child support enforcement agency shall give each consumer reporting agency to which the child support enforcement agency gave the written statement or the information contacted written confirmation that the arrearage that was the subject of the statement has been paid in full.~~

~~(D) If an obligor who is sent a written notice under division (B) of this section does not request a hearing within ten days after his receipt of the notice and does not timely pay the arrearage, the child support enforcement agency shall not conduct a hearing on the matter, and either or both of the following apply:~~

~~(1) The child support enforcement agency, in the discretion of its administrative head, may contact one or more consumer reporting agencies in the county in which the child support enforcement agency is located, in another county of this state, or in another state and give those agencies one of the following:~~

~~(a) A written statement that its records indicate that the obligor has been found by a court to be in default under a support order being administered or otherwise handled by the child support enforcement agency and of the amount of the arrearage resulting from the default as indicated in the records;~~

~~(b) The information that would be included in a written statement described in division (D)(1)(a) of this section.~~

~~(2) The child support enforcement agency shall give each consumer reporting agency that requests the information a written statement as described in division (D)(1)(a) of this section or information as described in division (D)(1)(b) of this section.~~

~~(E)~~ A notification to a consumer reporting agency under division (C) or (D) of this section shall include the obligor's name, address, and social security number or other identification number and any other identifying information concerning the obligor that is known by the child support enforcement agency.

~~(F)~~ The administrative head of each child support enforcement agency, by rule, may prescribe a reasonable fee that a consumer reporting agency, except as otherwise provided in this division, shall pay upon the making of a request for information pursuant to division (A)(1)(a) of this section. The fee prescribed under this division shall not exceed the average actual cost experienced by the child support enforcement agency in performing the duties imposed upon it by this section in connection with consumer reporting agencies that make requests for information pursuant to division (A)(1)(a) of this section. A child support enforcement agency may charge the fee only when a consumer reporting agency has made a request for information pursuant to division (A)(1)(a) of this section, the child support enforcement agency is required to provide a notice to the obligor pursuant to division (B) of this section, and the notice is not incorporated in a notice sent to the obligor pursuant to section 3113.21, 5101.32, or 5101.321 of the Revised Code.

~~(G)~~(C) As used in this section, "consumer reporting agency" has the same meaning as in section 5101.311 of the Revised Code.

Sec. 2301.355. A child support enforcement agency may establish a program to increase child support collections by publishing and distributing a series of posters displaying child support obligors who are delinquent in their support payments. Each poster shall display photographs of, and information about, ten obligors who are liable for support arrearages and whose whereabouts are unknown to the agency. Each poster shall list a toll-free telephone number that may be called to report information regarding the whereabouts of any of the obligors displayed on the poster. The agency may include any other information on the poster that it considers appropriate.

The agency shall select obligors for inclusion on a poster from obligors that meet the criteria in division (B) of section 5101.323 of the Revised Code. The agency shall send notice to each obligor whose name is being considered for display on a poster. The notice shall be sent by regular mail to the obligor's last known address and shall include the information specified in division (A)(3) of section 5101.323 of the Revised Code.

Sec. 2301.356. If a child support enforcement agency is made a party to an action brought to establish a parent and child relationship under sections

3111.01 to 3111.19 of the Revised Code and ~~if the court orders the parties to the action to submit to genetic testing or if the natural mother and alleged natural father voluntarily agree to be bound by the agency~~ orders the parties to submit to genetic testing under sections 3111.21 3111.22 to 3111.29 of the Revised Code, the agency shall provide for collection of samples and performance of genetic testing in accordance with generally accepted medical techniques. If a court ordered the genetic testing, the agency shall inform the court of the procedures for collecting the samples and performing the genetic tests, in accordance with the rules governing on-site genetic testing adopted by the department of human services pursuant to section 2301.35 of the Revised Code.

Sec. 2301.357. (A) Each child support enforcement agency shall adopt a paternity compliance plan, establish a paternity compliance unit, and submit the adopted plan to the division of support of the department of human services in accordance with the rules adopted pursuant to section 5101.324 of the Revised Code, except that, if a child support enforcement agency submitted a corrective action plan to the department pursuant to division (B)(1) of section 5101.24 of the Revised Code and if that plan is currently in effect, the agency is not required to comply with this division.

(B) ~~The department of human services shall enter into a contract with the department of health that requires the department of health to enter into a contract with local hospitals for the provision of staff by the hospitals to meet with unmarried women who give birth in or en route to the particular hospital. The contract between the department of human services and the department of health shall provide for reimbursement to the hospitals for the administrative cost of providing staff to meet the responsibilities set forth in section 3727.17 of the Revised Code. The contract between the department of health and a local hospital shall require all of the following:~~

(1) That ~~a~~ the hospital provide a staff person to meet with each unmarried mother who gave birth in or en route to the hospital within twenty-four hours of the birth or before the mother is released from the hospital;

(2) That the staff person attempt to meet with the father of the unmarried mother's child if possible;

(3) That the staff person explain to the unmarried mother and the father, if he is present, the benefit to the child of establishing a parent and child relationship between the father and the child and the various proper procedures for establishing a parent and child relationship;

(4) That the staff person present to the unmarried mother and, if possible, the father ~~a~~ the pamphlet or statement regarding the rights and

responsibilities of a natural parent that is prepared and provided by the department of human services pursuant to section 5101.324 Of the Revised Code;

(5) That the staff person provide the mother and, if possible, the father, all forms; and statements, and agreements necessary to voluntarily establish a parent and child relationship, including, but not limited to, the acknowledgment of paternity affidavit prepared by the department of human services pursuant to section 5101.324 Of the Revised Code and required by section 2405.18 5101.314 of the Revised Code and the voluntary agreement to be bound by the results of genetic testing described in section 3111.21 of the Revised Code;

(6) That the staff person, at the request of both the mother and father, help the mother and father complete any form; or statement, or agreement necessary to establish a parent and child relationship;

(7) That the hospital provide a notary public to notarize an acknowledgment of paternity affidavit signed by the mother and father;

(8) That the staff person present to an unmarried mother who is not participating in the Ohio works first program established under Chapter 5107. or receiving medical assistance under Chapter 5111. of the Revised Code an application for Title IV-D services;

~~(8)~~(9) That the staff person forward any completed acknowledgment of paternity, no later than ten days after it is completed, to the probate court in the county in which the child or the guardian or legal custodian of the child resides division of child support in the department of human services;

(10) That the department of human services pay the hospital twenty dollars for every correctly signed and notarized acknowledgment of paternity affidavit from the hospital.

On or before April 1, 1998, each hospital shall enter into a contract with the department of human services pursuant to this section regarding the duties imposed by this section and section 3727.17 of the Revised Code concerning paternity establishment. A hospital that fails to enter into a contract shall not receive the fee from the department for correctly signed and notarized affidavits submitted by the hospital.

(C) Not later than July 1, 1998, and the first day of each July thereafter, the department of human services shall complete a report on the hospitals that have not entered into contracts described in this section. The department shall submit the report to the chairperson and ranking minority member of the committees of the house of representatives and senate with primary responsibility for issues concerning paternity establishment.

(D) IF THE HOSPITAL KNOWS OR DETERMINES THAT A MAN

IS PRESUMED UNDER SECTION 3111.03 OF THE REVISED CODE TO BE THE FATHER OF THE CHILD DESCRIBED IN THIS SECTION, THE HOSPITAL SHALL TAKE NO FURTHER ACTION WITH REGARD TO AN ACKNOWLEDGMENT AND SHALL NOT SEND AN ACKNOWLEDGMENT TO THE DIVISION.

Sec. 2301.358. (A) A child support enforcement agency, in accordance with the rules adopted by the department of human services pursuant to division (B) of this section, shall employ an administrative officer, contract with another entity to provide an administrative officer, or contract with an individual to serve as an administrative officer to issue, in accordance with sections ~~3111.21~~ 3111.22 to 3111.29 and 3113.215 of the Revised Code, administrative orders determining the existence or nonexistence of a parent and child relationship and requiring the payment of child support, or in accordance with sections 3111.20, 3111.23 to 3111.29, and 3113.215 of the Revised Code, administrative orders requiring the payment of child support.

(B) The department of human services shall adopt rules in accordance with Chapter 119. of the Revised Code regulating administrative officers who issue administrative orders described in division (A) of this section, including, but not limited to:

- (1) The qualifications of the administrative officer;
- (2) Any other procedures, requirements, or standards necessary for the employment of the administrative officer.

Sec. 2301.36. (A) Upon issuing or modifying a support order, issuing any withholding or deduction notice described in division (D) of section 3113.21 of the Revised Code, or issuing a court order described in division (D)~~(6)(3)~~ or ~~(7)(4)~~ of that section, the court shall require that support payments be made to the division of child support enforcement agency of the county in the department of human services as trustee for remittance to the person entitled to receive payments, except as otherwise provided in division (H) of section 2301.35 or sections 2151.49 and 3113.07 of the Revised Code. Any payment of money by the person responsible for the support payments under a support order to the person entitled to receive the support payments that is not made to the ~~child support enforcement agency~~ division in accordance with the applicable support order shall not be considered as a payment of support and, unless the payment is made to discharge an obligation other than support, shall be deemed to be a gift. ~~Section 329.043 and division~~ division (C) of section 3113.211 and section 5101.325 of the Revised Code apply to support payments made to the ~~child support enforcement agency~~ division.

(B) ~~Upon issuing or modifying~~ When a support order is issued or

modified, issuing any a withholding or deduction notice described in division (D) of section 3113.21 or division (B) of section 3111.23 of the Revised Code is issued, or issuing a court an order described in division (D)(6)(3) or (7)(4) of that section 3113.21 or section 3111.231 Of the Revised Code is issued, or at any time after the issuance or modification of the support order is issued or modified, the court may order the child support enforcement agency division to, or the agency may issue an order requiring the division to, transmit the payments or make them payable to any third person that is either agreed upon by the parties and approved by the court or appointed by the court, with respect to a court-issued support order, or is either agreed upon by the parties and approved by the agency or appointed by the agency, with respect to an administrative support order. Third persons include, but are not limited to, a trustee, a custodian, the guardian of the estate of the child, the county department of human services, public children services agency, or any appropriate social agency.

(C) Any person named pursuant to division (B) of this section is entitled to receive the support payments. The court may allow the person to receive a reasonable fee for services rendered pursuant to this section. The person shall make financial reports in connection with these services at the time and in the manner prescribed by the court or as required by law.

(D) The parties affected by the support order shall inform the child support enforcement agency of any change of name or address or other change of conditions that may affect the administration of the order.

(E) Any person entitled to receive support payments either personally or on behalf of another person, by reason of any support order that does not direct that payments be made to the ~~child support enforcement agency division~~, may apply to the appropriate agency for the administration of the order. Upon receipt of the application, the agency has the same powers to administer the order as it would have had if the order had been entered under division (A) of this section. The agency shall notify the obligor by any method of service authorized under the Civil Rules to make all support payments due after service of the notice upon the obligor to the ~~agency division~~. An obligor so notified by a child support enforcement shall make all subsequent payments to the ~~agency division~~ unless the involved court, upon the obligor's application filed within thirty days after service of the notice upon the obligor, orders the child support enforcement agency not to administer the support order.

Sec. 2301.37. (A) If the records maintained by a child support enforcement agency indicate that an obligor is in default, the agency shall comply with section 3113.21 of the Revised Code.

(B) If the court is required to issue a withholding or deduction notice under division (D) of section 3113.21 of the Revised Code or to issue a court order described in division (D)~~(6)(3)~~ or ~~(7)(4)~~ of that section and fails to do so, if the court issued an order under division (B)(1) of section 3113.21 of the Revised Code, as it existed immediately preceding December 1, 1986, or issues a withholding or deduction notice under division (D) of section 3113.21 of the Revised Code or issues a court order described in division (D)~~(6)(3)~~ or ~~(7)(4)~~ of that section and the court determines that the order, withholding or deduction notice will not ensure payment of the support due under the child support order, or if the obligor fails after the issuance of a notice or court order under section 3113.21 of the Revised Code to comply with the notice or court order, the court shall notify the child support enforcement agency, and the agency shall notify the obligee of the default, of the obligee's rights and remedies, and that the child support enforcement agency is the agency responsible in the county for enforcing support orders under section 2301.35 of the Revised Code, Title IV-D of the "Social Security Act," 49 Stat. 620 (1935), 42 U.S.C. 301, as amended, and section 5101.31 of the Revised Code. The notice shall contain a printed explanation of the provisions of sections 2301.37 to 2301.40 and 3113.21 of the Revised Code.

(C) No child support enforcement agency, solely because the support due under a support order has not been paid or has not been paid periodically or recently, shall consider, list, or otherwise administer the support order or the case pertaining to it as if either were closed or close the files or the case pertaining to the support order. The department of human services shall adopt, revise, or amend rules under Chapter 119. of the Revised Code to assist in the implementation of this division.

Sec. 2301.371. (A) If a child support enforcement agency discovers pursuant to an investigation conducted under section 2301.37 of the Revised Code that an obligor under a child support order that it is administering may be receiving unemployment compensation benefits or if a child support enforcement agency receives notice or otherwise discovers that an obligor under a child support order may be receiving unemployment compensation benefits, the agency promptly shall conduct an investigation to determine whether the obligor is receiving unemployment compensation benefits and to determine the amount of the benefits. The investigation shall be completed within ten days of the agency's discovery or receipt of the notice.

(B) Upon completion of an investigation conducted under division (A) of this section, ~~the agency immediately shall file its findings with the appropriate court, and, if its findings indicate~~ the agency finds that the

obligor is receiving unemployment compensation benefits, it shall ~~prepare a proposed order to~~ in accordance with sections 3111.20 to 3111.28 and 3113.21 to 3113.219 Of the Revised Code, division (D)(4) of section 4141.28 Of the Revised Code, and federal law governing the bureau of employment services, notify the bureau of employment services to withhold or deduct an amount from the unemployment compensation benefits for purposes of to pay child support obligations. ~~The agency shall file a copy of the proposed deduction order with the appropriate court, immediately shall send a copy of its findings and a copy of the proposed order to the obligee under the child support order, and immediately shall send all of the following to the obligor under the child support order:~~

~~(1) A copy of its findings;~~

~~(2) A copy of the proposed order to deduct an amount from the unemployment compensation benefits of the obligor for purposes of child support, together with a copy of the guideline worksheets used in preparing the proposed order;~~

~~(3) A notice that contains the date on which the notice is sent and contains a statement that the amount to be deducted under the proposed order does not exceed the amount permitted to be deducted under section 303(b) of the "Consumer Credit Protection Act," 15 U.S.C. 1673(b);~~

~~(4) A conspicuous notice that the obligor may contest the entering of an order to deduct an amount from the obligor's unemployment compensation benefits for purposes of child support by filing with the agency, within ten days after the date on which the notice was sent to the obligor under division (B)(3) of this section as indicated in that notice, a written request that the agency hold an administrative hearing to determine whether, because of a mistake in fact, the entering of the order to deduct an amount from the unemployment compensation benefits of the obligor for purposes of child support would not be proper;~~

~~(5) A notice that, if the obligor does not timely request a hearing in accordance with the provisions of division (B)(4) of this section and if the court concurs with the findings of fact of the agency, an order for the deduction of an amount from the obligor's unemployment compensation benefits for purposes of child support that is the same as the proposed order to deduct an amount from the unemployment compensation benefits for that purpose will be issued and that the amount stated in the order will be deducted from the unemployment compensation benefits of the obligor for purposes of child support.~~

~~(C)(1) Upon receipt of a notice under division (B) of this section, an obligor, within ten days after the date on which the notice was sent to him,~~

~~may file with the child support enforcement agency that sent the notice a written request that the agency hold an administrative hearing to determine whether, because of a mistake in fact, the entering of an order to deduct an amount from the unemployment compensation benefits of the obligor for purposes of child support would not be proper.~~

~~(2) If an obligor who is sent a notice under division (B) of this section does not timely file a written request for a hearing in accordance with division (C)(1) of this section, the child support enforcement agency immediately shall notify the court to which it sent its findings of fact and the proposed deduction order that no request for a hearing was timely filed. Upon receipt of the notice, if the court concurs in the findings of fact of the agency, it immediately shall issue an order for the deduction of an amount from the obligor's unemployment compensation benefits for purposes of child support that corresponds to the proposed deduction order sent to it by the agency.~~

~~(3) If an obligor who is sent a notice under division (B) of this section timely files a written request for a hearing in accordance with division (C)(1) of this section, the child support enforcement agency shall conduct an administrative hearing in accordance with this division. Upon the timely filing of the request, the agency immediately shall notify the court to which it sent its findings of fact and the copy of the proposed deduction order that the request was filed and shall conduct an administrative hearing on the request as soon as possible, but no later than ten days, after the request is filed. The hearing shall be limited to a determination of whether, because of a mistake in fact, the entering of an order to deduct an amount from the unemployment compensation benefits of the obligor for purposes of child support would not be proper. The obligor and the obligee shall be sent written notice of the date, time, place, and purpose of the hearing, no later than five days before the date on which it is to be conducted, and the notice to the obligor shall indicate that the obligor may present testimony and evidence as to whether, because of a mistake in fact, the entering of an order to deduct an amount from the unemployment compensation benefits of the obligor for purposes of child support would not be proper.~~

~~Upon completion of a hearing conducted under this division, the agency shall notify the court and the obligor of its determination. If the determination indicates that, because of a mistake in fact, the entering of an order to deduct an amount from the unemployment compensation benefits of the obligor would not be proper, the court shall not issue an order requiring a deduction of an amount from the unemployment compensation benefits of the obligor. If the determination does not so indicate, the determination also~~

~~shall notify the obligor that, within ten days after the date on which the determination is issued, he may file a written request for a court hearing on the determination.~~

~~(D)(1) Upon receipt of a determination under division (C)(3) of this section that includes a notice informing him of his right to receive a court hearing, an obligor, within ten days after the date on which the determination was issued, may file with the court a written request for a court hearing on the determination.~~

~~(2) If an obligor who receives a determination under division (C)(3) of this section that includes a notice informing him of his right to receive a court hearing does not timely file a written request for a court hearing on the determination, in accordance with division (D)(1) of this section, the court, if it concurs in the findings of fact and determination of the agency, immediately shall issue an order for the deduction of an amount from the obligor's unemployment compensation benefits for purposes of child support that corresponds to the proposed deduction order sent to it by the agency.~~

~~(3) If an obligor who receives a determination under division (C)(3) of this section that includes a notice informing him of his right to receive a court hearing timely files a written request for a court hearing on the determination, in accordance with division (D)(1) of this section, the court shall hold a hearing on the request as soon as possible, but no later than five days, after the request is filed. The hearing shall be limited to a determination of whether, because of a mistake in fact, the entering of an order to deduct an amount from the unemployment compensation benefits of the obligor for purposes of child support would not be proper and the amount to be deducted from the benefits.~~

~~If, at the hearing, the court concurs with the findings of fact and the determination sent to it by the child support enforcement agency under division (B) of this section, the court shall issue an order for the deduction of an amount from the unemployment compensation benefits of the obligor for purposes of child support that corresponds to the proposed deduction order sent to it by the agency.~~

~~If, at the hearing, the court detects a mistake in fact in the findings or determination sent to it by the agency, discovers other irregularities in the findings or determination of the agency, or determines that the findings or determination of the agency are not sufficiently complete to enable the court to issue an order, the court shall return the findings and determination to the agency, notify the agency of the mistake in fact, irregularities, or incompleteness, and order the agency to correct the findings and determination and, as soon as possible, return them as corrected, together~~

~~with a new proposed order of the type described in division (B) of this section, to the court. Immediately upon the filing of the corrected findings and determination and the new proposed order, the court shall issue an order requiring the deduction of an amount from the unemployment compensation benefits of the obligor for purposes of child support, if it determines that the order is appropriate, or shall decline to issue an order requiring the deduction of an amount from the obligor's unemployment compensation benefits, if it determines that its issuance would not be appropriate. The agency may not impose the processing charge pursuant to division (G)(1) of section 2301.35 Of the Revised Code with respect to amounts withheld or deducted from unemployment compensation pursuant to this section.~~

(C) The department of human services shall adopt rules in accordance with Chapter 119. Of the Revised Code to implement this section, which rules shall be consistent with division (D)(4) of section 4141.28 Of the Revised Code and federal law governing the bureau of employment services.

Sec. 2301.373. (A)(1) As used in this section and ~~in section~~ sections 2301.374 and 2301.375 of the Revised Code, "child support order" means any order issued for the support of a child pursuant to Chapter 3115. or section 2151.23, 2151.231, 2151.232, 2151.36, 2151.49, 3105.21, 3109.05, 3111.13, 3111.20, ~~3111.21~~ 3111.211, 3111.22, 3113.04, 3113.07, 3113.216, or 3113.31 of the Revised Code.

(2) As used in this section:

(a) "Board" means any entity that has the authority pursuant to Title XLVII of the Revised Code to issue a license, and any other agency of this state, other than the supreme court, that has the authority to issue a license that authorizes an individual to engage in an occupation or profession. "Board" includes an administrative officer that has authority to issue a license that authorizes an individual to engage in an occupation or profession.

(b) "License" includes a license, certificate, permit, registration, or other authorization to engage in an occupation or profession.

(c) "Obligor" means an individual required to pay support under a child support order.

(B)(1) If a court or child support enforcement agency makes a final and enforceable determination pursuant to division (B) of section 3113.21 of the Revised Code that an individual is in default under a child support order, the agency administering ~~or handling~~ the child support order may determine whether the individual holds a license issued by a board ~~to engage in an occupation or profession~~ or, if possible, whether the individual has applied

for, or is likely to apply for, ~~such~~ a license. If the agency determines that the individual is a license holder, has applied for, or is likely to apply for a license, it shall send to the individual the notice specified in division (C) of this section. The agency also may send a notice to the board that gives the name and social security number or other identifying number of the individual and states that a court or agency has determined the individual to be in default under a child support order.

(2) If an obligor fails, after receiving appropriate notice, to comply with a subpoena or warrant issued by the court or a child support enforcement agency with respect to a proceeding to enforce a child support order, the agency administering or handling the child support order may determine whether the obligor holds a license or, if possible, whether the obligor has applied for, or is likely to apply for, a license. If the agency determines that the obligor is a license holder, has applied for, or is likely to apply for a license, it shall send the obligor the notice specified in division (C) of this section. The agency may also send a notice to the board that gives the name and social security number or other identifying number of the obligor and states that the obligor has failed to comply with a warrant or subpoena issued by a court or child support enforcement agency with respect to a proceeding to enforce a child support order.

(C) Notice shall be sent to the individual described in division (B) of this section ~~by first class mail in compliance with division (G)(1) of section 3113.21~~ Of the Revised Code. The notice shall specify that a court or agency has determined the individual to be in default under a child support order or that the individual is an obligor who has failed to comply with a subpoena or warrant issued by a court or agency with respect to a proceeding to enforce a child support order, that a notice containing the individual's name and social security number or other identification number may be sent under division (B) of this section to every board that has authority to issue or has issued the individual a license, and that, if the board receives that notice and determines that the individual is the individual named in that notice and the board has not received notice under division (D) of this section, all of the following will occur:

(1) The board will not issue any license to the individual or renew any license of the individual;

(2) The board will suspend any license of the individual if it determines that the individual is the individual named in the notice sent to the board under division (B) of this section;

(3) If the individual is the individual named in the notice, the board will not issue any license to the individual, and will not reinstate a suspended

license, until the board receives a notice under division (D) of this section.

~~(D)(1)~~ An agency that sent a notice to a board under division (B)~~(1)~~ of this section shall send to each board to which it sent the notice a further notice that the individual is not in default under a child support order if it determines that the individual is not in default or any of the following occurs:

~~(1)(a)~~ The individual makes full payment to the agency division of child support in the department of human services OR, PURSUANT TO DIVISION ~~(H)~~(4) OF SECTION 2301.35 OF THE REVISED CODE, THE CHILD SUPPORT ENFORCEMENT AGENCY of the arrearage that was the basis for the court or agency determination that the individual was in default;

~~(2)(b)~~ An appropriate withholding or deduction notice or other appropriate order has been issued pursuant to section 3113.21 of the Revised Code to collect current support and any arrearage due under the child support order that was in default and the individual is complying with the notice or order;

~~(3)(c)~~ A new child support order has been issued or the child support order that was in default has been modified as provided under sections 3113.21 to 3113.219 of the Revised Code to collect current support and any arrearage due under the child support order that was in default and the individual is complying with the new or modified child support order.

The agency shall send the notice under this division not later than seven days after the agency determines the individual is not in default or that any of the circumstances specified in division (D)~~(1), (2), or (3)(a), (b), or (c)~~ of this section has occurred.

(2) An agency that sent a notice to a board under division (B)(2) of this section shall send to each board to which it sent the notice a further notice that the obligor is no longer out of compliance if the court or agency that issued the warrant or subpoena removes the warrant or determines that the obligor has complied with the subpoena.

The agency shall send the notice under this division not later than seven days after the agency determines that either of the circumstances specified in division (D)(2) has occurred.

(E)(1) A board shall require each application for a license, or renewal of a license, issued by the board to include the applicant's social security number.

(2) On receipt of a notice pursuant to division (B) of this section, a board shall determine whether the individual named in the notice holds or has applied for a license from the board. If the board determines that the

individual holds or has applied for a license and the individual is the individual named in the notice and does not receive a notice pursuant to division (D) of this section, the board may not issue a license to the individual, may not renew a license issued to the individual, and shall suspend any license issued to the individual.

~~(2)~~(3) The board shall maintain a file containing each notice it receives pursuant to division (B) of this section that names an individual who does not hold a license issued by the board. On receipt of an application for a license from such an individual, the board shall proceed in accordance with division (E)~~(1)~~(2) of this section.

~~(3)~~(4) Not later than seven days after receipt of a notice pursuant to division (D) of this section, the board shall, if the individual is otherwise eligible for the license and wants the license, issue a license to or renew a license of the individual, or if the individual's license was suspended pursuant to division (E)~~(1)~~(2) of this section, end the suspension. The board may charge a fee of not more than fifty dollars to issue or renew or end the suspension of a license pursuant to this division.

~~(4)~~(5) Notwithstanding section 119.06 of the Revised Code, the board shall not hold any hearing in connection with an order refusing to issue or renew a license for, or suspending a license of, an individual pursuant to this section.

(F) The department of human services may adopt rules in accordance with Chapter 119. of the Revised Code to implement this section.

Sec. 2301.374. (A) The director of human services shall specify a date for the purposes of this section, which shall be the later of the date the support enforcement tracking system is expected to be operational in all the counties of the state, or ~~the date that is six months after the effective date of this section~~ November 15, 1997.

(B)(1)(a) If a court or child support enforcement agency makes a final and enforceable determination pursuant to division (B) of section 3113.21 of the Revised Code prior to the date specified under division (A) of this section that an individual is in default under a child support order, the agency administering ~~or handling~~ the child support order may determine whether the individual holds a commercial driver's license or commercial driver's temporary instruction permit issued by the registrar of motor vehicles or a deputy registrar or, if possible, whether the individual has applied, or is likely to apply, for such a license or permit. If the agency determines that the individual holds, has applied for, or is likely to apply for, such a license or permit, it shall send the individual the notice specified in division (B)(2) of this section. The agency also may send a notice to the

registrar that gives the name and social security number or other identifying number of the individual and states that a court or agency has determined the individual to be in default under a child support order.

(b) If an individual required to pay support under a child support order prior to the date specified in division (A) of this section fails, after receiving appropriate notice, to comply with a subpoena or warrant issued by the court or a child support enforcement agency with respect to a proceeding to enforce a child support order, the agency administering the child support order may determine whether the individual holds a commercial driver's license or commercial driver's temporary instruction permit issued by the registrar of motor vehicles or a deputy registrar or, if possible, whether the individual has applied, or is likely to apply, for such a license or permit. If the agency determines that the individual holds, has applied for, or is likely to apply for, such a license or permit, it shall send the individual the notice specified in division (B)(2) of this section. The agency may also send a notice to the registrar of motor vehicles that gives the name and social security number or other identifying number of the individual and states that the individual has failed to comply with a warrant or subpoena issued by a court or child support enforcement agency with respect to a proceeding to enforce a child support order.

(2) Notice shall be sent to the individual described in division (B)(1) of this section ~~by first class mail in compliance with division (G)(1) of section 3113.21 Of the Revised Code.~~ The notice shall specify that a court or agency has determined the individual to be in default under a child support order or that the individual is an obligor under a child support order who has failed to comply with a subpoena or warrant issued by a court or agency with respect to a proceeding to enforce a child support order, that a notice containing the individual's name and social security number or other identification number may be sent under division (B)(1) of this section to the registrar, and that, if the registrar receives that notice and determines that the individual is the individual named in that notice and the registrar has not received notice under division (B)(3) of this section, all of the following will occur:

(a) The registrar and all deputy registrars will be prohibited from issuing to, or renewing for, the individual a commercial driver's license or commercial driver's temporary instruction permit;

(b) If the individual holds a commercial driver's license or commercial driver's temporary instruction permit, the registrar will impose a disqualification as defined in section 4506.01 of the Revised Code with respect to the license or permit if the registrar determines that the individual

is the individual named in the notice sent pursuant to division (B)(1) of this section;

(c) If the individual is the individual named in the notice, the individual will not be issued, and the disqualification will not be removed with respect to, any license or permit listed in division (B)(2) of this section until the registrar receives a notice under division (B)(3) of this section.

(3)(a) An agency that sent a notice under division (B)(1)(a) of this section shall send to the registrar a notice that the individual is not in default under a child support order if it determines that the individual is not in default or any of the following occurs:

~~(a)~~(i) The individual makes full payment to the agency division of child support in the department of human services OR, PURSUANT TO DIVISION (H)(4) OF SECTION 2301.35 OF THE REVISED CODE, THE CHILD SUPPORT ENFORCEMENT AGENCY of the arrearage that was the basis for the court or agency determination that the individual was in default;

~~(b)~~(ii) An appropriate withholding or deduction notice or other appropriate order has been issued pursuant to section 3113.21 of the Revised Code to collect current support and any arrearage due under the child support order that was in default and the individual is complying with the notice or order;

~~(c)~~(iii) A new child support order has been issued or the child support order that was in default has been modified as provided under sections 3113.21 to 3113.219 of the Revised Code to collect current support and any arrearage due under the child support order that was in default and the individual is complying with the new or modified child support order.

The agency shall send the notice under this division not later than seven days after it determines the individual is not in default or that any of the circumstances specified in division (B)(3)(a) of this section has occurred.

(b) An agency that sent a notice under division (B)(1)(b) of this section shall send to the registrar a notice that the individual is no longer out of compliance if the court or agency that issued the warrant or subpoena removes the warrant or determines that the individual has complied with the subpoena.

The agency shall send the notice under this division not later than seven days after the agency determines that either of the circumstances specified in division (B)(3)(b) has occurred.

(4)(a) On receipt of a notice pursuant to division (B)(1) of this section, the registrar shall determine whether the individual named in the notice holds or has applied for a commercial driver's license or commercial driver's

temporary instruction permit. If the registrar determines that the individual holds or has applied for a license or permit and the individual is the individual named in the notice and does not receive a notice pursuant to division (B)(3) of this section, the registrar immediately shall provide notice of the determination to each deputy registrar. The registrar or a deputy registrar may not issue to the individual and may not renew for the individual a commercial driver's license or commercial driver's temporary instruction permit and the registrar shall impose a disqualification on the individual with respect to the license or permit held by the individual.

(b) The registrar shall maintain a list of names of individuals identified in notices sent to the registrar pursuant to division (B)(1) of this section that do not hold a commercial driver's license or commercial driver's temporary instruction permit. The registrar shall update the list quarterly and provide each deputy registrar with a copy. On receipt of an application for such a license or permit from an individual who appears on the list, a deputy registrar shall notify the registrar. On receipt of an application for such a license or permit from such an individual or on receipt of a notice from a deputy registrar pursuant to division (B)(4)(b) of this section, the registrar shall proceed in accordance with division (B)(4)(a) of this section.

(c) Not later than seven days after receipt of a notice pursuant to division (B)(3) of this section, the registrar shall notify each deputy registrar of the notice. The registrar and each deputy registrar shall then, if the individual otherwise is eligible for the license or permit and wants the license or permit, issue a license or permit to, or renew a license or permit of, the individual, or, if a disqualification was imposed on the individual with respect to the individual's license or permit pursuant to division (B)(4)(a) of this section, remove the disqualification. The registrar or a deputy registrar may charge a fee of not more than twenty-five dollars for issuing or renewing a license or permit for an individual or removing the disqualification imposed on the individual's license or permit pursuant to this division.

(d) Notwithstanding section 119.06 of the Revised Code, the registrar shall not hold any hearing in connection with an order refusing to issue or renew a license or permit for, or imposing a disqualification with respect to a license or permit of, an individual pursuant to this section.

(C)(1)(a) If a court or child support enforcement agency makes a final and enforceable determination pursuant to division (B) of section 3113.21 of the Revised Code on or after the date specified under division (A) of this section that an individual is in default under a child support order, the agency administering ~~or handling~~ the child support order may determine

either the individual holds a driver's or commercial driver's license, motorcycle operator's license or endorsement, temporary instruction permit, or commercial driver's temporary instruction permit issued by the registrar of motor vehicles or a deputy registrar or, if possible, whether the individual has applied, or is likely to apply, for such a license, endorsement, or permit. If the agency determines that the individual holds, has applied for, or is likely to apply for, such a license, endorsement, or permit, it shall send to the individual the notice specified in division (C)(2) of this section. The agency also may send a notice to the registrar of motor vehicles that gives the name and social security number or other identifying number of the individual and states that a court or agency has determined the individual to be in default under a child support order.

(b) If an individual required to pay support under a child support order on or after the date specified in division (A) of this section fails, after receiving appropriate notice, to comply with a subpoena or warrant issued by the court or a child support enforcement agency with respect to a proceeding to enforce a child support order, the agency administering the child support order may determine whether the individual holds a driver's or COMMERCIAL driver's license, motorcycle operator's license or endorsement, temporary instruction permit, or commercial driver's temporary instruction permit issued by the registrar of motor vehicles or a deputy registrar or, if possible, whether the individual has applied, or is likely to apply, for such a license, endorsement, or permit. If the agency determines that the individual holds, has applied for, or is likely to apply for, such a license, endorsement, or permit, it shall send the individual the notice specified in division (C)(2) of this section. The agency may also send a notice to the registrar of motor vehicles that gives the name and social security number or other identifying number of the individual and states that the individual has failed to comply with a warrant or subpoena issued by a court or child support enforcement agency with respect to a proceeding to enforce a child support order.

(2) Notice shall be sent to the individual described in division (C)(1) of this section ~~by first class mail~~ in compliance with division (G)(1) of section 3113.21 Of the Revised Code. The notice shall specify that a court or agency has determined the individual to be in default under a child support order or that the individual is an obligor under a child support order who has failed to comply with a subpoena or warrant issued by a court or agency with respect to a proceeding to enforce a child support order, that a notice containing the individual's name and social security number or other identification number may be sent under division (C)(1) of this section to

the registrar, and that, if the registrar receives that notice and determines that the individual is the individual named in that notice and the registrar has not received notice under division (C)(3) of this section, all of the following will occur:

(a) The registrar and all deputy registrars will be prohibited from issuing to the individual a driver's or commercial driver's license, motorcycle operator's license or endorsement, or temporary instruction permit or commercial driver's temporary instruction permit;

(b) The registrar and all deputy registrars will be prohibited from renewing for the individual a driver's or commercial driver's license, motorcycle operator's license or endorsement, or commercial driver's temporary instruction permit;

(c) If the individual holds a driver's or commercial driver's license, motorcycle operator's license or endorsement, or temporary instruction permit or commercial driver's temporary instruction permit, it will be suspended if the registrar determines that the individual is the individual named in the notice sent pursuant to division (C)(1) of this section;

(d) If the individual is the individual named in the notice the individual will not be issued or have renewed any license, endorsement, or permit, and no suspension will be lifted with respect to any license, endorsement, or permit listed in division (C)(2) of this section until the registrar receives a notice under division (C)(3) of this section.

(3)(a) An agency that sent a notice under division (C)(1)(a) of this section shall send to the registrar a notice that the individual is not in default under a child support order if it determines that the individual is not in default or any of the following occurs:

~~(a)(i)~~ The individual makes full payment to the agency division of child support or, pursuant to division (H)(4) of section 2301.35 Of the Revised Code, the child support enforcement agency of the arrearage that was the basis for the court or agency determination that the individual was in default;

~~(b)(ii)~~ An appropriate withholding or deduction notice or other appropriate order has been issued pursuant to section 3113.21 of the revised code to collect current support and any arrearage due under the child support order that was in default and the individual is complying with the notice or order;

~~(c)(iii)~~ A new child support order has been issued or the child support order that was in default has been modified as provided under sections 3113.21 to 3113.219 of the Revised Code to collect current support and any arrearage due under the child support order that was in default and the

individual is complying with the new or modified child support order.

The agency shall send the notice under this division not later than seven days after it determines the individual is not in default or that any of the circumstances specified in division (C)(3)(a) of this section has occurred.

(b) An agency that sent a notice under division (C)(1)(b) of this section shall send to the registrar a notice that the individual is no longer out of compliance if the court or agency that issued the warrant or subpoena removes the warrant or determines that the individual has complied with the subpoena.

The agency shall send the notice under this division not later than seven days after the agency determines that either of the circumstances specified in division (C)(3)(b) has occurred.

(4)(a) On receipt of a notice pursuant to division (C)(1) of this section, the registrar shall determine whether the individual named in the notice holds or has applied for a driver's license or commercial driver's license, motorcycle operator's license or endorsement, or temporary instruction permit or commercial driver's temporary instruction permit. If the registrar determines that the individual holds or has applied for a license, permit, or endorsement and the individual is the individual named in the notice and does not receive a notice pursuant to division (C)(3) of this section, the registrar immediately shall provide notice of the determination to each deputy registrar. The registrar or a deputy registrar may not issue to the individual a driver's or commercial driver's license, motorcycle operator's license or endorsement, or temporary instruction permit or commercial driver's temporary instruction permit and may not renew for the individual a driver's or commercial driver's license, motorcycle operator's license or endorsement, or commercial driver's temporary instruction permit. The registrar or a deputy registrar also shall suspend a license, permit, or endorsement held by the individual.

(b) The registrar shall maintain a list of names of individuals identified in notices sent to the registrar pursuant to division (C)(1) of this section that do not hold a driver's or commercial driver's license, motorcycle operator's license or endorsement, or temporary instruction permit or commercial driver's temporary instruction permit. The registrar shall update the list quarterly and provide each deputy registrar with a copy. On receipt of an application for such a license, permit, or endorsement from an individual who appears on the list, a deputy registrar shall notify the registrar. On receipt of an application for such a license, permit, or endorsement from such an individual or on receipt of a notice from a deputy registrar pursuant to division (C)(4)(b) of this section, the registrar shall proceed in accordance

with division (C)(4)(a) of this section.

(c) Not later than seven days after receipt of a notice pursuant to division (C)(3) of this section, the registrar shall notify each deputy registrar of the notice. The registrar and each deputy registrar shall then, if the individual otherwise is eligible for the license, permit, or endorsement and wants the license, permit, or endorsement, issue a license, permit, or endorsement to, or renew a license, permit, or endorsement of, the individual, or, if the individual's license, permit, or endorsement was suspended pursuant to division (C)(4)(a) of this section, remove the suspension. The registrar or a deputy registrar may charge a fee of not more than twenty-five dollars for issuing or renewing or removing the suspension of a license pursuant to this division. The fees collected by the registrar pursuant to this section shall be paid into the state bureau of motor vehicles fund established in section 4501.25 of the Revised Code.

(d) Notwithstanding section 119.06 of the Revised Code, the registrar shall not hold any hearing in connection with an order refusing to issue or renew a license, permit, or endorsement for, or suspending a license, permit, or endorsement of, an individual pursuant to this section.

(D) The department of human services may adopt rules in accordance with Chapter 119. of the Revised Code to implement this section.

Sec. 2301.375. (A) As used in this section, "recreational license" means any license, permit, or stamp issued pursuant to section 1533.10, 1533.11, 1533.111, 1533.112, or 1533.32 of the Revised Code.

(B) If a court or child support enforcement agency makes a final and enforceable determination pursuant to division (B) of section 3113.21 of the Revised Code that an individual is in default under a child support order, the agency administering the child support order may determine whether the individual holds a recreational license or, if possible, whether the individual has applied for, or is likely to apply for, such a license. If the agency determines that the individual holds, has applied for, or is likely to apply for, such a license, it shall follow procedures that are substantively the same as those set forth in divisions (B) to (D) of section 2301.373 of the Revised Code and the division of wildlife shall follow procedures that are substantively the same as those set forth in division (E) of section 2301.373 of the Revised Code with respect to the license if both of the following apply:

(1) the division of wildlife has implemented a computer system that maintains license numbers for licenses issued by the division, the names of persons to whom licenses are issued, and the social security numbers of persons to whom licenses are issued;

(2) the division has established safeguards that eliminate the risk that social security numbers provided to the division for the purpose of child support enforcement may be used for purposes other than those permitted by federal law.

(C) The department of human services may adopt rules in accordance with Chapter 119. of the Revised Code to implement this section.

Sec. 2301.43. (A) If a court or a child support enforcement agency makes a final and enforceable determination pursuant to division (B) of section 3113.21 of the Revised Code that an obligor is in default under a support order, the agency administering the support order may assert a lien on real and personal property of the obligor located in the state.

(B)(1) The amount of the arrearage due under the support order determined to be in default pursuant to DIVISION (B) of SECTION 3113.21 of the Revised Code and any amounts due for current support that become an arrearage after the date the default determination was made, shall be a lien against all personal property, including after-acquired property, of the obligor that is situated in this state. The lien may be filed with the county recorder in each county of the state in which the personal property is located. THE AMOUNT OF THE ARREARAGE DUE UNDER THE SUPPORT ORDER DETERMINED TO BE IN DEFAULT PURSUANT TO DIVISION (B) OF SECTION 3113.21 OF THE REVISED CODE AND ANY AMOUNTS DUE FOR CURRENT SUPPORT THAT BECOME AN ARREARAGE AFTER THE DATE THE DEFAULT DETERMINATION WAS MADE, SHALL BE A LIEN AGAINST REAL PROPERTY, INCLUDING AFTER-ACQUIRED PROPERTY, OF THE OBLIGOR AFTER THE LIEN IS FILED WITH A COUNTY RECORDER OF THIS STATE IN WHICH THE REAL PROPERTY IS LOCATED. A LIEN MAY BE FILED WITH THE COUNTY RECORDER IN EACH COUNTY OF THE STATE IN WHICH REAL PROPERTY OF THE OBLIGOR IS LOCATED. In recording the lien, if registered land is involved, the county recorder shall take all necessary action required by Chapter 5309. of the Revised Code. THE COUNTY RECORDER MAY BE COMPENSATED FOR LIENS FILED UNDER THIS SECTION PURSUANT TO THE DEVELOPMENT OF UNIT COSTS THAT ARE REIMBURSED UNDER THE PROVIDER CONTRACT ENTERED INTO PURSUANT TO TITLE IV-D OF THE "Social SECURITY ACT," 88 STAT. 2351 (1975), 42 U.S.C. 651, AS AMENDED.

(2) On receiving a copy of a lien filed in another state that is similar to a lien described in division (B)(1) of this section, a copy of the order for child support that is the basis of the lien, and a copy of the court or administrative

determination finding the obligor to be in default under the child support order, the division of child support in the department of human services shall examine the lien and the other documents and determine whether the lien is in compliance with federal child support law and regulations. If the division determines that the lien is in compliance, the division shall determine the counties of this state in which is located real or personal property of the obligor that may be subjected to the lien. On making the determination, the division shall send a copy of the lien to the child support enforcement agency of the county in which the obligor's real or personal property is located. The agency shall file the lien with the county recorder of the county in which the agency is located. In recording the lien, if registered land is involved, the county recorder shall take all necessary action required by Chapter 5309. of the Revised Code. Once filed, the lien shall be against all real and personal property, including after-acquired property, of the obligor that is situated in that county. Every court, the division, and each child support enforcement agency shall give full faith and credit to a lien established by an authorized agency of another state that is of the type described in division (B)(1) of this section.

(C) The lien filed with the county recorder shall be effective until the county recorder discharges the lien. The county recorder shall discharge the lien within five days after the agency files a notice pursuant to division (D) of this section requesting that the lien be discharged.

(D) The agency shall file a notice requesting that the county recorder discharge the lien if one of the following applies:

(1) The lien is satisfied through an action pursuant to section 2301.45 of the Revised Code;

(2) The obligor makes full payment of the arrearage to the division of child support in the department of human services OR, PURSUANT TO DIVISION (H)(4) OF SECTION 2301.35 OF THE REVISED CODE, THE CHILD SUPPORT ENFORCEMENT AGENCY that is the basis of the lien;

(3) An appropriate withholding or deduction notice or other appropriate order has been issued pursuant to section 3113.21 of the Revised Code to collect current support and any arrearage due under the support order that was in default and the obligor is complying with the notice or order;

(4) A new support order has been issued or the support order that was in default has been modified as provided under sections 3113.21 to 3113.219 of the Revised Code to collect current support and any arrearage due under the support order that was in default and the obligor is complying with the new or modified support order;

(5) The agency releases the lien pursuant to section 2301.46 of the

Revised Code.

(E) A lien imposed pursuant to this section shall have priority over liens, mortgages, security interests, or other types of ENCUMBRANCES that are associated with the real and personal property subject to the lien imposed by this section and that arise after the date the lien is filed pursuant to this section. A lien imposed pursuant to this section shall not have priority over liens, mortgages, security interests, or other types of encumbrances associated with the real and personal property subject to the lien imposed by this section that arose on or before the date the lien was filed pursuant to this section.

Sec. 2301.44. (A) A child support enforcement agency shall, no later than ten days after filing a lien pursuant to section 2301.43 Of the Revised Code, serve a copy of the lien by regular mail on the obligor whose real or personal property is subject to the lien and the person or state agency in possession or control of any real or personal property of the obligor.

(B) Any person or state agency, after service described in division (A) of this section, that releases, sells, transfers, or conveys real or personal property subject to the lien to or for the benefit of the obligor or any other person or fails or refuses to surrender property for the execution sale pursuant to section 2301.45 Of the Revised Code shall be liable for the support arrearages that are the basis of the lien plus costs, interest, and reasonable attorney's fees of the opposing party.

Sec. 2301.45. (A) A child support enforcement agency is entitled to have, and may cause, real and personal property subject to a lien established pursuant to section 2301.43 of the Revised Code to be sold pursuant to this section.

(B)(1)(a) To obtain a sale of property subject to the lien, the agency shall file, with the appropriate court of the county in which the property is located, as described in division (B)(2) of this section, a complaint stating that the agency has obtained a lien on real and personal property of the obligor that is located in the county and that, PURSUANT to division (A) of this section, the agency is entitled to have the property sold to obtain child support that is in arrears and subsequently overdue and asks the court to issue an order that the property be sold by an execution sale in accordance with Chapter 2329. of the Revised Code. The agency shall establish, to the satisfaction of the court, at a hearing described in division (B)(1)(b) of this section that the agency has obtained the lien and is entitled to the requested order.

(b) On receipt of a complaint described in division (B)(1)(a) of this section, the court shall conduct a hearing expeditiously. If, at the hearing,

the court determines that it has jurisdiction in the matter in accordance with division (B)(2) of this section and that the agency has obtained a lien pursuant to section 2301.43 of the Revised Code and is entitled, pursuant to division (A) of this section, to have the real and personal property of the obligor in the county sold by execution sale to obtain the child support that is in arrears and subsequently overdue, the court shall issue an order that the property be sold by execution sale in accordance with Chapter 2329. of the Revised Code.

(2) The complaint described in division (B)(1)(a) of this section shall be filed in the court as follows:

(a) If the child support in arrears was ordered by a court in the county in which the property in question is located, in that court:

(b) If the child support in arrears was ordered by a court of another state or by a court located in a county other than the county in which the property in question is located, the court of common pleas of the county in which the property is located.

(C) A sale of real or personal property pursuant to this section extinguishes the lien associated with the property.

Sec. 2301.46. (A) A child support enforcement agency may at any time release a lien imposed pursuant to section 2301.43 of the Revised Code, on all or part of the property of the obligor, or return seized property without liability, if assurance of payment is deemed adequate by the agency, or the release will facilitate the collection of the arrearage for which the lien was imposed. The release or return shall not operate to prevent future action to collect the arrearage.

(B) Obtaining a lien under section 2301.43 of the Revised Code does not affect any other legal remedies available against obligors or their property by persons entitled to receive child support that is in arrears or otherwise due, including the use of a judgment lien under Chapter 2329. of the Revised Code.

Sec. 2705.02. A person guilty of any of the following acts may be punished as for a contempt:

(A) Disobedience of, or resistance to, a lawful writ, process, order, rule, judgment, or command of a court or officer;

(B) Misbehavior of an officer of the court in the performance of official duties, or in official transactions;

(C) A failure to obey a subpoena duly served, or a refusal to be sworn or to answer as a witness, when lawfully required;

(D) The rescue, or attempted rescue, of a person or of property in the custody of an officer by virtue of an order or process of court held by the

officer;

(E) A failure upon the part of a person recognized to appear as a witness in a court to appear in compliance with the terms of the person's recognizance;

(F) A failure to comply with an order issued pursuant to section 3111.20, ~~3111.21~~ 3111.211, or 3111.22, ~~or 3111.241~~ of the Revised Code or a withholding or deduction notice issued under section 3111.23 of the Revised Code;

(G) A failure to obey a subpoena issued by the department of human services or a child support enforcement agency pursuant to section 5101.37 Of the Revised Code;

(H) A WILLFUL failure to submit to genetic testing, or a WILLFUL failure to submit a child to genetic testing, as required by an order for genetic testing issued under section 3111.22 of the Revised Code.

Sec. 2919.21. (A) No person shall abandon, or fail to provide adequate support to:

(1) The person's spouse, as required by law;

(2) The person's child who is under age eighteen, or mentally or physically handicapped child who is under age twenty-one;

(3) The person's aged or infirm parent or adoptive parent, who from lack of ability and means is unable to provide adequately for the parent's own support;

(B) No person shall abandon, or fail to provide support as established by a court order to, another person whom, by court order or decree, the person is legally obligated to support.

(C) No person shall aid, abet, induce, cause, encourage, or contribute to a child or a ward of the juvenile court becoming a dependent child, as defined in section 2151.04 of the Revised Code, or a neglected child, as defined in section 2151.03 of the Revised Code.

(D) It is an affirmative defense to a charge of failure to provide adequate support under division (A) of this section or a charge of failure to provide support established by a court order under division (B) of this section that the accused was unable to provide adequate support or the established support but did provide the support that was within the accused's ability and means.

(E) It is an affirmative defense to a charge under division (A)(3) of this section that the parent abandoned the accused or failed to support the accused as required by law, while the accused was under age eighteen, or was mentally or physically handicapped and under age twenty-one.

(F) It is not a defense to a charge under division (B) of this section that

the person whom a court has ordered the accused to support is being adequately supported by someone other than the accused.

(G)(1) Except as otherwise provided in this division, whoever violates division (A) or (B) of this section is guilty of nonsupport of dependents, a misdemeanor of the first degree. If the offender previously has been convicted of or pleaded guilty to a violation of division (A)(2) or (B) of this section or if the offender has failed to provide support under division (A)(2) or (B) of this section for a total accumulated period of twenty-six weeks out of one hundred four consecutive weeks, whether or not the twenty-six weeks were consecutive, then a violation of division (A)(2) or (B) of this section is a felony of the fifth degree. If the offender previously has been convicted of or pleaded guilty to a felony violation of this section, a violation of division (A)(2) or (B) of this section is a felony of the fourth degree. If the offender is guilty of nonsupport of dependents by reason of failing to provide support to the offender's child as required by a child support order issued on or after April 15, 1985, pursuant to section 2151.23, ~~2151.231~~, ~~2151.232~~, 2151.33, 3105.21, 3109.05, 3111.13, 3113.04, 3113.31, or ~~3115.22~~ 3115.31 of the Revised Code, the court, in addition to any other sentence imposed, shall assess all court costs arising out of the charge against the person and require the person to pay any reasonable attorney's fees of any adverse party other than the state, as determined by the court, that arose in relation to the charge.

(2) Whoever violates division (C) of this section is guilty of contributing to the nonsupport of dependents, a misdemeanor of the first degree. Each day of violation of division (C) of this section is a separate offense.

Sec. 2919.231. (A) No person, by using physical harassment or threats of violence against another person, shall interfere with the other person's initiation or continuance of, or attempt to prevent the other person from initiating or continuing, an action to issue or modify a support order under Chapter 3115. or under section 2151.23, 2151.231, ~~2151.232~~, 2151.33, 2151.36, 2151.49, 3105.18, 3105.21, 3109.05, 3109.19, 3111.13, 3113.04, 3113.07, or 3113.31 of the Revised Code.

(B) Whoever violates this section is guilty of interfering with an action to issue or modify a support order, a misdemeanor of the first degree. If the offender previously has been convicted of or pleaded guilty to a violation of this section or of section 3111.29 of the Revised Code, interfering with an action to issue or modify a support order is a felony of the fifth degree.

Sec. 3103.03. (A) Each married person must support ~~himself or herself~~ the person's self and ~~his or her~~ spouse out of ~~his or her~~ the person's property or by ~~his or her~~ the person's labor. If a married person is unable to do so, the spouse of the married person must assist in the support so far as the spouse

is able. The biological or adoptive parent of a minor child must support ~~his or her~~ the parent's minor children out of ~~his or her~~ the parent's property or by ~~his or her~~ the parent's labor.

(B) Notwithstanding section 3109.01 of the Revised Code, the parental duty of support to children, including the duty of a parent to pay support pursuant to a child support order, shall continue beyond the age of majority as long as the child continuously attends on a full-time basis any recognized and accredited high school or a court-issued child support order provides that the duty of support continues beyond the age of majority. Except in cases in which a child support order requires the duty of support to continue for any period after the child reaches age nineteen, the order shall not remain in effect after the child reaches age nineteen. That duty of support shall continue during seasonal vacation periods.

(C) If a married person neglects to support ~~his or her~~ the person's spouse in accordance with this section, any other person, in good faith, may supply the spouse with necessaries for the support of the spouse and recover the reasonable value of the necessaries supplied from the married person who neglected to support the spouse unless the spouse abandons that person without cause.

(D) If a parent neglects to support ~~his or her~~ the parent's minor child in accordance with this section and if the minor child in question is unemancipated, any other person, in good faith, may supply the minor child with necessaries for the support of the minor child and recover the reasonable value of the necessaries supplied from the parent who neglected to support the minor child.

(E) If a decedent during ~~his~~ the decedent's lifetime has purchased an irrevocable preneed funeral contract pursuant to section 1109.75 of the Revised Code, then the duty of support owed to a spouse pursuant to this section does not include an obligation to pay for the funeral expenses of the deceased spouse. This division does not preclude a surviving spouse from assuming by contract the obligation to pay for the funeral expenses of the deceased spouse.

Sec. 3103.031. A biological parent of a child, a man determined to be the natural father of a child under sections 3111.01 to 3111.19 or 3111.20 to 3111.29 of the Revised Code, a parent who adopts a minor child pursuant to Chapter 3107. of the Revised Code, ~~a parent who acknowledges parentage on the child's birth certificate as provided in section 3705.09 of the Revised Code,~~ or a parent whose signed acknowledgment of paternity ~~is entered upon the probate court's journal under~~ has become final pursuant to section 2105.18 2151.232, 3111.211, or 5101.314 of the Revised Code assumes the

parental duty of support for that child. Notwithstanding section 3109.01 of the Revised Code, the parental duty of support to the child shall continue beyond the age of majority as long as the child continuously attends on a full-time basis any recognized and accredited high school or a court-issued child support order provides that the duty of support continues beyond the age of majority. Except in cases in which a child support order requires the duty of support to continue for any period after the child reaches age nineteen, the order shall not remain in effect after the child reaches age nineteen. That duty of support shall continue during seasonal vacation periods.

Sec. 3105.18. (A) As used in this section, "spousal support" means any payment or payments to be made to a spouse or former spouse, or to a third party for the benefit of a spouse or a former spouse, that is both for sustenance and for support of the spouse or former spouse. "Spousal support" does not include any payment made to a spouse or former spouse, or to a third party for the benefit of a spouse or former spouse, that is made as part of a division or distribution of property or a distributive award under section 3105.171 of the Revised Code.

(B) In divorce and legal separation proceedings, upon the request of either party and after the court determines the division or disbursement of property under section 3105.171 of the Revised Code, the court of common pleas may award reasonable spousal support to either party. During the pendency of any divorce, or legal separation proceeding, the court may award reasonable temporary spousal support to either party.

An award of spousal support may be allowed in real or personal property, or both, or by decreeing a sum of money, payable either in gross or by installments, from future income or otherwise, as the court considers equitable.

Any award of spousal support made under this section shall terminate upon the death of either party, unless the order containing the award expressly provides otherwise.

(C)(1) In determining whether spousal support is appropriate and reasonable, and in determining the nature, amount, and terms of payment, and duration of spousal support, which is payable either in gross or in installments, the court shall consider all of the following factors:

(a) The income of the parties, from all sources, including, but not limited to, income derived from property divided, disbursed, or distributed under section 3105.171 of the Revised Code;

(b) The relative earning abilities of the parties;

(c) The ages and the physical, mental, and emotional conditions of the

parties;

(d) The retirement benefits of the parties;

(e) The duration of the marriage;

(f) The extent to which it would be inappropriate for a party, because ~~he~~ that party will be custodian of a minor child of the marriage, to seek employment outside the home;

(g) The standard of living of the parties established during the marriage;

(h) The relative extent of education of the parties;

(i) The relative assets and liabilities of the parties, including but not limited to any court-ordered payments by the parties;

(j) The contribution of each party to the education, training, or earning ability of the other party, including, but not limited to, any party's contribution to the acquisition of a professional degree of the other party;

(k) The time and expense necessary for the spouse who is seeking spousal support to acquire education, training, or job experience so that the spouse will be qualified to obtain appropriate employment, provided the education, training, or job experience, and employment is, in fact, sought;

(l) The tax consequences, for each party, of an award of spousal support;

(m) The lost income production capacity of either party that resulted from that party's marital responsibilities;

(n) Any other factor that the court expressly finds to be relevant and equitable.

(2) In determining whether spousal support is reasonable and in determining the amount and terms of payment of spousal support, each party shall be considered to have contributed equally to the production of marital income.

(D) In an action brought solely for an order for legal separation under section 3105.17 of the Revised Code, any continuing order for periodic payments of money entered pursuant to this section is subject to further order of the court upon changed circumstances of either party.

(E) If a continuing order for periodic payments of money as alimony is entered in a divorce or dissolution of marriage action that is determined on or after May 2, 1986, and before January 1, 1991, or if a continuing order for periodic payments of money as spousal support is entered in a divorce or dissolution of marriage action that is determined on or after January 1, 1991, the court that enters the decree of divorce or dissolution of marriage does not have jurisdiction to modify the amount or terms of the alimony or spousal support unless the court determines that the circumstances of either party have changed and unless one of the following applies:

(1) In the case of a divorce, the decree or a separation agreement of the parties to the divorce that is incorporated into the decree contains a provision specifically authorizing the court to modify the amount or terms of alimony or spousal support.

(2) In the case of a dissolution of marriage, the separation agreement that is approved by the court and incorporated into the decree contains a provision specifically authorizing the court to modify the amount or terms of alimony or spousal support.

(F) For purposes of divisions (D) and (E) of this section, a change in the circumstances of a party includes, but is not limited to, any increase or involuntary decrease in the party's wages, salary, bonuses, living expenses, or medical expenses.

(G) Each order for alimony made or modified by a court ~~on or after December 31, 1993,~~ shall include as part of the order a general provision, as described in division (A)(1) of section 3113.21 of the Revised Code, requiring the withholding or deduction of ~~wages~~ income or assets of the obligor under the order as described in division (D) of section 3113.21 of the Revised Code or another type of appropriate requirement as described in division (D)~~(6)(3)~~, (D)~~(7)(4)~~, or (H) of that section, to ensure that withholding or deduction from the wages income or assets of the obligor is available from the commencement of the support order for collection of the support and of any arrearages that occur; a statement requiring all parties to the order to notify the child support enforcement agency in writing of their current mailing address, ~~their~~ current residence address, current residence telephone number, current driver's license number, and of any changes ~~in either address to that information;~~ and a notice that the requirement to notify the agency of all changes ~~in either address~~ to that information continues until further notice from the court.

If any person required to pay alimony under an order made or modified by a court on or after December 1, 1986, and before January 1, 1991, or any person required to pay spousal support under an order made or modified by a court on or after January 1, 1991, is found in contempt of court for failure to make alimony or spousal support payments under the order, the court that makes the finding, in addition to any other penalty or remedy imposed, shall assess all court costs arising out of the contempt proceeding against the person and shall require the person to pay any reasonable attorney's fees of any adverse party, as determined by the court, that arose in relation to the act of contempt.

(H) In divorce or legal separation proceedings, the court may award reasonable attorney's fees to either party at any stage of the proceedings,

including, but not limited to, any appeal, any proceeding arising from a motion to modify a prior order or decree, and any proceeding to enforce a prior order or decree, if it determines that the other party has the ability to pay the attorney's fees that the court awards. When the court determines whether to award reasonable attorney's fees to any party pursuant to this division, it shall determine whether either party will be prevented from fully litigating ~~his~~ that party's rights and adequately protecting ~~his~~ that party's interests if it does not award reasonable attorney's fees.

Sec. 3105.21. (A) Upon satisfactory proof of the causes in the complaint for divorce, annulment, or legal separation, the court of common pleas shall make an order for the disposition, care, and maintenance of the children of the marriage, as is in their best interests, and in accordance with section 3109.04 of the Revised Code.

(B) Upon the failure of proof of the causes in the complaint, the court may make the order for the disposition, care, and maintenance of any dependent child of the marriage as is in the child's best interest, and in accordance with section 3109.04 of the Revised Code.

(C) Each order for child support made or modified under this section ~~on or after December 31, 1993,~~ shall include as part of the order a general provision, as described in division (A)(1) of section 3113.21 of the Revised Code, requiring the withholding or deduction of ~~wages~~ income or assets of the obligor under the order as described in division (D) of section 3113.21 of the Revised Code, or another type of appropriate requirement as described in division (D)~~(6)(3), (D)(7)(4),~~ or (H) of that section, to ensure that withholding or deduction from the ~~wages~~ income or assets of the obligor is available from the commencement of the support order for collection of the support and of any arrearages that occur; a statement requiring all parties to the order to notify the child support enforcement agency in writing of their current mailing address, ~~their~~ current residence address, current residence telephone number, current driver's license number, and any changes ~~in either address to that information;~~ and a notice that the requirement to notify the agency of all changes ~~in either address to that information~~ continues until further notice from the court. Any court of common pleas that makes or modifies an order for child support under this section ~~on or after April 12, 1990,~~ shall comply with sections 3113.21 to 3113.219 of the Revised Code. If any person required to pay child support under an order made under this section on or after April 15, 1985, or modified on or after December 1, 1986, is found in contempt of court for failure to make support payments under the order, the court that makes the finding, in addition to any other penalty or remedy imposed, shall assess all

court costs arising out of the contempt proceeding against the person and require the person to pay any reasonable attorney's fees of any adverse party, as determined by the court, that arose in relation to the act of contempt.

(D) Notwithstanding section 3109.01 of the Revised Code, if a court issues a child support order under this section, the order shall remain in effect beyond the child's eighteenth birthday as long as the child continuously attends on a full-time basis any recognized and accredited high school or the order provides that the duty of support of the child continues beyond the child's eighteenth birthday. Except in cases in which the order provides that the duty of support continues for any period after the child reaches age nineteen, the order shall not remain in effect after the child reaches age nineteen. Any parent ordered to pay support under a child support order issued under this section shall continue to pay support under the order, including during seasonal vacation periods, until the order terminates.

Sec. 3105.72. The record of any action instituted under this chapter shall include the social security numbers of both parties to the action.

Sec. 3107.01. As used in sections 3107.01 to 3107.19 of the Revised Code:

(A) "Agency" means any public or private organization certified, licensed, or otherwise specially empowered by law or rule to place minors for adoption.

(B) "Attorney" means a person who has been admitted to the bar by order of the Ohio supreme court.

(C) "Child" means a son or daughter, whether by birth or by adoption.

(D) "Court" means the probate courts of this state, and when the context requires, means the court of any other state empowered to grant petitions for adoption.

(E) "Identifying information" means any of the following with regard to a person: first name, last name, maiden name, alias, social security number, address, telephone number, place of employment, number used to identify the person for the purpose of the statewide education management information system established pursuant to section 3301.0714 of the Revised Code, and any other number federal or state law requires or permits to be used to identify the person.

(F) "Minor" means a person under the age of eighteen years.

(G) "Putative father" means a man, including one under age eighteen, who may be a child's father and to whom all of the following apply:

(1) He is not married to the child's mother at the time of the child's

conception or birth;

(2) He has not adopted the child;

(3) He has not been determined, prior to the date a petition to adopt the child is filed, to have a parent and child relationship with the child by a court proceeding pursuant to sections 3111.01 to 3111.19 of the Revised Code, a court proceeding in another state, an administrative agency proceeding pursuant to sections 3111.20 to 3111.29 of the Revised Code, or an administrative agency proceeding in another state;

(4) He has not acknowledged paternity of the child pursuant to section ~~2105.18~~ 5101.314 of the Revised Code.

Sec. 3107.06. Unless consent is not required under section 3107.07 of the Revised Code, a petition to adopt a minor may be granted only if written consent to the adoption has been executed by all of the following:

(A) The mother of the minor;

(B) The father of the minor, if any of the following apply:

(1) The minor was conceived or born while the father was married to the mother;

(2) The minor is his child by adoption;

(3) Prior to the date the petition was filed, it was determined by a court proceeding pursuant to sections 3111.01 to 3111.19 of the Revised Code, a court proceeding in another state, an administrative proceeding pursuant to sections 3111.20 to 3111.29 of the Revised Code, or an administrative proceeding in another state that he has a parent and child relationship with the minor;

(4) He acknowledged paternity of the child and that acknowledgment has become final pursuant to section ~~2105.18~~ 2151.232, 3111.211, or 5101.314 of the Revised Code.

(C) The putative father of the minor;

(D) Any person or agency having permanent custody of the minor or authorized by court order to consent;

(E) The juvenile court that has jurisdiction to determine custody of the minor, if the legal guardian or custodian of the minor is not authorized by law or court order to consent to the adoption;

(F) The minor, if more than twelve years of age, unless the court, finding that it is in the best interest of the minor, determines that the minor's consent is not required.

Sec. 3107.064. (A) Except as provided in division (B) of this section, a court shall not issue a final decree of adoption or finalize an interlocutory order of adoption unless the mother placing the minor for adoption or the agency or attorney arranging the adoption files with the court a certified

document provided by the department of human services under section 3107.063 of the Revised Code. The court shall not accept the document unless the date the department places on the document pursuant to that section is thirty-one or more days after the date of the minor's birth.

(B) The document described in division (A) of this section is not required if any of the following apply:

(1) The mother was married at the time the minor was conceived or born;

(2) The parent placing the minor for adoption previously adopted the minor;

(3) Prior to the date a petition to adopt the minor is filed, a man has been determined to have a parent and child relationship with the minor by a court proceeding pursuant to sections 3111.01 to 3111.19 of the Revised Code, a court proceeding in another state, an administrative agency proceeding pursuant to sections 3111.20 to 3111.29 of the Revised Code, or an administrative agency proceeding in another state;

(4) The minor's father acknowledged paternity of the minor and that acknowledgment has become final pursuant to section ~~2405.18~~ 2151.232, 3111.211, or 5101.314 of the Revised Code;

(5) A public children services agency has permanent custody of the minor pursuant to Chapter 2151. or division (B) of section 5103.15 of the Revised Code after both parents lost or surrendered parental rights, privileges, and responsibilities over the minor.

Sec. 3109.042. An unmarried female who gives birth to a child is the sole residential parent and legal custodian of the child until a court of competent jurisdiction issues an order designating another person as the residential parent and legal custodian. A COURT DESIGNATING THE RESIDENTIAL PARENT AND LEGAL CUSTODIAN OF A CHILD DESCRIBED IN THIS SECTION SHALL TREAT THE MOTHER AND FATHER AS STANDING UPON AN EQUALITY WHEN MAKING THE DESIGNATION.

Sec. 3109.05. (A)(1) In a divorce, dissolution of marriage, legal separation, or child support proceeding, the court may order either or both parents to support or help support their children, without regard to marital misconduct. In determining the amount reasonable or necessary for child support, including the medical needs of the child, the court shall comply with sections 3113.21 to 3113.219 of the Revised Code.

(2) The court, in accordance with sections 3113.21 and 3113.217 of the Revised Code, shall include in each support order made under this section the requirement that one or both of the parents provide for the health care

needs of the child to the satisfaction of the court, and the court shall include in the support order a requirement that all support payments be made through the division of child support enforcement agency in the department of human services.

(3) Each order for child support made or modified under this section ~~on or after December 31, 1993,~~ shall include as part of the order a general provision, as described in division (A)(1) of section 3113.21 of the Revised Code, requiring the withholding or deduction of wages income or assets of the obligor under the order as described in division (D) or (H) of section 3113.21 of the Revised Code, or another type of appropriate requirement as described in division (D)~~(6)(3), (D)(7)(4),~~ or (H) of that section, to ensure that withholding or deduction from the wages income or assets of the obligor is available from the commencement of the support order for collection of the support and of any arrearages that occur; a statement requiring both parents to notify the child support enforcement agency in writing of their current mailing address; ~~their~~ current residence address, current residence telephone number, current driver's license number, and any changes ~~in either address to that information,~~ and a notice that the requirement to notify the agency of all changes ~~in either address to that information~~ continues until further notice from the court. The court shall comply with sections 3113.21 to 3113.219 of the Revised Code when it makes or modifies an order for child support under this section.

(B) The juvenile court has exclusive jurisdiction to enter the orders in any case certified to it from another court.

(C) If any person required to pay child support under an order made under division (A) of this section on or after April 15, 1985, or modified on or after December 1, 1986, is found in contempt of court for failure to make support payments under the order, the court that makes the finding, in addition to any other penalty or remedy imposed, shall assess all court costs arising out of the contempt proceeding against the person and require the person to pay any reasonable attorney's fees of any adverse party, as determined by the court, that arose in relation to the act of contempt and, on or after July 1, 1992, shall assess interest on any unpaid amount of child support pursuant to section 3113.219 of the Revised Code.

(D) The court shall not authorize or permit the escrowing, impoundment, or withholding of any child support payment ordered under this section or any other section of the Revised Code because of a denial of or interference with a right of companionship or visitation granted in an order issued under this section, section 3109.051, 3109.11, 3109.12, or any other section of the Revised Code, or as a method of enforcing the specific

provisions of any such order dealing with visitation.

(E) Notwithstanding section 3109.01 of the Revised Code, if a court issues a child support order under this section, the order shall remain in effect beyond the child's eighteenth birthday as long as the child continuously attends on a full-time basis any recognized and accredited high school or the order provides that the duty of support of the child continues beyond the child's eighteenth birthday. Except in cases in which the order provides that the duty of support continues for any period after the child reaches age nineteen, the order shall not remain in effect after the child reaches age nineteen. Any parent ordered to pay support under a child support order issued under this section shall continue to pay support under the order, including during seasonal vacation periods, until the order terminates.

Sec. 3109.12. (A) If a child is born to an unmarried woman, the parents of the woman and any relative of the woman may file a complaint requesting the court of common pleas of the county in which the child resides to grant them reasonable companionship or visitation rights with the child. If a child is born to an unmarried woman and if the father of the child has acknowledged the child and that acknowledgment has become final pursuant to section ~~2405.48~~ 2151.232, 3111.211, or 5101.314 of the Revised Code or has been determined in an action under Chapter 3111. of the Revised Code to be the father of the child, the father, the parents of the father, and any relative of the father may file a complaint requesting the court of common pleas of the county in which the child resides to grant them reasonable companionship or visitation rights with respect to the child.

(B) The court may grant the companionship or visitation rights requested under division (A) of this section, if it determines that the granting of the companionship or visitation rights is in the best interest of the child. In determining whether to grant any person reasonable companionship or visitation rights with respect to any child, the court shall consider all relevant factors, including, but not limited to, the factors set forth in division (D) of section 3109.051 of the Revised Code. Divisions (C), (K), and (L) of section 3109.051 of the Revised Code apply to the determination of reasonable companionship or visitation rights under this section and to any order granting any such rights that is issued under this section.

The marriage or remarriage of the mother or father of a child does not affect the authority of the court under this section to grant the natural father, the parents or relatives of the natural father, or the parents or relatives of the mother of the child reasonable companionship or visitation rights with respect to the child.

If the court denies a request for reasonable companionship or visitation rights made pursuant to division (A) of this section and the complainant files a written request for findings of fact and conclusions of law, the court shall state in writing its findings of fact and conclusions of law in accordance with Civil Rule 52.

Except as provided in division (E)(6) of section 3113.31 of the Revised Code, if the court, pursuant to this section, grants any person companionship or visitation rights with respect to any child, it shall not require the public children services agency to provide supervision of or other services related to that person's exercise of companionship or visitation rights with respect to the child. This section does not limit the power of a juvenile court pursuant to Chapter 2151. of the Revised Code to issue orders with respect to children who are alleged to be abused, neglected, or dependent children or to make dispositions of children who are adjudicated abused, neglected, or dependent children or of a common pleas court to issue orders pursuant to section 3113.31 of the Revised Code.

Sec. 3109.19. (A) As used in this section, "minor" has the same meaning as in section 3107.01 of the Revised Code.

(B)(1) If a child is born to parents who are unmarried and unemancipated minors, a parent of one of the minors is providing support for the minors' child, and the minors have not signed an acknowledgment of paternity or a parent and child relationship has not been established between the child and the male minor, the parent who is providing support for the child may request a determination of the existence or nonexistence of a parent and child relationship between the child and the male minor pursuant to Chapter 3111. of the Revised Code.

(2) If a child is born to parents who are unmarried and unemancipated minors, a parent of one of the minors is providing support for the child, and the minors have signed an acknowledgment of paternity that has become final pursuant to section ~~2105.48~~ 2151.232, 3111.211, or 5101.314 of the Revised Code or a parent and child relationship has been established between the child and the male minor pursuant to Chapter 3111. of the Revised Code, the parent who is providing support for the child may file a complaint requesting that the court issue an order or may request the child support enforcement agency of the county in which the child resides to issue an administrative order requiring all of the minors' parents to pay support for the child.

(C)(1) On receipt of a complaint filed under division (B)(2) of this section, the court shall schedule a hearing to determine, in accordance with sections 3113.21 to 3113.219 of the Revised Code, the amount of child

support the minors' parents are required to pay ~~and~~, the method of paying the support, and the method of providing for the child's health care needs. On receipt of a request under division (B)(2) of this section, the agency shall schedule a hearing to determine, in accordance with sections 3111.23 to 3111.28 and 3113.215 of the Revised Code, the amount of child support the minors' parents are required to pay ~~for and~~, the method of paying the support, and the method of providing for the child's health care needs. At the conclusion of the hearing, the court or agency shall issue an order requiring the payment of support of the child and provision for the child's health care needs. The court or agency shall calculate the child support amount using the income of the minors' parents instead of the income of the minors. If any of the minors' parents are divorced, the court or agency shall calculate the child support as if they were married, and issue a child support order requiring the parents to pay a portion of any support imposed as a separate obligation. If a child support order issued pursuant to section 2151.23, ~~2151.231, 2151.232~~, 3111.13, 3111.20, ~~3111.21~~ 3111.211, or 3111.22 of the Revised Code requires one of the minors to pay support for the child, the amount the minor is required to pay shall be deducted from any amount that minor's parents are required to pay pursuant to an order issued under this section. The hearing shall be held not later than sixty days after the day the complaint is filed or the request is made nor earlier than thirty days after the court or agency gives the minors' parents notice of the action.

(2) An order issued by an agency for the payment of child support shall include a notice stating all of the following: that the parents of the minors may object to the order by filing a complaint pursuant to division (B)(2) of this section with the court requesting that the court issue an order requiring the minors' parents to pay support for the child and provide for the child's health care needs; that the complaint may be filed no later than thirty days after the date of the issuance of the agency's order; and that, if none of the parents of the minors file a complaint pursuant to division (B)(2) of this section, the agency's order is final and enforceable by a court and may be modified and enforced only in accordance with sections 3111.23 to 3111.28 and sections 3113.21 to 3113.219 of the Revised Code.

(D) An order issued by a court or agency under this section shall remain in effect, except as modified pursuant to sections 3113.21 to 3113.219 of the Revised Code with respect to a court-issued child support order or pursuant to sections 3111.23 to 3111.28 and 3113.215 of the Revised Code with respect to an administrative child support order, until the occurrence of any of the following:

(1) The minor who resides with the parents required to pay support

under this section reaches the age of eighteen years, dies, marries, enlists in the armed services, is deported, gains legal or physical custody of the child, or is otherwise emancipated.

(2) The child who is the subject of the order dies, is adopted, is deported, or is transferred to the legal or physical custody of the minor who lives with the parents required to pay support under this section.

(3) The minor's parents to whom support is being paid pursuant to this section is no longer providing any support for the child.

(E)(1) The minor's parents to whom support is being paid under a child support order issued by a court pursuant to this section shall notify, and the minor's parents who are paying support may notify the child support enforcement agency of the occurrence of any event described in division (D) of this section. A willful failure to notify the agency as required by this division is contempt of court. Upon receiving notification pursuant to this division, the agency shall comply with division (G)(4) of section 3113.21 of the Revised Code.

(2) The minor's parents to whom support is being paid under a child support order issued by the agency pursuant to this section shall notify, and the minor's parents who are paying support may notify the child support enforcement agency of the occurrence of any event described in division (D) of this section. Upon receiving notification pursuant to this division, the agency shall comply with division (E)(4) of section 3111.23 of the Revised Code.

Sec. 3111.02. (A) The parent and child relationship between a child and the child's natural mother may be established by proof of her having given birth to the child or pursuant to sections 3111.01 to 3111.19 or 3111.20 to 3111.29 of the Revised Code. The parent and child relationship between a child and the natural father of the child may be established by ~~a probate court entering an acknowledgment upon its journal of paternity~~ as provided in section ~~2105.18~~ 5101.314 of the Revised Code, and pursuant to sections 3111.01 to 3111.19 or 3111.20 to 3111.29 of the Revised Code. The parent and child relationship between a child and the adoptive parent of the child may be established by proof of adoption or pursuant to Chapter 3107. of the Revised Code.

(B) A court that is determining a parent and child relationship pursuant to this chapter shall give full faith and credit to a parentage determination made under the laws of this state or another state, regardless of whether the parentage determination was made pursuant to a voluntary acknowledgement of paternity, an administrative procedure, or a court proceeding.

Sec. 3111.03. (A) A man is presumed to be the natural father of a child under any of the following circumstances:

(1) The man and the child's mother are or have been married to each other, and the child is born during the marriage or is born within three hundred days after the marriage is terminated by death, annulment, divorce, or dissolution or after the man and the child's mother separate pursuant to a separation agreement.

(2) The man and the child's mother attempted, before the child's birth, to marry each other by a marriage that was solemnized in apparent compliance with the law of the state in which the marriage took place, the marriage is or could be declared invalid, and either of the following ~~apply~~ APPLIES:

(a) The marriage can only be declared invalid by a court and the child is born during the marriage or within three hundred days after the termination of the marriage by death, annulment, divorce, or dissolution;

(b) The attempted marriage is invalid without a court order and the child is born within three hundred days after the termination of cohabitation.

(3) The man and the child's mother, after the child's birth, married or attempted to marry each other by a marriage solemnized in apparent compliance with the law of the state in which the marriage took place, and ~~any~~ either of the following ~~occur~~ occurs:

(a) The man has acknowledged his paternity of the child in a writing sworn to before a notary public;

~~(b) The man, with his consent, is named as the child's father on the child's birth certificate;~~

~~(c) The man is required to support the child by a written voluntary promise or by a court order.~~

~~(4) The man, with his consent, signs the child's birth certificate as an informant as provided in section 3705.09 of the Revised Code.~~

~~(5) A court enters upon its journal an acknowledgment an acknowledgment of paternity filed with the division of child support in the department of human services becomes final pursuant to section ~~2105.18~~ 2151.232, 3111.211, or 5101.314 of the Revised Code.~~

~~(6)~~(5) A court or administrative body, pursuant to section 3111.09, ~~3111.22, or 3115.24~~ 3115.52 of the Revised Code or otherwise, has ordered that genetic tests be conducted or the natural mother and alleged natural father voluntarily agreed to genetic testing pursuant to ~~former~~ former section 3111.21 ~~or 3111.22~~ of the Revised Code to determine the father and child relationship and the results of the genetic tests indicate a probability of ~~ninety-five~~ ninety-nine per cent or greater that the man is the biological father of the child.

(B)(1) A presumption arises under division (A)(3) of this section regardless of the validity or invalidity of the marriage of the parents. A presumption that arises under this section can only be rebutted by clear and convincing evidence that includes the results of genetic testing, except that a presumption that arises under division (A)(1) or (2) of this section is conclusive as provided in division (A) of section 3111.37 of the Revised Code and cannot be rebutted. If two or more conflicting presumptions arise under this section, the court shall determine, based upon logic and policy considerations, which presumption controls. If a determination described in division (B)(3) of this section conflicts with a presumption that arises under this section the determination is controlling.

(2) Notwithstanding division (B)(1) of this section, a presumption that arises under division (A)(4) of this section may only be rebutted as provided in division (B)(2) of section 5101.314 of the Revised Code.

(3) Notwithstanding division (A)(5) of this section, a final and enforceable determination finding the existence of a father and child relationship pursuant to former section 3111.21 or section 3111.22 of the Revised Code that is based on the results of genetic tests ordered pursuant to either of those sections, is not a presumption.

(C) A presumption of paternity that arose pursuant to this section prior to the effective date of this amendment shall remain valid on and after that date unless rebutted pursuant to division (B) of this section. This division does not apply to a determination described in division (B)(3) of this section.

Sec. 3111.04. (A) An action to determine the existence or nonexistence of the father and child relationship may be brought by the child or the child's personal representative, the child's mother or her personal representative, a man alleged or alleging himself to be the child's father, the child support enforcement agency of the county in which the child resides if the child's mother is a recipient of public assistance ~~as defined in section 2301.351 of the Revised Code~~ or of services under Title IV-D of the "Social Security Act," 88 Stat. 2351 (1975), 42 U.S.C.A. 651, as amended, or the alleged father's personal representative.

(B) An agreement does not bar an action under this section.

(C) If an action under this section is brought before the birth of the child and if the action is contested, all proceedings, except service of process and the taking of depositions to perpetuate testimony, may be stayed until after the birth.

(D) A recipient of public assistance ~~as defined in section 2301.351 of the Revised Code~~ or of services under Title IV-D of the "Social Security

Act," 88 Stat. 2351 (1975), 42 U.S.C.A. 651, as amended, shall ~~request~~ cooperate with the child support enforcement agency of the county in which a child resides to ~~make~~ obtain an administrative determination pursuant to section 3111.22 Of the Revised Code, or, if necessary, a court determination pursuant to sections 3111.01 to 3111.19 Of the Revised Code, of the existence or nonexistence of a parent and child relationship between the father and the child ~~pursuant to section 3111.22 of the Revised Code before the recipient commences an action to determine the existence or nonexistence of that parent and child relationship~~. If the recipient fails to cooperate, the agency may commence an action to determine the existence or nonexistence of a parent and child relationship between the father and the child pursuant to sections 3111.01 to 3111.19 Of the Revised Code.

(E) As used in this section, "public assistance" means medical assistance under Chapter 5111. Of the Revised Code, assistance under Chapter 5107. Of the Revised Code, or disability assistance under Chapter 5115. Of the Revised Code.

Sec. 3111.06. (A) The juvenile court has original jurisdiction of any action authorized under sections 3111.01 to 3111.19 of the Revised Code. An action may be brought under those sections in the juvenile court of the county in which the child, the child's mother, or the alleged father resides or is found or, if the alleged father is deceased, of the county in which proceedings for the probate of ~~his~~ the alleged father's estate have been or can be commenced, or of the county in which the child is being provided support by the department of human services of that county. An action pursuant to sections 3111.01 to 3111.19 Of the Revised Code to object to an administrative order issued pursuant to former section 3111.21 or section 3111.22 Of the Revised Code determining the existence or nonexistence of a parent and child relationship that has not become final and enforceable, may be brought only in the juvenile court of the county in which the child support enforcement agency that issued the order is located. If an action for divorce, dissolution, or legal separation has been filed in a court of common pleas, that court of common pleas has original jurisdiction to determine if the parent and child relationship exists between one or both of the parties and any child alleged or presumed to be the child of one or both of the parties.

(B) A person who has sexual intercourse in this state submits to the jurisdiction of the courts of this state as to an action brought under sections 3111.01 to 3111.19 of the Revised Code with respect to a child who may have been conceived by that act of intercourse. In addition to any other method provided by the Rules of Civil Procedure, personal jurisdiction may

be acquired by personal service of summons outside this state or by certified mail with proof of actual receipt.

Sec. 3111.07. (A) The natural mother, each man presumed to be the father under section 3111.03 of the Revised Code, each man alleged to be the natural father, and, if the party who initiates the action is a recipient of public assistance as defined in section ~~2301.351~~ 3111.04 of the Revised Code or if the responsibility for the collection of support for the child who is the subject of the action has been assumed by the child support enforcement agency under Title IV-D of the "Social Security Act," 88 Stat. 2351 (1975), 42 U.S.C.A. 651, as amended, the child support enforcement agency of the county in which the child resides shall be made parties to the action brought pursuant to sections 3111.01 to 3111.19 of the Revised Code or, if not subject to the jurisdiction of the court, shall be given notice of the action pursuant to the Rules of Civil Procedure and shall be given an opportunity to be heard. The court may align the parties. The child shall be made a party to the action unless a party shows good cause for not doing so. Separate counsel shall be appointed for the child if the court finds that the child's interests conflict with those of the mother.

If the person bringing the action knows that a particular man is not or, based upon the facts and circumstances present, could not be the natural father of the child, the person bringing the action shall not allege in the action that the man is the natural father of the child and shall not make the man a party to the action.

(B) If an action is brought pursuant to sections 3111.01 to 3111.19 of the Revised Code and the child to whom the action pertains is or was being provided support by the department of human services, a county department of human services, or another public agency, the department, county department, or agency may intervene for purposes of collecting or recovering the support.

Sec. 3111.09. (A)(1) In any action instituted under sections 3111.01 to 3111.19 of the Revised Code, the court, upon its own motion, may order and, upon the motion of any party to the action, shall order the child's mother, the child, the alleged father, and any other person who is a defendant in the action to submit to genetic tests. ~~If genetic tests are ordered upon the motion of a party or the court, the court shall order that the child's mother, the child, the alleged father, and any other defendant submit to genetic testing.~~ Instead of or in addition to genetic testing ordered pursuant to this section, the court may ~~order the superintendent of the bureau of criminal identification and investigation to disclose information regarding a~~ use the following information to determine the existence of a parent and

child relationship between the child and the child's mother, the alleged father, or another defendant:

(a) A DNA record of the child's mother, the child, the alleged father, or any other defendant that is stored in the DNA database pursuant to section 109.573 of the Revised Code and may use that information to determine the existence of a parent and child relationship between the child and the child's mother, the alleged father, or another defendant.;

(b) Results of genetic tests conducted on the child, the child's mother, the alleged father, or any other defendant pursuant to former section 3111.21 or section 3111.22 of the Revised Code.

If the court intends to use the information described in division (A)(1)(a) of this section, it shall order the superintendent of the bureau of criminal identification and investigation to disclose the information to the court. If the court intends to use the genetic test results described in division (A)(1)(b) of this section, it shall order the agency that ordered the tests to provide the report of the genetic test results to the court.

(2) If the child support enforcement agency is not made a party to the action, the clerk of the court shall schedule the genetic testing no later than thirty days after the court issues its order. If the agency is made a party to the action, the agency shall schedule the genetic testing in accordance with the rules adopted by the department of human services pursuant to section 2301.35 of the Revised Code. If the alleged father of a child brings an action under sections 3111.01 to 3111.19 of the Revised Code and if the mother of the child willfully fails to submit to genetic testing or if the mother is the custodian of the child and willfully fails to submit the child to genetic testing, the court, on the motion of the alleged father, shall issue an order determining the existence of a parent and child relationship between the father and the child without genetic testing. If the mother or other guardian or custodian of the child brings an action under sections 3111.01 to 3111.19 of the Revised Code and if the alleged father of the child willfully fails to submit himself to genetic testing or, if the alleged father is the custodian of the child and willfully fails to submit the child to genetic testing, the court shall issue an order determining the existence of a parent and child relationship between the father and the child without genetic testing. If a party shows good cause for failing to submit to genetic testing or for failing to submit the child to genetic testing, the court shall not consider the failure to be willful.

(3) Except as provided in division (A)(4) of this section, any fees charged for the tests shall be paid by the party that requests them, unless the custodian of the child is represented by the child support enforcement

agency in its role as the agency providing enforcement of child support orders under Title IV-D of the "Social Security Act," 88 Stat. 2351 (1975), 42 U.S.C. 651, as amended, the custodian is a participant in Ohio works first under Chapter 5107. of the Revised Code for the benefit of the child, or the defendant in the action is found to be indigent, in which case the child support enforcement agency shall pay the costs of genetic testing. The child support enforcement agency, within guidelines contained in that federal law, shall use funds received pursuant to Title IV-D of the "Social Security Act," 88 Stat. 2351 (1975), 42 U.S.C. 651, as amended, to pay the fees charged for the tests. #

Except as provided in division (A)(4) of this section, if there is a dispute as to who shall pay the fees charged for genetic testing, the child support enforcement agency shall pay the fees, but neither the court nor the agency shall delay genetic testing due to a dispute as to who shall pay the genetic testing fees. The child support enforcement agency or the person who paid the fees charged for the genetic testing may seek reimbursement for the genetic testing fees from the person against whom the court assesses the costs of the action. Any funds used in accordance with this division by the child support enforcement agency shall be in addition to any other funds that the agency is entitled to receive as a result of any contractual provision for specific funding allocations for the agency between the county, the state, and the federal government.

(4) If, pursuant to former section 3111.21 or section 3111.22 of the Revised Code, the agency has previously conducted genetic tests on the child, child's mother, alleged father, or any other defendant and the current action pursuant to section 3111.01 to 3111.19 of the Revised Code has been brought to object to the result of those previous tests, the agency shall not be required to pay the fees for conducting genetic tests pursuant to this section on the same persons.

(B)(1) The genetic tests shall be made by qualified examiners who are authorized by the court or the department of human services. An examiner conducting a genetic test, upon the completion of the test, shall send a complete report of the test results to the clerk of the court that ordered the test or, if the agency is a party to the action, to the child support enforcement agency of the county in which the court that ordered the test is located.

(2) If a court orders the superintendent of the bureau of criminal identification and investigation to disclose information regarding a DNA record stored in the DNA database pursuant to section 109.573 of the Revised Code, the superintendent shall send the information to the clerk of the court that issued the order or, if the agency is a party to the action, to the

child support enforcement agency of the county in which the court that issued the order is located.

(3) If a court orders the child support enforcement agency to provide the report of the genetic test results obtained pursuant to former section 3111.21 or section 3111.22 Of the Revised Code, the agency shall send the information to the person or government entity designated by the court that issued the order.

(4) The clerk of the agency, or person or government entity under division (B)(3) of this section that receives a report or information pursuant to division (B)(1), (2), or (3) of this section shall mail a copy of the report or information to the attorney of record for each party or, if a party is not represented by an attorney, to the party. The clerk of the agency, or person or government entity under division (B)(3) of this section that receives a copy of the report or information shall include with the report or information sent to an attorney of record of a party or a party a notice that the party may object to the admission into evidence of the report or information by filing a written objection as described in division (D) of section 3111.12 of the Revised Code with the court that ordered the tests or ordered the disclosure of the information no later than fourteen days after the report or information was mailed to the attorney of record or to the party. The examiners may be called as witnesses to testify as to their findings. Any party may demand that other qualified examiners perform independent genetic tests under order of the court. The number and qualifications of the independent examiners shall be determined by the court.

(C) Nothing in this section prevents any party to the action from producing other expert evidence on the issue covered by this section, but, if other expert witnesses are called by a party to the action, the fees of these expert witnesses shall be paid by the party calling the witnesses and only ordinary witness fees for these expert witnesses shall be taxed as costs in the action.

(D) If the court finds that the conclusions of all the examiners are that the alleged father is not the father of the child, the court shall enter judgment that the alleged father is not the father of the child. If the examiners disagree in their findings or conclusions, the court ~~or jury~~ shall determine the father of the child based upon all the evidence.

(E) As used in sections 3111.01 to 3111.29 of the Revised Code:

(1) "Genetic tests" and "genetic testing" mean either of the following:

(a) Tissue or blood tests, including tests that identify the presence or absence of common blood group antigens, the red blood cell antigens, human lymphocyte antigens, serum enzymes, serum proteins, or genetic

markers;

(b) Deoxyribonucleic acid typing of blood or buccal cell samples.

"Genetic test" and "genetic testing" may include the typing and comparison of deoxyribonucleic acid derived from the blood of one individual and buccal cells of another.

(2) "DNA record" and "DNA database" have the same meanings as in section 109.573 of the Revised Code.

Sec. 3111.111. If an action is brought pursuant to sections 3111.01 to 3111.19 of the Revised Code to object to a determination made pursuant to former section 3111.21 or section 3111.22 of the Revised Code that the alleged father is the natural father of a child, the court, on its own motion or on the motion of either party, shall issue a temporary order for the support of the child pursuant to section 3113.21 to 3113.219 of the Revised Code requiring the alleged father to pay support to the natural mother or the guardian or legal custodian of the child. The order shall remain in effect until the court issues a judgment in the action pursuant to section 3111.13 of the Revised Code that determines the existence or nonexistence of a father and child relationship. If the court, in its judgment, determines that the alleged father is not the natural father of the child, the court shall order the person to whom the temporary support was paid under the order to repay the alleged father all amounts paid for support under the temporary order.

Sec. 3111.12. (A) In an action under sections 3111.01 to 3111.19 of the Revised Code, the mother of the child and the alleged father are competent to testify and may be compelled to testify by subpoena. If a witness refuses to testify upon the ground that the testimony or evidence of the witness might tend to incriminate the witness and the court compels the witness to testify, the court may grant the witness immunity from having the testimony of the witness used against the witness in subsequent criminal proceedings.

(B) Testimony of a physician concerning the medical circumstances of the mother's pregnancy and the condition and characteristics of the child upon birth is not privileged.

(C) Testimony relating to sexual access to the mother by a man at a time other than the probable time of conception of the child is inadmissible in evidence, unless offered by the mother.

(D) If, pursuant to section 3111.09 of the Revised Code, a court orders genetic tests to be conducted ~~or~~, orders disclosure of information regarding a DNA record stored in the DNA database pursuant to section 109.573 of the Revised Code, or intends to use a report of genetic test results obtained from tests conducted pursuant to former section 3111.21 or section 3111.22 Of the Revised Code, a party may object to the admission into evidence of ~~the~~

~~report~~ any of the genetic test results or of the DNA record information by filing a written objection with the court that ordered the tests or disclosure or intends to use a report of genetic test results. The party shall file the written objection with the court no later than fourteen days after the report of the test results or the DNA record information is mailed to the attorney of record of a party or to a party. The party making the objection shall send a copy of the objection to all parties.

If a party files a written objection, the report of the test results or the DNA record information shall be admissible into evidence as provided by the Rules of Evidence. If a written objection is not filed, the report of the test results or the DNA record information shall be admissible into evidence without the need for foundation testimony or other proof of authenticity or accuracy.

~~(E) Any party to an action brought pursuant to sections 3111.01 to 3111.19 of the Revised Code may demand a jury trial by filing the demand within three days after the action is set for trial. If a jury demand is not filed within the three day period, the trial shall be by the court.~~

~~If the action is tried to a jury, the verdict of the jury is limited only to the parentage of the child, and all other matters involved in the action shall be determined by the court following the rendering of the verdict~~ IF A PARTY INTENDS TO INTRODUCE INTO EVIDENCE INVOICES OR OTHER DOCUMENTS SHOWING AMOUNTS EXPENDED TO COVER PREGNANCY AND CONFINEMENT AND GENETIC TESTING, THE PARTY SHALL NOTIFY ALL OTHER PARTIES IN WRITING OF THAT INTENT AND INCLUDE COPIES OF THE INVOICES AND DOCUMENTS. A PARTY MAY OBJECT TO THE ADMISSION INTO EVIDENCE OF THE INVOICES OR DOCUMENTS BY FILING A WRITTEN OBJECTION WITH THE COURT THAT IS HEARING THE ACTION NO LATER THAN FOURTEEN DAYS AFTER THE NOTICE AND THE COPIES OF THE INVOICES AND DOCUMENTS ARE MAILED TO THE ATTORNEY OF RECORD OF EACH PARTY OR TO EACH PARTY.

IF A PARTY FILES A WRITTEN OBJECTION, THE INVOICES AND OTHER DOCUMENTS SHALL BE ADMISSIBLE INTO EVIDENCE AS PROVIDED BY THE RULES OF EVIDENCE. IF A WRITTEN OBJECTION IS NOT FILED, THE invoices or other documents are admissible into evidence without the need for foundation testimony or other evidence of authenticity or accuracy.

(F) A juvenile court shall give priority to actions under sections 3111.01 to 3111.19 of the Revised Code and shall issue an order determining the

stence or nonexistence of a parent and child relationship no later than one hundred twenty days after the date on which the action was brought in the juvenile court.

Sec. 3111.13. (A) The judgment or order of the court determining the existence or nonexistence of the parent and child relationship is determinative for all purposes.

(B) If the judgment or order of the court is at variance with the child's birth record, the court may order that a new birth record be issued under section 3111.18 of the Revised Code.

(C) The judgment or order may contain any other provision directed against the appropriate party to the proceeding, concerning the duty of support, the furnishing of bond or other security for the payment of the judgment, or any other matter in the best interest of the child. The judgment or order shall direct the father to pay all or any part of the reasonable expenses of the mother's pregnancy and confinement. After entry of the judgment or order, the father may petition that he be designated the residential parent and legal custodian of the child or for visitation rights in a proceeding separate from any action to establish paternity. Additionally, if the mother is unmarried, the father, the parents of the father, any relative of the father, the parents of the mother, and any relative of the mother may file a complaint pursuant to section 3109.12 of the Revised Code requesting the granting under that section of reasonable companionship or visitation rights with respect to the child.

The judgment or order shall contain any provision required by ~~division (B) of~~ section 3111.14 of the Revised Code.

(D) Support judgments or orders ordinarily shall be for periodic payments that may vary in amount. In the best interest of the child, a lump-sum payment or the purchase of an annuity may be ordered in lieu of periodic payments of support.

(E) In determining the amount to be paid by a parent for support of the child and the period during which the duty of support is owed, a court enforcing the obligation of support shall comply with sections 3113.21 to 3113.219 of the Revised Code.

(F)(1) Each order for child support made or modified under this section ~~on or after December 31, 1993,~~ shall include as part of the order a general provision, as described in division (A)(1) of section 3113.21 of the Revised Code, requiring the withholding or deduction of ~~wages~~ income or assets of the obligor under the order as described in division (D) or (H) of section 3113.21 of the Revised Code, or another type of appropriate requirement as described in division (D)~~(6)(3)~~, (D)~~(7)(4)~~, or (H) of that section, to ensure

that withholding or deduction from the ~~wages~~ income or assets of the obligor is available from the commencement of the support order for collection of the support and of any arrearages that occur; a statement requiring all parties to the order to notify the child support enforcement agency in writing of their current mailing address, ~~their~~ current residence address, current residence telephone number, current driver's license number, and any changes ~~in either address to that information;~~ and a notice that the requirement to notify the agency of all changes ~~in either address to that information~~ continues until further notice from the court. Any court that makes or modifies an order for child support under this section ~~on or after April 12, 1990,~~ shall comply with sections 3113.21 to 3113.219 of the Revised Code. If any person required to pay child support under an order made under this section on or after April 15, 1985, or modified on or after December 1, 1986, is found in contempt of court for failure to make support payments under the order, the court that makes the finding, in addition to any other penalty or remedy imposed, shall assess all court costs arising out of the contempt proceeding against the person and require the person to pay any reasonable attorney's fees of any adverse party, as determined by the court, that arose in relation to the act of contempt.

(2) Notwithstanding section 3109.01 of the Revised Code, if a court issues a child support order under this section, the order shall remain in effect beyond the child's eighteenth birthday as long as the child continuously attends on a full-time basis any recognized and accredited high school or the order provides that the duty of support of the child continues beyond the child's eighteenth birthday. Except in cases in which the order provides that the duty of support continues for any period after the child reaches nineteen years of age, the order shall not remain in effect after the child reaches age nineteen. Any parent ordered to pay support under a child support order issued under this section shall continue to pay support under the order, including during seasonal vacation periods, until the order terminates.

(3) When a court determines whether to require a parent to pay an amount for that parent's failure to support a child prior to the date the court issues an order requiring that parent to pay an amount for the current support of that child, it shall consider all relevant factors, including, but not limited to, any monetary contribution either parent of the child made to the support of the child prior to the court issuing the order requiring the parent to pay an amount for the current support of the child.

(G) As used in this section, "birth record" has the same meaning as in section 3705.01 of the Revised Code.

(H) Unless the court has reason to believe that a person named in the order is a potential victim of domestic violence, any order issued pursuant to this section finding the existence of a parent and child relationship shall contain the full names, addresses, and social security numbers of the mother and father of the child and the full name and address of the child.

Sec. 3111.20. (A) As used in sections 3111.20 to 3111.29 of the Revised Code:

(1) "Obligor" means the person required to pay support under an administrative support order.

(2) "Obligee" means the person entitled to receive the support payments under an administrative support order.

(3) "Administrative support order" means an administrative order for the payment of support that is issued by a child support enforcement agency.

(4) "Support" means child support.

(5) "Personal earnings" means compensation paid or payable for personal services, however denominated, and includes, but is not limited to, wages, salary, commissions, bonuses, draws against commissions, profit sharing, and vacation pay.

(6) "Financial institution" means a bank, savings and loan association, or credit union, or a regulated investment company or mutual fund in which a person who is required to pay support has funds on deposit that are not exempt under the law of this state or the United States from execution, attachment, or other legal process.

(7) "Title IV-D case" means any case in which the child support enforcement agency is enforcing the support order pursuant to Title IV-D of the "Social Security Act," 88 Stat. 2351 (1975), 42 U.S.C. 651, as amended.

(8) "Payor" means any person or entity that distributes income to an obligor including, the obligor, if the obligor is self-employed; an employer; an employer that is paying the obligor's workers' COMPENSATION benefits; the public employees retirement board; the governing entity of any municipal retirement system; the board of trustees of the police and firemen's disability and pension fund; the state teachers retirement board; the school employees retirement board; the state highway patrol retirement board; a person paying or otherwise distributing an obligor's income; the bureau of workers' compensation; or any other person or entity, EXCEPT THE BUREAU OF EMPLOYMENT SERVICES WITH RESPECT TO UNEMPLOYMENT COMPENSATION BENEFITS PAID PURSUANT TO CHAPTER 4141. Of the Revised Code.

(9) "Income" means any form of monetary payment including, personal earnings; unemployment compensation benefits TO THE EXTENT

MITTED BY, AND IN ACCORDANCE WITH, SECTION 2301.371 OF THE REVISED CODE, DIVISION (D)(4) OF SECTION 4141.28 OF THE REVISED CODE, AND FEDERAL LAW GOVERNING THE BUREAU OF EMPLOYMENT SERVICES; workers' compensation payments; pensions; annuities; allowances; retirement benefits; disability or sick pay; insurance proceeds; lottery prize awards; federal, state, or local government benefits to the extent that the benefits can be withheld or deducted under the law governing the benefits; any form of trust fund or endowment; lump-sum payments; and any other monetary payments.

(B) A man who is presumed to be the natural father of a child pursuant to section 3111.03 of the Revised Code assumes the parental duty of support with respect to the child.

(C) Notwithstanding section 3109.01 of the Revised Code, a parent's duty of support for a child shall continue beyond the age of majority as long as the child continuously attends on a full-time basis any recognized and accredited high school or a court-issued child support order provides that the duty of support continues beyond the age of majority. Except in cases in which a child support order requires the duty of support to continue for any period after the child reaches nineteen years of age, the duty does not continue after the child reaches nineteen years of age. The parental duty of support shall continue during seasonal vacations.

A parent, guardian, or legal custodian of a child, the person with whom the child resides, or the child support enforcement agency of the county in which the child, parent, guardian, or legal custodian of the child resides may file a complaint pursuant to section 2151.231 of the Revised Code in the juvenile court of that county requesting the court to order a parent who neglects or does not assume the parental duty of support to pay an amount for the support of the child and to provide for the health care needs of the child and to provide for the health care needs of the child, may contact a child support enforcement agency for assistance in obtaining the order, or may request an administrative officer of a child support enforcement agency to issue an administrative order for the payment of child support and providing for the health care needs of the child pursuant to division (D) of this section. Upon the filing of the complaint or the making of the request, the court shall issue an order requiring the payment of support for the child and providing for the health care needs of the child, pursuant to section 2151.231 of the Revised Code, or the administrative officer, pursuant to division (D) of this section, shall issue an order requiring the payment of support for the child and providing for the health care needs of the child.

A party to a request made under this division may raise the issue of the

existence or nonexistence of a parent-child relationship between the presumed natural father and the child unless the presumption is based on acknowledgment of paternity that has become final pursuant to section 2151.232, 3111.211, or 5101.314 Of the Revised Code. If a request is made for an administrative order ~~of providing for support and health care needs~~ pursuant to division (D) of this section and the issue of the existence or nonexistence of a parent-child relationship is raised, the administrative officer shall treat the request as a request made pursuant to section 3111.22 of the Revised Code and determine the issue pursuant to that section. ~~The administrative officer may issue an order pursuant to division (D) of this section if the administrative proceeding terminates before a determination of the existence or nonexistence of a parent-child relationship is made and the termination is due to the presumed natural father's failure to sign an acknowledgment of paternity, sign an agreement to be bound by the results of genetic testing, or appear at the administrative hearing without showing good cause for the failure to appear, or the proceedings terminate because of the presumed natural father's failure to submit to genetic testing or submit the child to genetic testing.~~ An administrative order issued pursuant to division (D) of this section does not preclude a party from requesting a determination of the issue of the existence or nonexistence of a ~~parent-child~~ parent and child relationship pursuant to this chapter if the issue ~~is~~ was not determined with respect to the party in the proceedings conducted pursuant to division (D) of this section or pursuant to an acknowledgment of paternity that has become final under section 2151.232, 3111.211, or 5101.314 Of the Revised Code. An order issued pursuant to division (D) of this section shall remain effective until a final and enforceable determination is made pursuant to this chapter that a parent-child relationship does not exist between the presumed natural father and the child or until the occurrence of an event described in division (E)(4)(a) of section 3111.23 of the Revised Code that requires the order to be terminated.

(D) If a request is made pursuant to division (C) of this section or division (A) of section 3111.211 Of the Revised Code for an administrative order requiring the payment of child support and providing for the health care needs of the child, the administrative officer shall schedule an administrative hearing to determine, in accordance with sections 3111.23 to 3111.29 and 3113.215 of the Revised Code, the amount of child support either parent is required to pay ~~and,~~ the method of paying that child support, and the method of providing for the child's health care. The hearing shall be held not later than sixty days after the ~~issuance of the administrative order~~ request is made pursuant to division (A) of this section or division (A) of

tion 3111.211 Of the Revised Code nor earlier than thirty days after the officer gives the mother and father of the child notice of the action. When an administrative officer issues an administrative order for the payment of support and provision for the child's health care, all of the following apply:

(1) ~~An~~ The administrative support order for the payment of support ~~ordinarily shall be for~~ require periodic payments of support that may vary in amount. ~~In, except that, if it is in~~ the best interest of the child, the administrative officer may order a lump sum payment or the purchase of an annuity in lieu of periodic payments of support.

(2) The administrative support order shall require the parents to provide for the health care needs of the child in accordance with section 3111.241 Of the Revised Code.

The administrative support order for the payment of support shall include a notice stating that the mother or the father may object to the administrative order by bringing an action for the payment of support and provision for the child's health care under section 2151.321 of the Revised Code in the juvenile court of the county in which the child or the guardian or legal custodian of the child resides, that the action may be brought no later than thirty days after the date of the issuance of the administrative support order requiring the payment of child support, and that, if neither the mother nor the father brings an action for the payment of support and provision for the child's health care within that thirty-day period, the administrative support order requiring the payment of support is final and enforceable by a court and may be modified and enforced only as provided in accordance ~~with~~ sections 3111.20 to 3111.28 and 3113.21 to 3113.219 of the Revised Code.

Sec. 3111.21. If the natural mother and alleged father of a child sign an acknowledgment of paternity affidavit prepared pursuant to section 5101.324 of the Revised Code with respect to that child at a child support enforcement agency, the agency shall provide a notary public to notarize the acknowledgment. The agency shall send a signed and notarized acknowledgment of paternity to the division of child support in the department of human services pursuant to section 5101.314 of the Revised Code. THE AGENCY SHALL SEND THE ACKNOWLEDGMENT NO LATER THAN TEN DAYS AFTER IT HAS BEEN SIGNED AND NOTARIZED. IF THE AGENCY KNOWS A MAN IS PRESUMED UNDER SECTION 3111.03 OF THE REVISED CODE TO BE THE FATHER OF THE CHILD, THE AGENCY SHALL NOT NOTARIZE OR SEND AN ACKNOWLEDGMENT WITH RESPECT TO THE CHILD PURSUANT TO THIS SECTION.

Sec. 3111.211. (A) If an acknowledgment has been filed and entered into the birth registry pursuant to section 5101.314 of the Revised Code but has not yet become final, either of the persons who signed the acknowledgment may request that an administrative officer of a child support enforcement agency issue an administrative order pursuant to division (B) of this section for payment of child support and providing for the health care needs of the child.

A party to a request made under this section may raise the issue of the existence or nonexistence of a parent and child relationship. If a request is made pursuant to this section and the issue of the existence or nonexistence of a parent and child relationship is raised, the administrative officer shall treat the request as a request made pursuant to section 3111.22 of the Revised Code and determine the issue in accordance with that section. The administrative officer shall promptly notify the division of child support in the department of human services that proceedings are being conducted in compliance with section 3111.22 of the Revised Code. On receipt of the notice by the division, the acknowledgment of paternity signed by the parties and filed pursuant to section 5101.314 of the Revised Code shall be considered rescinded.

If the parties do not raise the issue of the existence or nonexistence of a parent and child relationship pursuant to the request made under this section and an administrative order is issued pursuant to division (B) of this section prior to the date the acknowledgment filed and entered on the birth registry under section 5101.314 of the Revised Code becomes final, the acknowledgment shall be considered final as of the date of the issuance of the order. An administrative order issued pursuant to division (B) of this section shall not affect an acknowledgment that becomes final pursuant to section 5101.314 of the Revised Code prior to the issuance of the order.

(B) If a request is made pursuant to division (A) of this section for an administrative order requiring the payment of child support and providing for the health care needs of the child, the administrative officer shall comply with the requirements of division (D) of section 3111.20 of the Revised Code and shall issue a support order in accordance with that division.

Sec. 3111.22. (A)(1) Except as otherwise provided in division (A)(2) of this section, no person may bring an action under sections 3111.01 to 3111.19 of the Revised Code before requesting an administrative determination of the existence or nonexistence of a parent and child relationship from the child support enforcement agency of the county in which the child or the guardian or legal custodian of the child resides.

(2) If the alleged father of a child is deceased and proceedings for the

probate of the estate of the alleged father have been or can be commenced, the court with jurisdiction over the probate proceedings shall retain jurisdiction to determine the existence or nonexistence of a parent and child relationship between the alleged father and any child without an administrative determination being requested from a child support enforcement agency. If an action for divorce, dissolution of marriage, or legal separation, or an action under section 2151.231 of the Revised Code requesting an order requiring the payment of child support and provision for the health care of a child, has been filed in a court of common pleas and a question as to the existence or nonexistence of a parent and child relationship arises, the court in which the original action was filed shall retain jurisdiction to determine the existence or nonexistence of the parent and child relationship without an administrative determination being requested from a child support enforcement agency. If a juvenile court issues a support order under section 2151.231 of the Revised Code relying on a presumption under section 3111.03 of the Revised Code, the juvenile court that issued the support order shall retain jurisdiction if a question as to the existence of a parent and child relationship arises.

(B) Except as provided in division (A)(2) of this section, before a person brings an action pursuant to sections 3111.01 to 3111.19 of the Revised Code to determine the existence or nonexistence of a parent and child relationship, the person shall request the child support enforcement agency of the county in which the child or the guardian or legal custodian of the child resides to determine the existence or nonexistence of a parent and child relationship between the alleged father and the child. If more than one agency receives a request pursuant to this section, the agency that receives the request first shall proceed with the request. The request shall contain all of the following information:

(1) The name, birthdate, and current address of the alleged father of the child;

(2) The name, social security number, and current address of the mother of the child;

(3) The name and last known address of the alleged father of the child;

(4) The name and birthdate of the child.

(C)(1) Upon receiving a request for a determination of the existence or nonexistence of a parent and child relationship in accordance with division (B) of this section, the agency shall ~~schedule a hearing before an administrative officer to determine whether the natural mother and the alleged natural father would voluntarily sign an acknowledgment of paternity or agree to be bound to the results of genetic testing.~~ The hearing

~~shall be held no later than sixty days after the date on which the request was received and no earlier than thirty days after the date the agency provides notice of the hearing to the mother and the alleged father~~ assign an administrative officer to consider the request. The administrative officer may schedule a conference with the mother and the alleged father to provide information and the opportunity to sign an ACKNOWLEDGMENT of paternity affidavit prepared pursuant to section 5101.324 of the Revised Code. If the mother and alleged father do not sign the affidavit at a conference held by the administrative officer, the administrative officer shall issue an order requiring the child, the mother, and the alleged father to submit to genetic testing. In the order, the agency shall schedule the genetic tests for the mother, alleged father, and child on a date that is no later than forty-five days after the date of assignment of the administrative officer and shall require the tests to be conducted in accordance with the rules adopted by the department of human services pursuant to section 2301.35 of the Revised Code.

~~After scheduling the hearing, the~~ The agency shall give attach a notice to the order and send both in accordance with the Rules of Civil Procedure to the mother and the alleged father stating. The notice shall state all of the following:

(a) That the agency has been requested to determine the existence of a parent and child relationship between a child and the alleged named father;

(b) The name and birthdate of the child of which the man is alleged to be the natural father;

(c) The name of the mother and the alleged natural father;

(d) The rights and responsibilities of a parent;

~~(e) That the person served with notice must appear at the administrative hearing at the date, time, and location set forth in the notice, that all interested persons will have the opportunity to produce evidence proving or disproving the allegation, and that the child, the mother, and the alleged father may be required to~~ must submit to genetic testing at the date, time of the hearing, and place determined by the agency in the order issued pursuant to division (C)(1) of this section;

~~(f) That any person served with notice has the right to bring legal counsel to the~~ the administrative hearing procedure for determining the existence of a parent and child relationship;

~~(g) That if the alleged father or natural mother~~ WILLFULLY fails to submit to genetic testing, or the alleged father, natural mother, or the custodian of the child WILLFULLY fails to submit the child to genetic testing, the agency shall issue an order that it is inconclusive whether the

alleged father is the child's natural father:

(h) That if the alleged father or natural mother WILLFULLY fails to submit to genetic testing, or the alleged father, natural mother, or custodian of the child WILLFULLY fails to submit the child to genetic testing, they may be found in contempt of court.

~~(2) If both the mother and the alleged father attend the hearing scheduled under division (C)(1) of this section, the administrative officer shall do both of the following:~~

~~(a) Explain the allegation, the administrative procedure for determining the existence of a parent and child relationship, and the rights and responsibilities of a parent to a child;~~

~~(b) Explain that the mother and the alleged father have the right to not dispute the allegation and sign an acknowledgment of paternity acknowledging that the child is the child of the alleged father and agree that the father will assume the parental duty of support.~~

~~(3) If both the mother and the alleged father sign an acknowledgment of paternity, the administrative officer shall issue an administrative order that the alleged father is the father of the child who is the subject of the proceeding. The order shall include any information that the department requires pursuant to section 2301.35 of the Revised Code and shall include a statement that the mother and father may object to the determination by bringing an action under sections 3111.01 to 3111.19 of the Revised Code within thirty days after the date the administrative officer issued the administrative order determining the existence of a parent and child relationship between the alleged natural father and the child.~~

~~(4) If an administrative officer issues an administrative order determining the existence of a parent and child relationship pursuant to division (C)(3) of this section or if an acknowledgment of paternity is filed pursuant to section 2105.18 of the Revised Code and one of the parents named on the acknowledgment of paternity requests an administrative officer to issue an administrative order requiring the payment of child support, the administrative officer shall schedule an administrative hearing to determine, in accordance with sections 3111.23 to 3111.29 and 3113.215 of the Revised Code, the amount of child support any parent is required to pay and the method of payment of the child support. The hearing shall be held no later than sixty days after the date of the issuance of the order and no earlier than thirty days after the date the agency gives the mother and the father notice of the administrative hearing. When an administrative officer issues an administrative order for the payment of support, all of the following apply:~~

~~(a) An administrative order for the payment of support ordinarily shall be for periodic payments that may vary in amount. In the best interest of the child, the administrative officer may order a lump sum payment or the purchase of an annuity in lieu of periodic payments of support.~~

~~(b) The administrative order for the payment of support shall include a notice stating that the mother or the father may object to an administrative order by bringing an action for the payment of support under section 2151.231 of the Revised Code in the juvenile court of the county in which the child or the guardian or legal custodian of the child resides, that the action may be brought no later than thirty days after the date of the issuance of the administrative order requiring the payment of child support, and that, if neither the mother nor the father brings an action for the payment of support within that thirty day period, the administrative order requiring the payment of support is final and enforceable by a court and may be modified and enforced only in accordance with sections 3111.20 to 3111.28 and 3113.21 to 3113.219 of the Revised Code.~~

~~(5)(a) If both the mother and the alleged father attend the administrative hearing scheduled under division (C)(1) of this section but do not sign an acknowledgment of paternity, the administrative officer shall explain to the mother and the father that they have the right to agree to be bound by the results of genetic testing, that, if they agree to be bound by genetic testing and the results show a ninety five per cent or greater probability that the alleged father is the natural father of the child, the administrative officer will issue an administrative order that the alleged father is the father of the child, that, if the results of the genetic testing show a less than ninety five per cent probability that the alleged father is the natural father of the child but do not exclude the alleged father as the natural father of the child, the administrative officer will issue an administrative order stating that it is inconclusive whether the alleged father is the natural father of the child, and that if the results show that the alleged father is excluded as the natural father of the child, the administrative officer will issue an administrative order that the alleged father is not the father of the child.~~

~~voluntary agreement to genetic testing, all~~ The genetic testing shall be conducted by a qualified examiner authorized by the department of human services. On completion of the genetic tests, the examiner shall send a complete report of the test results to the agency. The administrative officer shall do one of the following apply:

~~(i)(a)~~ If the results of the genetic testing show a ~~ninety-five~~ ninety-nine per cent or greater probability that the alleged father is the natural father of the child, the administrative officer of the agency shall issue an administrative order that the alleged father is the father of the child who is the subject of the proceeding.

~~(ii)(b)~~ If the results of genetic testing show less than a ~~ninety-five~~ ninety-nine per cent probability that the alleged father is the natural father of the child but do not exclude the alleged father from being the natural father of the child, the administrative officer shall issue an administrative order stating that it is inconclusive whether the alleged father is the natural father of the child.

~~(iii)(c)~~ If the results of the genetic testing exclude the alleged father from being the natural father of the child, the administrative officer shall issue an administrative order that the alleged father is not the father of the child who is the subject of the proceeding.

~~(iv)~~ An administrative officer shall include with any order the officer issues pursuant to division (C)(2)(a) or (c) of this section a notice that contains the information described in division (D) of this section informing the mother, father, and the guardian or legal custodian of the child of the right to object to the order.

(D) When an administrative officer issues an administrative order determining the existence or nonexistence of a parent and child relationship pursuant to division (C)(2)(a) or (c) of this section, ~~the officer shall include in the administrative order a notice that both the mother and the~~ alleged father, and the guardian or legal custodian of the child may object to the determination by bringing, within thirty days after the date the administrative officer issued the order, an action under sections 3111.01 to 3111.19 of the Revised Code in the juvenile court in the county in which the ~~alleged father, the mother, the child, or the guardian or custodian of the child resides and that if neither brings~~ agency that employs the administrative officer is located. If the mother, alleged father, or guardian or legal custodian does not bring an action within that thirty-day period, the administrative order is final and enforceable by a court and may not be challenged in an action or proceeding under Chapter 3111. Of the Revised Code.

~~(e)~~(E)(1) If an administrative officer issues an administrative order determining the existence of a parent and child relationship between the alleged father and the child pursuant to division (C)(2)(a) of this section, the administrative officer shall schedule an administrative hearing to determine, in accordance with sections 3111.23 to 3111.29 and 3113.215 of the Revised Code, the amount of child support any parent is required to pay ~~and~~, the method of payment of child support, and the method of providing for the child's health care. The hearing shall be held no later than sixty days after the date of the issuance of the order and no earlier than thirty days after the date the administrative officer gives the mother and the father notice of the administrative hearing. When an administrative officer issues an administrative order for the payment of support and provision for the child's health care, all of the following apply:

(a) The administrative support order shall require periodic payments of support that may vary in amount, except that, if it is in the best interest of the child, the administrative officer may order a lump-sum payment or the purchase of an annuity in lieu of periodic payments of support.

(b) The administrative support order shall require the parents to provide for the health care needs of the child in accordance with section 3111.241 of the Revised Code.

(c) The administrative support order shall include a notice informing the mother, father, and the legal guardian or custodian of the child of the right to object to the order and containing the information described in division (E)(2) of this section.

~~(d)~~(2) The mother ~~or the~~, father, or the legal guardian or custodian of the child may object to the administrative order by bringing an action for the payment of support and provision for the child's health care under section 2151.231 of the Revised Code in the juvenile court of the county in which the ~~child or the guardian or legal custodian of the child resides~~ agency that employs the administrative officer is located. The action shall be brought no later than thirty days after the date of the issuance of the administrative support order ~~requiring the payment of child support.~~ If neither the mother nor the father brings an action for the payment of support and provision for the child's health care within that thirty-day period, the administrative support order ~~requiring the payment of support~~ is final and enforceable by a court and may be modified and enforced only as provided in accordance ~~with~~ sections 3111.20 to 3111.28 and 3113.21 to 3113.219 of the Revised Code.

~~(e)~~(F) If the alleged natural father or the natural mother willfully fails to submit to genetic testing or if either parent or any other person who is the

custodian of the child willfully fails to submit the child to genetic testing, the agency shall enter an administrative order stating that it is inconclusive as to whether the alleged natural father is the natural father of the child and shall provide a notice to the parties informing them that an action may be brought under sections 3111.01 to 3111.19 of the Revised Code to establish a parent and child relationship.

~~(6) If the mother and the alleged father both do not sign an acknowledgment of paternity or an agreement to be bound by the results of genetic testing or if either the mother or the natural father does not appear at the administrative hearing and does not show good cause why he or she did not appear at the administrative hearing, the agency shall deny and dismiss the request for an administrative determination of the existence or nonexistence of a parent and child relationship and inform the mother and the alleged father that they may bring an action under sections 3111.01 to 3111.19 of the Revised Code to determine the existence of a parent and child relationship.~~

~~(D)(1) The guardian or legal custodian of a child may object to an administrative officer's determination of the existence or nonexistence of a parent and child relationship by bringing an action under sections 3111.01 to 3111.19 of the Revised Code in the juvenile court of the county in which the child, the mother, or the alleged father resides or is found to determine the existence or nonexistence of a parent and child relationship. The action shall be brought no later than thirty days after the date of the issuance of the administrative order determining the existence or nonexistence of a parent and child relationship. If neither the mother nor the alleged father files an action under sections 3111.01 to 3111.19 of the Revised Code in the juvenile court within the thirty day period, the administrative order determining a parent and child relationship is final and enforceable by a court.~~

~~(2) The mother or the father of a child may object to an administrative officer's administrative order for the payment of support by bringing an action for the payment of support under section 2151.231 of the Revised Code in the juvenile court of the county in which the child or the guardian or legal custodian of the child resides. The action shall be brought no later than thirty days after the date the administrative officer issued the administrative order requiring the payment of child support. If neither the mother nor the alleged father files an action for the payment of support in the juvenile court within the thirty day period, the administrative order requiring the payment of support is final and enforceable by a court and may be modified and enforced only in accordance with sections 3111.20 to 3111.28 and 3113.21~~

~~to 3113.219 of the Revised Code.~~

(G) Unless the agency has reason to believe that a person named in the order is a potential victim of domestic violence, any order issued pursuant to this section finding the existence of a parent and child relationship shall contain the full names, addresses, and social security numbers of the mother and father of the child and the full name and address of the child. THE AGENCY, AS PART OF AN ORDER DETERMINING THE EXISTENCE OF A PARENT AND CHILD RELATIONSHIP ISSUED PURSUANT TO THIS SECTION, MAY ORDER THE SURNAME OF THE CHILD SUBJECT TO THE DETERMINATION TO BE CHANGED AND ORDER THE CHANGE TO BE MADE ON THE CHILD'S BIRTH RECORD CONSISTENT WITH THE ORDER IF THE PARTIES AGREE TO THE CHANGE.

(H) An administrative support order issued pursuant to section 3111.21 of the Revised Code prior to the effective date of this amendment that is in effect on the effective date of this amendment shall remain in effect on and after the effective date of the amendment and shall be considered an administrative support order issued pursuant to this section for all purposes.

(I) As used in this section, "birth record" has the same meaning as in section 3705.01 Of the Revised Code.

Sec. 3111.221. As used in this section, "birth record" has the same meaning as in section 3705.01 Of the Revised Code.

If an administrative order determining the existence or nonexistence of a parent and child relationship includes a finding that the child's father is a man other than the man named in the child's birth record as the father or is otherwise at variance with the child's birth record, the agency that made the determination shall notify the department of health of the determination as soon as any period for objection to the determination provided for in former section 3111.21 or section 3111.22 Of the Revised Code has elapsed.

On receipt of notice under this section or notice from an agency of another state with authority to make paternity determinations that has made a determination of the existence or nonexistence of a parent and child relationship, the department of health shall prepare a new birth record consistent with the agency's determination and substitute the new record for the original birth record.

Sec. 3111.23. (A)(1) If an administrative officer of a child support enforcement agency issues an administrative support order under section 3111.20, ~~3111.21~~ 3111.211, or 3111.22 of the Revised Code, the agency shall require the withholding or deduction of an amount of the ~~wages~~ income or assets of the obligor in accordance with division (B) of this

section or require the issuance of an order in accordance with section 3111.231 Of the Revised Code to ensure that withholding or deduction from the ~~wages~~ income or assets of the obligor is available from the commencement of the administrative support order for the collection of the support and any arrearages that occur. The agency shall determine the specific withholding or deduction requirements or other requirement applicable to the obligor under the administrative support order in accordance with division (B) of this section and section 3111.231 Of the Revised Code and shall include the specific requirements in the notices described in divisions (A)(2) and (B) of this section or in an order described under section 3111.231 Of the Revised Code. Any person required to comply with the withholding or deduction requirements shall determine the manner of withholding or deducting an amount of the ~~wages~~ income or assets of the obligor in accordance with the specific requirements included in the notices described in those divisions without the need for any amendment to the administrative support order. Any person required to comply with an order described in section 3111.231 Of the Revised Code shall comply without the need for any amendment to the administrative order. The agency shall include in an administrative support order under section 3111.20, ~~3111.21~~ 3111.21, or 3111.22 of the Revised Code a general provision that states the following:

"All child support ordered by this administrative support order shall be withheld or deducted from the ~~wages~~ income or assets of the obligor pursuant to a withholding or deduction notice issued in accordance with section 3111.23 of the Revised Code or a withdrawal directive issued pursuant to section 3113.214 Of the Revised Code and shall be forwarded to the obligee in accordance with sections 3111.23 to 3111.28 of the Revised Code."

(2) In any action in which support is ordered or modified under an administrative support order as described in division (A)(1) of this section, the child support enforcement agency shall determine in accordance with division (B) of this section or section 3111.231 Of the Revised Code the types of withholding or deduction requirements or other requirements that should be imposed relative to the obligor under the administrative support order to collect the support due under the order. Within fifteen days after the obligor under the administrative support order is located subsequent to the issuance of the administrative support order or within fifteen days after the default under the administrative support order, whichever is applicable, the agency shall send a notice by regular mail to each person required to comply with a withholding or deduction requirement. The notice shall specify the

withholding or deduction requirement and shall contain all of the information set forth in division (B)(1)(b); or (2)(b); ~~(3)(b), (4)(b), or (5)(b)~~ of this section that is applicable to the requirement. The notices, plus the notices provided by the child support enforcement agency that require the obligor to notify the agency of any change in the obligor's employment status or of any other change in the status of the obligor's assets, are final and are enforceable by the court. The agency shall provide the notice to the obligor in accordance with division (B)(1)(c); or (2)(c); ~~(3)(e), (4)(e), or (5)(e)~~ of this section, whichever is applicable, and shall include with that notice the additional notices described in the particular division that is applicable.

(3)(a) If support is ordered or modified on or after December 31, 1993, under an administrative support order issued under former section 3111.21 or section 3111.20, ~~3111.21~~ 3111.211, or 3111.22 of the Revised Code, if the child support enforcement agency has determined in accordance with division (A)(2) of this section the types of withholding or deduction requirements or other requirements that should be imposed relative to the obligor under the support order to collect the support due under the order, if the agency has sent the appropriate withholding or deduction notices or issued and sent an order under section 3111.231 Of the Revised Code to the persons required to comply with the withholding or deduction requirements or order that the agency determined should be imposed, and if the agency is notified or otherwise determines that the employment status or other circumstances of the obligor have changed, the agency shall conduct an investigation to determine whether it is more appropriate to impose another type of or an additional withholding or deduction requirement or order regarding the administrative support order and shall issue and send by regular mail one or more notices described in division (B) of this section or an order pursuant to section 3111.231 Of the Revised Code that it determines are appropriate. The agency shall immediately cancel any previously issued notice or order that no longer is appropriate and send written notice of the cancellation by regular mail to the person required to comply with the previously issued notice or order. The notices shall be sent within fifteen days after the obligor under the administrative support order is located or within fifteen days after the default under the administrative support order, whichever is applicable. The notices shall specify the withholding or deduction requirement and shall contain all of the information set forth in division (B)(1)(b); or (2)(b); ~~(3)(b), (4)(b), or (5)(b)~~ of this section that is applicable. The agency shall provide the notices to the obligor in accordance with division (B)(1)(c); or (2)(c); ~~(3)(e), (4)(e), or~~

~~(5)(e)~~(e) of this section, whichever is applicable, and shall include with that notice the additional notices described in the particular division that is are applicable. The notices are final and are enforceable by the court.

~~If the child support enforcement agency previously has issued one or more notices containing one or more of the requirements described in division (B) of this section and the agency determines that any of the requirements no longer are appropriate due to the change in the employment status or other circumstances of the obligor, the agency immediately shall cancel any previously issued notice that no longer is appropriate, shall send written notice of the cancellation by regular mail to the person who was required to comply with the withholding or deduction requirement contained in the canceled notice, and shall issue one or more new notices containing one or more requirements described in division (B) of this section that it determines are appropriate. The notices shall be sent within fifteen days after the obligor under the administrative support order is located or within fifteen days after the default under the administrative support order, whichever is applicable.~~

~~(b) If support has been ordered prior to December 31, 1993, under an administrative support order issued under section 3111.20, 3111.21, or 3111.22 of the Revised Code, if the administrative support order has not been modified on or after December 31, 1993, if the administrative support order includes a provision that is substantively comparable to the general provision described in division (A)(1) of this section that must be included in all administrative support orders issued or modified on or after December 31, 1993, and if the child support enforcement agency is notified or otherwise determines that the employment status or other circumstances of the obligor under the support order have changed so that it is appropriate to impose a withholding or deduction requirement as described in division (B) of this section to collect the support due under the order, the agency shall comply with division (A)(3)(a) of this section as if the administrative support order had been issued or modified on or after December 31, 1993, and as if it included the general provision described in division (A)(1) of that section that must be included in all administrative support orders issued or modified on or after that date. The notices issued under this division are final and are enforceable by the court.~~

~~(c) If support has been ordered All support orders issued prior to December 31, 1993, under an administrative support order issued under former section 3111.21 or section 3111.20, 3111.21, or 3111.22 of the Revised Code, if the administrative support order has that have not been modified on or after December 31, 1993, if the administrative support order~~

~~does not include a provision that is substantively comparable to the general provision described in division (A)(1) of this section that must be included in all administrative support orders issued or modified on or after December 31, 1993, and if the child support enforcement agency is notified or otherwise determines that the employment status or other circumstances of the obligor under the support order have changed so that it is appropriate to impose a withholding or deduction requirement as described in division (B) of this section to collect the support due under the order, the agency may reissue the administrative support order in question to be identical to the administrative support order except for a general provision, as described in division (A)(1) of this section, requiring the withholding or deduction of wages or assets of the obligor in accordance with division (B) of this section to ensure that withholding or deduction from the wages or assets is available for the collection of current support and any arrearages that occur. Except for the inclusion of the general provision, the provisions of a reissued administrative support order under this division shall be identical to those of the administrative support order in question, and the child support enforcement agency shall issue one or more notices requiring withholding or deduction of wages or assets of the obligor in accordance with divisions (A)(2) and (B) of this section. Thereafter, division (A)(3)(a) of this section applies to the issuance of notices under those divisions with respect to that administrative support order. The notices issued under this division are final and are enforceable by the court. The general provision for the withholding or deduction of wages or assets to be included in the reissued administrative support order specifically shall include the statement set forth in division (A)(1) of this section or found in default on or after that date shall be considered to contain the general provision described in division (A)(1) of this section and shall be enforced and modified in the same manner as an order for support issued on or after December 31, 1993.~~

(4) If, pursuant to division (A)(2) or (A)(3)(a), ~~(b), or (e)~~ of this section, a person is sent a withholding or deduction notice described in division (B) of this section ~~requiring a withholding or deduction requirement or an order issued under section 3111.231 Of the Revised Code~~ and the person fails to comply with the notice or order, the child support enforcement agency, in accordance with section 3111.28 of the Revised Code, shall request the court to find the person in contempt pursuant to section 2705.02 of the Revised Code.

(5) The department of human services shall adopt standard forms for the support withholding and deduction notices prescribed by divisions (A)(1) to (3) and (B) of this section. All child support enforcement agencies shall use

the forms in complying with this section.

(B) If a child support enforcement agency is required by division (A) of this section to issue one or more withholding or deduction notices described in this division, the agency shall issue one or more of the following types of notices to pay the support required under the administrative support order in question and to pay any arrearages:

(1)(a) If the child support enforcement agency determines that the obligor is ~~employed~~ receiving income from a payor, the agency shall require the ~~obligor's employer payor~~ to withhold from the obligor's ~~personal earnings~~ income a specified amount for support in satisfaction of the administrative support order, to begin the withholding no later than ~~the first pay period that occurs after~~ fourteen working days following the date the notice was mailed to the ~~employer payor~~ under divisions (A)(2) or (3) and (B)(1)(b) of this section or, if the payor is an employer, no later than the first pay period that occurs after fourteen working days following the date the notice was mailed, to send the amount withheld to the division of child support enforcement agency for that county in the department of human services pursuant to section 5101.325 Of the Revised Code, to send that amount to the agency division immediately but not later than ~~ten~~ seven working days after the date the obligor is paid, and to continue the withholding at intervals specified in the notice until further notice from the child support enforcement agency. To the extent possible, the amount specified in the notice to be withheld shall satisfy the amount ordered for support in the administrative support order plus any arrearages that may be owed by the obligor under any prior court or administrative support order that pertained to the same child or spouse, notwithstanding the limitations of sections 2329.66, 2329.70, 2716.02, and 2716.05 of the Revised Code. However, in no case shall the sum of the amount specified in the notice to be withheld and any fee withheld by the ~~employer payor~~ as a charge for its services exceed the maximum amount permitted under section 303(b) of the "Consumer Credit Protection Act," 15 U.S.C. 1673(b).

(b) If the agency imposes a withholding requirement under division (B)(1)(a) of this section, the agency, within the applicable period of time specified in division (A) of this section, shall send to the ~~obligor's employer payor~~ by regular mail a notice that contains all of the information set forth in divisions (B)(1)(b)(i) to (xi) of this section. The notice is final and is enforceable by the court. The notice shall contain all of the following:

(i) The amount to be withheld from the obligor's wages income and a statement that the amount actually withheld for support and other purposes, including the fee described in division (B)(1)(b)(xi) of this section, shall not

be in excess of the maximum amounts permitted under section 303(b) of the "Consumer Credit Protection Act," 15 U.S.C. 1673(b);

(ii) A statement that the ~~employer payor~~ is required to send the amount withheld to the division of child support enforcement agency immediately, but not later than ~~ten~~ seven working days, after the obligor is paid ~~by the employer~~ and is required to report to the agency the date on which the amount was withheld from the obligor's wages income;

(iii) A statement that the withholding is binding upon the ~~employer payor~~ until further notice from the agency;

(iv) A statement that if the payor is an employer, the payor is subject to a fine to be determined under the law of this state for discharging the obligor from employment, refusing to employ the obligor, or taking any disciplinary action against the obligor because of the withholding requirement;

(v) A statement that, if the ~~employer payor~~ fails to withhold wages income in accordance with the provisions of the notice, the ~~employer payor~~ is liable for the accumulated amount the ~~employer payor~~ should have withheld from the obligor's wages income;

(vi) A statement that the withholding in accordance with the notice and under the provisions of this section has priority over any other legal process under the law of this state against the same wages income;

(vii) The date on which the notice was mailed and a statement that the ~~employer payor~~ is required to implement the withholding no later than ~~the first pay period that occurs after~~ fourteen working days following the date the notice was mailed or, if the payor is an employer, no later than the first pay period that occurs after fourteen working days following the date the notice was mailed and is required to continue the withholding at the intervals specified in the notice;

(viii) A requirement that the ~~employer payor~~ promptly notify the child support enforcement agency, in writing, within ten working days after the date of any ~~termination of the obligor's employment, any layoff of the obligor, any leave of absence of the obligor without pay, or any other situation that occurs, including, termination of employment, layoff of the obligor, any leave of absence of the obligor without pay, termination of workers' compensation benefits, or termination of any pension, annuity, allowance, or retirement benefit~~ in which the ~~employer payor~~ ceases to pay ~~personal earnings~~ income in an amount sufficient to comply with the administrative order to the obligor and provide the agency with the obligor's last known address;

(ix) A requirement that, if the payor is an employer, the payor identify in the notification given under division (B)(1)(b)(viii) of this section any

types of benefits other than personal earnings that the obligor is receiving or is eligible to receive as a benefit of employment or as a result of the obligor's termination of employment, including, but not limited to, unemployment compensation, workers' compensation benefits, severance pay, sick leave, lump sum payments of retirement benefits or contributions, and bonuses or profit-sharing payments or distributions, and the amount of such benefits, and include in the notification the obligor's last known address and telephone number, date of birth, social security number, and case number and, if known, the name and business address of any new employer of the obligor;

(x) A requirement that, no later than the earlier of forty-five days before the lump-sum payment is to be made or, if the obligor's right to the lump-sum payment is determined less than forty-five days before it is to be made, the date on which that determination is made, the ~~employer payor~~ notify the child support enforcement agency of any lump-sum payments of any kind of ~~five one~~ hundred ~~fifty~~ dollars or more that are to be paid to the obligor, hold the lump-sum payments of ~~five one~~ hundred ~~fifty~~ dollars or more for thirty days after the date on which the lump-sum payments otherwise would have been paid to the obligor, ~~if the lump-sum payments are workers' compensation benefits, severance pay, sick leave, lump sum payments of retirement benefits or contributions, annual bonuses, or profit-sharing payments or distributions,~~ and, upon order of the agency, pay any specified amount of the lump-sum payment to the division of child support enforcement agency;

(xi) A statement that, in addition to the amount withheld for support, the ~~employer payor~~ may withhold a fee from the obligor's earnings income as a charge for its services in complying with the notice a specification of the amount that may be withheld.

(c) The agency shall send the notice described in division (B)(1)(b) of this section to the obligor, and shall attach to the notice an additional notice requiring the obligor immediately to notify the child support enforcement agency, in writing, of any change in employment, including self-employment, and of the availability of any other sources of income that can be the subject of any withholding or deduction requirement described in division (B) of this section. The agency shall serve the notices upon the obligor at the same time as service of the administrative support order or, if the administrative support order previously has been issued, shall send the notices to the obligor by regular mail at the obligor's last known address at the same time that it sends the notice described in division (B)(1)(b) of this section to the ~~employer payor~~. The notification required of the obligor shall

include a description of the nature of any new employment or income source, the name ~~and~~, business address, and telephone number of any new employer or income source, and any other information reasonably required by the agency. No obligor shall fail to give the notification as required by division (B)(1)(c) of this section.

~~(2)(a) If the child support enforcement agency determines that the obligor is receiving workers' compensation payments, the agency may require the bureau of workers' compensation or the employer that has been granted the privilege of paying compensation directly and that is paying workers' compensation benefits to the obligor to withhold from the obligor's workers' compensation payments a specified amount for support in satisfaction of the administrative support order, to begin the withholding no later than the date of the first payment that occurs after fourteen working days following the date the notice was mailed to the bureau or employer under divisions (A)(2) or (3) and (B)(2)(b) of this section, to send the amount withheld to the child support enforcement agency for that county, to send that amount to the agency immediately but not later than ten days after the date the payment is made to the obligor, to provide the date on which the amount was withheld, and to continue the withholding at intervals specified in the notice until further notice from the agency. To the extent possible, the amount specified in the notice to be withheld shall satisfy the amount ordered for support in the administrative support order plus any arrearages that may be owed by the obligor under any prior court or administrative support order that pertained to the same child or spouse, notwithstanding the limitations of section 4123.67 of the Revised Code. However, in no case shall the sum of the amount specified in the notice to be withheld and any fee withheld by an employer as a charge for its services exceed the maximum amount permitted under section 303(b) of the "Consumer Credit Protection Act," 15 U.S.C. 1673(b).~~

~~(b) If the agency imposes a withholding requirement under division (B)(2)(a) of this section, it, within the applicable period of time specified in division (A) of this section, shall send to the bureau of workers' compensation or the employer that is paying the obligor's workers' compensation benefits by regular mail a notice that contains all of the information set forth in divisions (B)(2)(b)(i) to (x) of this section. The notice is final and is enforceable by the court. The notice shall contain all of the following:~~

~~(i) The amount to be withheld from the obligor's worker's compensation payments and a statement that the amount actually withheld for support and other purposes, including the fee described in division (B)(2)(b)(x) of this~~

~~section, if applicable, shall not be in excess of the maximum amounts permitted under section 303(b) of the "Consumer Credit Protection Act," 15 U.S.C. 1673(b);~~

~~(ii) A statement that the bureau or employer is required to send the amount withheld to the child support enforcement agency immediately, but not later than ten working days, after the payment is made to the obligor and is required to report to the agency the date on which the amount was withheld from the obligor's payments;~~

~~(iii) A statement that the withholding is binding upon the bureau or employer until further notice from the court or agency;~~

~~(iv) If the notice is sent to an employer who is paying the obligor's worker's compensation benefits, a statement that, if the employer fails to withhold from the obligor's worker's compensation payments in accordance with the provisions of the notice, the employer is liable for the accumulated amount the employer should have withheld from the obligor's payments;~~

~~(v) A statement that the withholding in accordance with the notice and under the provisions of this section has priority over any other legal process under the law of this state against the same payment of benefits;~~

~~(vi) The date on which the notice was mailed and a statement that the bureau or employer is required to implement the withholding no later than the date of the first payment that occurs after fourteen working days following the date the notice was mailed and is required to continue the withholding at the intervals specified in the notice;~~

~~(vii) A requirement that the bureau or employer promptly notify the child support enforcement agency, in writing, within ten working days after the date of any termination of the obligor's workers' compensation benefits;~~

~~(viii) A requirement that the bureau or employer include in all notices the obligor's last known mailing address, last known residence address, and social security number;~~

~~(ix) A requirement that, no later than the earlier of forty five days before the lump sum payment is to be made or, if the obligor's right to the lump sum payment is determined less than forty five days before it is to be made, the date on which that determination is made, the bureau or employer notify the child support enforcement agency of any lump sum payment of any kind of five hundred dollars or more that is to be paid to the obligor, hold the lump sum payment for thirty days after the date on which the lump sum payment otherwise would be paid to the obligor, and, upon order of the agency, pay any specified amount of the lump sum payment to the agency;~~

~~(x) If the notice is sent to an employer who is paying the obligor's workers' compensation benefits a statement that, in addition to the amount~~

~~withheld for support, the employer may withhold a fee from the obligor's benefits as a charge for its services in complying with the notice and a specification of the amount that may be withheld.~~

~~(e) The agency shall send the notice described in division (B)(2)(b) of this section to the obligor and shall attach to the notice an additional notice requiring the obligor to immediately notify the child support enforcement agency, in writing, of any change in the obligor's workers' compensation payments, of the commencement of employment, including self-employment, and of the availability of any other sources of income that can be the subject of any withholding or deduction requirement described in division (B) of this section. The agency shall serve the notices upon the obligor at the same time as service of the administrative support order or, if the administrative support order previously has been issued, shall send the notices to the obligor by regular mail at the obligor's last known address at the same time that it sends the notice described in division (B)(2)(b) of this section to the bureau or employer. The additional notice also shall specify that upon commencement of employment the obligor may request the child support enforcement agency to cancel its administrative workers' compensation payment withholding notice and instead issue a notice requiring the withholding of an amount from the obligor's personal earnings for support in accordance with division (B)(1) of this section and that upon commencement of employment the agency may cancel its workers' compensation payment withholding notice and instead will issue a notice requiring the withholding of an amount from the obligor's personal earnings for support in accordance with division (B)(1) of this section. The notification required of the obligor shall include a description of the nature of any new employment, the name and business address of any new employer, and any other information reasonably required by the agency.~~

~~retirement board to withhold from the obligor's pension, annuity, allowance, other benefit, or warrant a specified amount for support in satisfaction of the support order, to begin the withholding no later than the date of the first payment that occurs after fourteen working days following the date the notice was mailed to the board, board of trustees, or other entity under divisions (A)(2) or (3) and (B)(3)(b) of this section, to send the amount withheld to the child support enforcement agency for that county, to send that amount to the agency immediately but not later than ten days after the date the payment is made to the obligor, to provide the date on which the amount was withheld, and to continue the withholding at intervals specified in the notice until further withholding notice of the agency. To the extent possible, the amount specified in the notice to be withheld shall satisfy the amount ordered for support in the support order plus any arrearages that may be owed by the obligor under any prior court or administrative support order that pertained to the same child or spouse, notwithstanding the limitations of sections 2329.66, 2329.70, and 2716.13 of the Revised Code. However, in no case shall the sum of the amount specified in the notice to be withheld and any fee withheld by the board, board of trustees, or other entity as a charge for its services exceed the maximum amount permitted under section 303(b) of the "Consumer Credit Protection Act," 15 U.S.C. 1673(b).~~

~~(b) If the agency imposes a withholding requirement under division (B)(3)(a) of this section, it, within the applicable period of time specified in division (A) of this section, shall send to the board, board of trustees, or other entity by regular mail a notice that contains all of the information set forth in divisions (B)(3)(b)(i) to (ix) of this section. The notice is final and is enforceable by the court. The notice shall contain all of the following:~~

~~(i) The amount to be withheld from the obligor's pension, annuity, allowance, other benefit, or warrant and a statement that the amount actually withheld for support and other purposes, including the fee described in division (B)(3)(b)(ix) of this section, shall not be in excess of the maximum amounts permitted under section 303(b) of the "Consumer Credit Protection Act," 15 U.S.C. 1673(b);~~

~~(ii) A statement that the board, board of trustees, or other entity is required to send the amount withheld to the child support enforcement agency immediately, but not later than ten working days, after the payment is made to the obligor and is required to report to the agency the date on which the amount was withheld from the obligor's payments;~~

~~(iii) A statement that the withholding is binding upon the board, board of trustees, or other entity until further notice from the court or agency;~~

~~(iv) A statement that the withholding in accordance with the notice and under the provisions of this section has priority over any other legal process under the law of this state against the same payment of the pension, annuity, allowance, other benefit, or warrant;~~

~~(v) The date on which the notice was mailed and a statement that the board, board of trustees, or other entity is required to implement the withholding no later than the date of the first payment that occurs after fourteen working days following the date the notice was mailed and is required to continue the withholding at the intervals specified in the notice;~~

~~(vi) A requirement that the board, board of trustees, or other entity promptly notify the child support enforcement agency, in writing, within ten working days after the date of any termination of the obligor's pension, annuity, allowance, or other benefit;~~

~~(vii) A requirement that the board, board of trustees, or other entity include in all notices the obligor's last known mailing address, last known residence address, and social security number;~~

~~(viii) A requirement that, no later than the earlier of forty five days before the lump sum payment is to be made or, if the obligor's right to the lump sum payment is determined less than forty five days before it is to be made, the date on which that determination is made, the board, board of trustees, or other entity notify the child support enforcement agency of any lump sum payment of any kind of five hundred dollars or more that is to be paid to the obligor, hold the lump sum payment for thirty days after the date on which the lump sum payment would otherwise be paid to the obligor, if the lump sum payments are lump sum payments of retirement benefits or contributions, and, upon order of the agency, pay any specified amount of the lump sum payment to the agency;~~

~~(ix) A statement that, in addition to the amount withheld for support, the board, board of trustees, or other entity may withhold a fee from the obligor's pension, annuity, allowance, other benefit, or warrant as a charge for its services in complying with the notice and a specification of the amount that may be withheld.~~

~~(e) The agency shall send the notice described in division (B)(3)(b) of this section to the obligor and shall attach to the notice an additional notice requiring the obligor immediately to notify the child support enforcement agency, in writing, of any change in the obligor's pension, annuity, allowance, or other benefit, of the commencement of employment, including self-employment, and of the availability of any other sources of income that can be the subject of any withholding or deduction requirement described in division (B) of this section. The agency shall serve the notices upon the~~

~~obligor at the same time as service of the administrative support order or, if the administrative support order previously has been issued, shall send the notices to the obligor by regular mail, at the obligor's last known address, at the same time it sends the notice described in division (B)(3)(b) of this section to the board, board of trustees, or other entity. The additional notice also shall notify the obligor that upon commencement of employment the obligor may request the agency to issue a notice requiring the withholding of an amount from the obligor's personal earnings for support in accordance with division (B)(1) of this section and that upon commencement of employment the agency may cancel its withholding notice under division (B)(3)(b) of this section and instead will issue a notice requiring the withholding of an amount from the obligor's personal earnings for support in accordance with division (B)(1) of this section. The notification required of the obligor shall include a description of the nature of any new employment, the name and business address of any new employer, and any other information reasonably required by the agency.~~

~~(4)(a) If the child support enforcement agency determines that the obligor is receiving any form of income, including, but not limited to, disability or sick pay, insurance proceeds, lottery prize awards, federal, state, or local government benefits to the extent that the benefits can be withheld or deducted under any law governing the benefits, any form of trust fund or endowment fund, vacation pay, commissions and draws against commissions that are paid on a regular basis, bonuses or profit sharing payments or distributions, or any lump sum payments, the agency may require the person who pays or otherwise distributes the income to the obligor to withhold from the obligor's income a specified amount for support in satisfaction of the administrative support order, to begin the withholding no later than the date of the first payment that occurs after fourteen working days following the date the notice was mailed to the person paying or otherwise distributing the obligor's income under divisions (A)(2) or (3) and (B)(4)(b) of this section, to send the amount withheld to the child support enforcement agency for that county, to send that amount to the agency immediately but not later than ten days after the date the payment is made to the obligor, to provide the date on which the amount was withheld, and to continue the withholding at intervals specified in the notice until further notice from the agency. To the extent possible, the amount specified in the notice to be withheld shall satisfy the amount ordered for support in the administrative support order plus any arrearages that may be owed by the obligor under any prior court or administrative support order that pertained to the same child or spouse, notwithstanding the~~

~~limitations of sections 2329.66, 2329.70, and 2716.13 of the Revised Code. However, in no case shall the sum of the amount specified in the notice to be withheld and any fee withheld by the person paying or otherwise distributing the obligor's income as a charge for its services exceed the maximum amount permitted under section 303(b) of the "Consumer Credit Protection Act," 15 U.S.C. 1673(b).~~

~~(b) If the agency imposes a withholding requirement under division (B)(4)(a) of this section, it, within the applicable period of time specified in division (A) of this section, shall send to the person paying or otherwise distributing the obligor's income by regular mail a notice that contains all of the information set forth in divisions (B)(4)(b)(i) to (ix) of this section. The notice is final and is enforceable by the court. The notice shall contain all of the following:~~

~~(i) The amount to be withheld from the obligor's income and a statement that the amount actually withheld for support and other purposes, including the fee described in division (B)(4)(b)(ix) of this section, shall not be in excess of the maximum amounts permitted under section 303(b) of the "Consumer Credit Protection Act," 15 U.S.C. 1673(b);~~

~~(ii) A statement that the person paying or otherwise distributing the obligor's income is required to send the amount withheld to the child support enforcement agency immediately, but not later than ten working days, after the payment is made to the obligor and is required to report to the agency the date on which the amount was withheld from the obligor's payments;~~

~~(iii) A statement that the withholding is binding upon the person paying or otherwise distributing the obligor's income until further notice from the court or agency;~~

~~(iv) A statement that the withholding in accordance with the notice and under the provisions of this section has priority over any other legal process under the law of this state against the same payment of the income;~~

~~(v) The date on which the notice was mailed and a statement that the person paying or otherwise distributing the obligor's income is required to implement the withholding no later than the date of the first payment that occurs after fourteen working days following the date the notice was mailed and is required to continue the withholding at the intervals specified in the notice;~~

~~(vi) A requirement that the person paying or otherwise distributing the obligor's income promptly notify the child support enforcement agency, in writing, within ten days after the date of any termination of the obligor's income;~~

~~(vii) A requirement that the person paying or otherwise distributing the~~

~~obligor's income include in all notices the obligor's last known mailing address, last known residence address, and social security number;~~

~~(viii) A requirement that, no later than the earlier of forty five days before the lump sum payment is to be made or, if the obligor's right to the lump sum payment is determined less than forty five days before it is to be made, the date on which that determination is made, the person paying or otherwise distributing the obligor's income notify the child support enforcement agency of any lump sum payment of any kind of five hundred dollars or more that is to be paid to the obligor, hold the lump sum payment for thirty days after the date on which the lump sum payment would otherwise be paid to the obligor, if the lump sum payment is sick pay, lump sum payment of retirement benefits or contributions, or profit sharing payments or distributions, and, upon order of the agency, pay any specified amount of the lump sum payment to the child support enforcement agency;~~

~~(ix) A statement that, in addition, to the amount withheld for support, the person paying or otherwise distributing the obligor's income may withhold a fee from the obligor's income as a charge for its services in complying with the notice and a specification of the amount that may be withheld.~~

~~(e) The agency shall send the notice described in division (B)(4)(b) of this section to the obligor and shall attach to the notice an additional notice requiring the obligor immediately to notify the child support enforcement agency, in writing, of any change in income to which the withholding notice applies, of the commencement of employment, including self-employment, and of the availability of any other sources of income that can be the subject of any withholding or deduction requirement described in division (B) of this section. The agency shall serve the notices upon the obligor at the same time as service of the administrative support order or, if the administrative support order previously has been issued, shall send the notices to the obligor by regular mail at the obligor's last known address at the same time that it sends the notice described in division (B)(4)(b) of this section to the person paying or otherwise distributing the obligor's income. The additional notice also shall notify the obligor that upon commencement of employment the obligor may request the agency to issue a notice requiring the withholding of an amount from the obligor's personal earnings for support in accordance with division (B)(1) of this section and that upon commencement of employment the agency may cancel its withholding notice under division (B)(4)(b) of this section and instead will issue a notice requiring the withholding of an amount from the obligor's personal earnings for support in accordance with division (B)(1) of this section. The~~

~~notification required of the obligor shall include a description of the nature of any new employment, the name and business address of any new employer, and any other information reasonably required by the court.~~

(5)(a) If the child support enforcement agency determines that the obligor has funds on deposit in any account in a financial institution under the jurisdiction of the court, the agency may require any financial institution in which the obligor's funds are on deposit to deduct from the obligor's account a specified amount for support in satisfaction of the administrative support order, to begin the deduction no later than fourteen working days following the date the notice was mailed to the financial institution under divisions (A)(2) or (3) and (B)(5)(2)(b) of this section, to send the amount deducted to the division of child support enforcement agency for that county in the department of human services pursuant to section 5101.325 Of the Revised Code, to send that amount to the agency division immediately but not later than ~~ten~~ seven working days after the date the latest deduction was made, to provide the date on which the amount was deducted, and to continue the deduction at intervals specified in the notice until further notice from the agency. To the extent possible, the amount specified in the notice to be deducted shall satisfy the amount ordered for support in the administrative support order plus any arrearages that may be owed by the obligor under any prior court or administrative support order that pertained to the same child or spouse, notwithstanding the limitations of sections 2329.66, 2329.70, and 2716.13 of the Revised Code. ~~However, in no case shall the sum of the amount specified in the notice to be deducted and the fee deducted by the financial institution as a charge for its services exceed the maximum amount permitted under section 303(b) of the "Consumer Credit Protection Act," 15 U.S.C. 1673(b).~~

(b) If the agency imposes a deduction requirement under division (B)(5)(2)(a) of this section, it, within the applicable period of time specified in division (A) of this section, shall send to the financial institution by regular mail a notice that contains all of the information set forth in divisions (B)(5)(2)(b)(i) to (viii) of this section. The notice is final and is enforceable by the court. The notice shall contain all of the following:

(i) ~~The amount to be deducted from the obligor's account and a statement that the amount actually deducted for support and other purposes, including the fee described in division (B)(2)(b)(viii) of this section, shall not be in excess of the maximum amounts permitted under section 303(b) of the "Consumer Credit Protection Act," 15 U.S.C. 1673(b);~~

(ii) A statement that the financial institution is required to send the amount deducted to the division of child support ~~enforcement agency~~

immediately, but not later than ~~ten~~ seven working days, after the date the last deduction was made and is required to report to the agency the date on which the amount was deducted from the obligor's account;

(iii) A statement that the deduction is binding upon the financial institution until further notice from the court or agency;

(iv) A statement that the withholding in accordance with the notice and under the provisions of this section has priority over any other legal process under the law of this state against the same account;

(v) The date on which the notice was mailed and a statement that the financial institution is required to implement the deduction no later than fourteen working days following the date the notice was mailed and is required to continue the deduction at the intervals specified in the notice;

(vi) A requirement that the financial institution promptly notify the child support enforcement agency, in writing, within ten days after the date of any termination of the account from which the deduction is being made and notify the agency, in writing, of the opening of a new account at that financial institution, the account number of the new account, the name of any other known financial institutions in which the obligor has any accounts, and the numbers of those accounts;

(vii) A requirement that the financial institution include in all notices the obligor's last known mailing address, last known residence address, and social security number;

(viii) A statement that, in addition to the amount deducted for support, the financial institution may deduct a fee from the obligor's account as a charge for its services in complying with the administrative order and a specification of the amount that may be deducted.

(c) The agency shall send the notice described in division (B)~~(5)~~(2)(b) of this section to the obligor and shall attach to the notice an additional notice requiring the obligor immediately to notify the child support enforcement agency, in writing, of any change in the status of the account from which the amount of support is being deducted or the opening of a new account with any financial institution, of the commencement of employment, including self-employment, or of the availability of any other sources of income that can be the subject of any withholding or deduction requirement described in division (B) of this section. The agency shall serve the notices upon the obligor at the same time as service of the administrative support order or, if the support order previously has been issued, shall send the notices to the obligor by regular mail at the obligor's last known address at the same time that it sends the notice described in division (B)~~(5)~~(2)(b) of this section to the obligor. The additional notice also shall notify the obligor

that upon commencement of employment, the obligor may request the agency to cancel its financial institution account deduction notice and instead issue a notice requiring the withholding of an amount from the obligor's personal earnings for support in accordance with division (B)(1) of this section and that upon commencement of employment the agency may cancel its financial institution account deduction notice and instead will issue a notice requiring the withholding of an amount from the obligor's personal earnings for support in accordance with division (B)(1) of this section. The notification required of the obligor shall include a description of the nature of any new accounts opened at a financial institution located in the county in which the agency is located, the name and business address of that financial institution, a description of the nature of any new employment or income source, the name ~~and~~ business address, and telephone number of any new employer or income source, and any other information reasonably required by the agency.

(C) If an agency issues or modifies an administrative support order under section 3111.20, ~~3444.21~~ 3111.211, or 3111.22 of the Revised Code and issues one or more notices described in division (B) of this section, the agency to the extent possible shall issue a sufficient number of notices under division (B) of this section to provide that the aggregate amount withheld or deducted under those notices satisfies the amount ordered for support in the administrative support order plus any arrearages that may be owed by the obligor under any prior court or administrative support order that pertained to the same child or spouse, notwithstanding the limitations of sections 2329.66, 2329.70, 2716.13, and 4123.67 of the Revised Code. However, in no case shall the aggregate amount withheld ~~or deducted~~ pursuant to a withholding notice issued under division (B)(1) of this section and any fees withheld ~~or deducted~~ pursuant to the notice as a charge for services exceed the maximum amount permitted under section 303(b) of the "Consumer Credit Protection Act," 15 U.S.C. 1673(b).

(D) When two or more withholding ~~or deduction~~ notices that are described in division (B)(1) of this section are received by ~~an employer, the bureau of workers' compensation, an employer that is paying more than one person's workers' compensation benefits, the public employees retirement board, the board, board of trustees, or other governing entity of any municipal retirement system, the board of trustees of the police and firemen's disability and pension fund, the state teachers retirement board, the school employees retirement board, the state highway patrol retirement board, a person paying or otherwise distributing income for more than one obligor, or a financial institution a payor,~~ the employer, bureau of workers'

~~compensation, employer paying workers' compensation benefits, board, board of trustees, or other governing entity of a retirement system, person paying or distributing income to an obligor, or financial institution payor~~ shall comply with all of the requirements contained in the notices to the extent that the total amount withheld from the obligor's ~~personal earnings, payments, pensions, annuities, allowances, benefits, other sources of income, or savings~~ does not exceed the maximum amount permitted under section 303(b) of the "Consumer Credit Protection Act," 15 U.S.C. 1673(b), ~~withhold or deduct~~ amounts in accordance with the allocation set forth in divisions (D)(1) and (2) of this section, notify each agency that issued one of the notices of the allocation, and give priority to amounts designated in each notice as current support in the following manner:

(1) If the total of the amounts designated in the notices as current support exceeds the amount available for withholding under section 303(b) of the "Consumer Credit Protection Act," 15 U.S.C. 1673(b), ~~the employer, bureau of workers' compensation, employer paying workers' compensation benefits, board, board of trustees, or other governing entity of a municipal retirement system, person paying or distributing income to an obligor, or financial institution payor~~ shall allocate to each notice an amount for current support equal to the amount designated in that notice as current support multiplied by a fraction in which the numerator is the amount of ~~personal earnings, payments, pensions, annuities, allowances, benefits, other sources of income, or savings~~ available for withholding and the denominator is the total amount designated in all of the notices as current support.

(2) If the total of the amounts designated in the notices as current support does not exceed the amount available for withholding under section 303(b) of the "Consumer Credit Protection Act," ~~15 U.S.C. 1673(b), the persons and entities listed in division (C)(1) of this section~~ payor shall pay all of the amounts designated as current support in the notices and shall allocate to each notice an amount for past-due support equal to the amount designated in that notice as past-due support multiplied by a fraction in which the numerator is the amount of ~~personal earnings, payments, pensions, annuities, allowances, benefits, other sources of income, or savings~~ remaining available for withholding after the payment of current support and the denominator is the total amount designated in all of the notices orders as past-due support.

(E)(1) Except when a provision specifically authorizes or requires service other than as described in this division, service of any notice on any party, ~~the bureau of workers' compensation, an employer that is paying a person's workers' compensation benefits, the public employees retirement~~

~~board, the board, board of trustees, or other governing entity of any municipal retirement system, the board of trustees of the police and firemen's disability and pension fund, the state teachers retirement board, the school employees retirement board, the state highway patrol retirement board, a person paying or otherwise distributing an obligor's income, a financial institution, or an employer a payor, for purposes of division (A) or (B) of this section, may shall be made by personal service or ordinary first class mail directed to the addressee at the addressee's last known address, or, in the case of a corporation, at its usual place of doing business. A notice shall be considered to have been served when it is mailed.~~

(2) Each party to an administrative support order shall notify the child support enforcement agency of the party's current mailing address ~~and~~, current residence address, current residence telephone number, and current driver's license number, at the time of the issuance or modification of the order and, until further notice of the agency that issues the order, shall notify the agency of any change in ~~either address~~ that information immediately after the change occurs. No person shall fail to give the notice as required by division (E)(2) of this section.

(3) Each administrative support order issued pursuant to this section shall contain a ~~statement requiring each party to the order to notify the child support enforcement agency in writing of the party's current mailing address, the party's current residence address, and of any changes in either address, and a notice that the requirement to notify the agency of all changes in either address continues until further notice from the agency.~~ Notice that states the following in boldfaced type and in all capital letters:

"Each party to this support order must notify the child support enforcement agency in writing of HIS OR hER current mailing address, current residence address, current residence telephone number, current driver's license number, and of any changes in that information. EACH PARTY MUST notify the agency of all changes until further notice from the agency. If you are the obligor under the support order and you fail to make the required notifications, you may be fineD UP TO \$50 for a first offense, \$100 for a second offense, and \$500 for each subsequent offense.

If you are an obligor and you fail to make the required notifications, you may not receive notice of the following enforcement actions against you: imposition of liens against your property; loss of your professional or occupational license, driver's license, and recreational license; withholding from your income; access restriction and deduction from youR accounts in financial institutionS; and any other action permitted by law to obtain money from you to satisfy your support obligation."

(4)(a) The parent who is the residential parent and legal custodian of a child for whom an administrative support order is issued or the person who otherwise has custody of a child for whom an administrative support order is issued immediately shall notify, and the obligor under an administrative support order may notify, the child support enforcement agency of any reason for which an administrative support order should terminate, including, but not limited to, the child's attainment of the age of majority if the child no longer attends an accredited high school on a full-time basis; the child ceasing to attend such a high school on a full-time basis after attaining the age of majority; or the death, marriage, emancipation, enlistment in the armed services, deportation, or change of legal or physical custody of the child. Upon receipt of a notice pursuant to this division, the agency immediately shall conduct an investigation to determine if any reason exists for which the administrative support order should terminate. The agency may conduct such an investigation regardless of whether a parent or person with custody sends a notice that the order should terminate. If the agency ~~so~~ determines the order should terminate, it immediately shall terminate the administrative support order.

(b) Upon receipt of a notice given pursuant to division (E)(4)(a) of this section, the agency shall direct the division of child support to impound any funds received for the child pursuant to the administrative support order and the agency shall set the case for an administrative hearing for a determination of whether the administrative support order should be terminated or modified or whether the agency should take any other appropriate action.

(c) If the child support enforcement agency terminates an administrative support order pursuant to divisions (E)(4)(a) and (b) of this section, the termination of the support order also terminates any withholding or deduction order as described in division (B) of this section ~~that was issued relative to the administrative support order~~ prior to December 31, 1993, and any withholding or deduction notice as described in division (B) of this section ~~that was issued relative to the administrative support order~~ on or after December 31, 1993. Upon the termination of any withholding or deduction order or ~~any withholding or deduction~~ notice, the agency immediately shall notify each ~~employer, payor or~~ financial institution, ~~or other person or entity that was~~ required to withhold or deduct a sum of money for the payment of support under the terminated withholding or deduction order or ~~the terminated withholding or deduction~~ notice that the order or notice has been terminated and that it is required to cease all withholding or deduction under the order or notice.

(d) The department of human services shall adopt rules that provide for both of the following:

(i) ~~The return payment to the appropriate person of any funds that a the division of child support enforcement agency has impounded under division (E)(4)(b) of this section, if the administrative support order under which consistent with the funds were paid has been terminated agency's determination pursuant to divisions (E)(4)(a) and (b) of this section;~~

(ii) The return to the appropriate person of any other payments made pursuant to an administrative support order, if the payments were made at any time after the administrative support order ~~under which the funds were paid~~ has been terminated pursuant to divisions (E)(4)(a) and (b) of this section.

(5) If any party to an administrative support order requests a modification of the administrative support order ~~or if any obligee under an administrative support order or any person on behalf of the obligee files any action to enforce an administrative support order with the agency,~~ the agency shall proceed as provided in ~~sections 3111.20 to 3111.28 and 3113.21 to 3113.219~~ section 3111.27 of the Revised Code. If the obligor is in default under the administrative support order, the agency shall proceed as provided in division (B) of section 3113.21 Of the Revised Code. If any person otherwise files an action to enforce an administrative support order, the agency shall proceed as provided in sections 3111.20 to 3111.28 Of the Revised Code.

(F)(1)(a) Upon receipt of a notice that a lump-sum payment of ~~five~~ one hundred fifty dollars or more is to be paid to the obligor, the agency shall do either of the following:

~~(a)(i)~~ If the obligor is in default under the administrative support order or has any unpaid arrearages under the administrative support order, issue an administrative order requiring the transmittal of the lump-sum payment to the division of child support enforcement agency;

~~(b)(ii)~~ If the obligor is not in default under the administrative support order and does not have any unpaid arrearages under the support order, issue an administrative order directing the person who gave the notice to the agency to immediately pay the full amount of the lump-sum payment to the obligor.

(b) Upon receipt of notice that a lump-sum payment of less than one hundred fifty dollars is to be paid to the obligor, the agency may take the action described in division (F)(1)(a) of this section.

(2) Upon receipt of any moneys pursuant to division (F)(1)(a) of this section, ~~a the division of child support enforcement agency~~ shall pay the

amount of the lump-sum payment that is necessary to discharge all of the obligor's arrearages to the obligee and, within two business days after its receipt of the money, any amount that is remaining after the payment of the arrearages to the obligor.

(G)(1) Any administrative support order, or modification of an administrative support order, that is subject to this section shall contain the date of birth and social security number of the obligor.

(2) No withholding or deduction notice described in division (B) of this section shall contain any information other than the information specifically required by division (B) or (G)(3) of this section or by any other section of the Revised Code and any additional information that the issuing agency determines may be necessary to comply with the notice.

(3) Each withholding or deduction notice described in division (B) of this section shall include notice of all of the following:

(a) That the child support enforcement agency may bring an action under section 3111.28 of the Revised Code requesting the court to find the ~~employer, payor or~~ financial institution, ~~employer that is paying the obligor's workers' compensation benefits, public employees retirement board, board, board of trustees, or other governing entity of any municipal retirement system, board of trustees of the police and firemen's disability and pension fund, state teachers retirement board, school employees retirement board, state highway patrol retirement board, person paying or otherwise distributing an obligor's income, or bureau of workers' compensation~~ in contempt pursuant to section 2705.02 of the Revised Code if the ~~employer, payor or~~ financial institution, ~~employer that is paying the obligor's workers' compensation benefits, public employees retirement board, board, board of trustees, or other governing entity of the municipal retirement system, board of trustees of the police and firemen's disability and pension fund, state teachers retirement board, school employees retirement board, state highway patrol retirement board, person paying or otherwise distributing the obligor's income, or bureau of workers' compensation~~ fails to comply with the withholding or deduction notice;

(b) That, if the ~~employer, payor or~~ financial institution, ~~employer that is paying the obligor's workers' compensation benefits, public employees retirement board, board, board of trustees, or other governing entity of the municipal retirement system, board of trustees of the police and firemen's disability and pension fund, state teachers retirement board, school employees retirement board, state highway patrol retirement board, person paying or otherwise distributing an obligor's income, or bureau of workers' compensation~~ fails to comply with the withholding or deduction notice, that

failure to comply is contempt pursuant to section 2705.02 of the Revised Code.

(H) No withholding or deduction notice described in division (B) of this section and issued under this section or any other section of the Revised Code shall be terminated solely because the obligor pays any part or all of the arrearages under the administrative support order.

(I)(1) Except as provided in division (I)(2) of this section ~~and section 2301.42 of the Revised Code and the rules adopted pursuant to division (C) of that section~~, if child support arrearages are owed by an obligor to the obligee and to the department of human services, any payments received on the arrearages by the division of child support enforcement agency first shall be paid to the obligee until the arrearages owed to the obligee are paid in full.

(2) Division (I)(1) of this section does not apply to the collection of past-due child support from refunds of paid federal taxes pursuant to section 5101.32 of the Revised Code or of overdue child support from refunds of paid state income taxes pursuant to sections 5101.321 and 5747.121 of the Revised Code.

Sec. 3111.231. If a child support enforcement agency otherwise required by division (A) of section 3111.23 of the Revised Code to issue a withholding or deduction notice under division (B) of that section is unable to issue the notice because none of the conditions specified in division (B) of that section for issuing the notice apply to the obligor, the agency shall issue an administrative order requiring the obligor, if able to engage in employment, to seek employment or participate in a work activity to which a recipient of assistance under Title IV-A of the "Social Security Act," 49 Stat. 620 (1935), 42 U.S.C.A. 301, as amended, may be assigned as specified in section 407(d) of the "Social Security Act," 42 U.S.C.A. 607(d), as amended. The agency shall include in the order a requirement that the obligor notify the agency on obtaining employment or income, or ownership of any asset with a value of five hundred dollars or more. The agency may issue the order regardless of whether the obligee to whom the obligor owes support is a recipient of assistance under Title IV-A of the "Social Security Act."

If an obligor is ordered to participate in a work activity, the child support enforcement agency shall oversee the obligor's participation in accordance with rules the department of human services shall adopt in accordance with Chapter 119. of the Revised Code. The agency may contract with one or more persons or government entities to carry out some or all of its oversight duties.

If an obligor fails to comply with an administrative order, the agency shall submit a request to a court for the court to take action under division (D)(4) of section 3113.21 of the Revised Code.

Sec. 3111.24. (A)(1) For purposes of this section, a withholding or deduction order that was issued prior to December 31, 1993, under division (A)(1), (2), (3), (4), or (5) of section 3111.23 of the Revised Code as the division existed prior to that date and that has not been terminated on or after December 31, 1993, shall be considered to be a withholding or deduction notice issued under divisions (A) and (B)(1); or (2), (3), (4), or (5) of section 3111.23 of the Revised Code.

(2) ~~An employer~~ A payor required to withhold a specified amount from the ~~personal earnings~~ income of an employee pursuant to a withholding notice issued under section 3111.23 of the Revised Code for purposes of support also may deduct from the ~~personal earnings~~ income of the person, in addition to the amount withheld for purposes of support, a fee of two dollars or an amount not to exceed one per cent of the amount withheld for purposes of support, whichever is greater, as a charge for its services in complying with the withholding requirement included in the withholding notice. ~~An employer that is paying a person's workers' compensation benefits and that is required to withhold a specified amount from a person's workers' compensation benefits pursuant to a withholding notice issued under divisions (A) and (B)(2) of section 3111.23 of the Revised Code for purposes of support also may deduct from the workers' compensation benefits, in addition to the amount withheld for purposes of support, a fee of two dollars or an amount not to exceed one per cent of the amount withheld for purposes of support, whichever is greater, as a charge for its services in complying with the withholding requirement included in the withholding notice.~~ A financial institution required to deduct funds from an account pursuant to a deduction notice issued under divisions (A) and (B)(~~5~~)(2) of section 3111.23 of the Revised Code for purposes of support may deduct from the account of the person, in addition to the amount deducted for purposes of support, a fee of five dollars or an amount not to exceed the lowest rate that it charges, if any, for a debit transaction in a similar account, whichever is less, as a charge for its service in complying with the deduction requirement included in the deduction notice. ~~The public employees retirement board, the board, board of trustees, or other governing entity of any municipal retirement system, the board of trustees of the police and firemen's disability and pension fund, the state teachers retirement board, the school employees retirement board, the state highway patrol retirement board, and a person paying or otherwise distributing an obligor's income~~

~~required to withhold or deduct a specified amount from an obligor's pension, annuity, allowance, other benefit, or other source of income pursuant to a withholding or deduction notice issued under divisions (A) and (B)(3) or (4) of section 3111.23 of the Revised Code for purposes of support also may deduct from the obligor's pension, annuity, allowance, other benefit, or other source of income, a fee of two dollars or an amount not to exceed one per cent of the amount withheld or deducted, whichever is less, as a charge for its services in complying with the withholding or deduction requirement included in the withholding or deduction notice.~~

The entire amount withheld or deducted pursuant to a withholding or deduction notice issued under divisions (A) and (B) of section 3111.23 of the Revised Code for purposes of support shall be forwarded to the division of child support enforcement agency in the department of human services immediately, but no later than ~~ten~~ seven working days, after the withholding or deduction, as directed in the withholding or deduction notice.

~~(B) If an employer, a payor or financial institution, an employer that is paying an obligor's workers' compensation benefits, the public employees retirement board, the board, board of trustees, or other governing entity of any municipal retirement system, the board of trustees of the police and firemen's disability and pension fund, the state teachers retirement board, the school employees retirement board, the state highway patrol retirement board, the person paying or otherwise distributing an obligor's income, or the bureau of workers' compensation is required to withhold or deduct a specified amount from the personal earnings, payments, pensions, annuities, allowances, benefits, other sources of income, or savings of more than one obligor pursuant to a withholding or deduction notice issued under divisions (A) and (B) of section 3111.23 of the Revised Code and is required to forward the amounts withheld or deducted to the division of child support enforcement agency, the employer, the public employees retirement board, the board, board of trustees, or other governing entity of any municipal retirement system, the board of trustees of the police and firemen's disability and pension fund, the state teachers retirement board, the school employees retirement board, the state highway patrol retirement board, the person paying or otherwise distributing an obligor's income, the payor or financial institution, the employer that is paying an obligor's workers' compensation benefits, or the bureau of workers' compensation may combine all of the amounts to be forwarded in one payment, provided the payment is accompanied by a list that clearly identifies each obligor who is covered by the payment and the portion of the payment that is attributable to that obligor.~~

(C) Upon receipt of any amount forwarded from ~~an employer, a payor or financial institution, an employer that is paying a person's workers' compensation benefits, the public employees retirement board, the board, board of trustees, or other governing entity of any municipal retirement system, the board of trustees of the police and firemen's disability and pension fund, the state teachers retirement board, the school employees retirement board, the state highway patrol retirement board, the person paying or otherwise distributing an obligor's income, or the bureau of workers' compensation under this section,~~ a the division of child support enforcement agency shall distribute the amount to the obligee within two business days of its receipt of the amount forwarded. The department of human services may adopt, amend, and rescind rules in accordance with Chapter 119. of the Revised Code to assist ~~child support enforcement agencies~~ in the implementation of this division.

(D) A payor or financial institution shall not be subject to criminal or civil liability for compliance, in accordance with this section, with a withholding or deduction notice issued pursuant to division (B) of section 3111.23 Of the Revised Code.

Sec. 3111.241. (A) As used in this section, "insurer" means any person that is authorized to engage in the business of insurance in this state under Title XXXIX of the Revised Code, any health insuring corporation, and any legal entity that is self-insured and provides benefits to its employees or members.

(B) ~~If an administrative officer of a child support enforcement agency issues in any proceeding in which an administrative support order is issued under section 3111.20, 3111.21, or 3111.22 of the Revised Code; in addition to any requirements in those sections, the child support enforcement agency also shall issue a separate order that includes all determine the parent responsible for the health care of the children subject to the order and shall include in the order one~~ of the following:

(1) A requirement that the obligor under the child support order obtain health insurance coverage for the children ~~who are the subject of the administrative child support order from an insurer that provides a group health insurance or health care policy, contract, or plan that is specified in the order and a requirement that the obligor, no later than thirty days after the issuance of the order under division (B)(1) of this section, furnish written proof to the child support enforcement agency that the required health insurance coverage has been obtained; if that coverage is available at a reasonable cost through a group health insurance or health care policy, contract, or plan offered by the obligor's employer or through any other~~

group health insurance or health care policy, contract, or plan available to the obligor and if ~~health insurance coverage for the children~~ it is not available for a more reasonable cost ~~through a group health insurance or health care policy, contract, or plan available to the obligee under the administrative child support order;~~

~~(2) If the obligor is required under division (B)(1) of this section to obtain health insurance coverage for the children who are the subject of the administrative child support order, a requirement that the obligor supply the obligee with information regarding the benefits, limitations, and exclusions of the health insurance coverage, copies of any insurance forms necessary to receive reimbursement, payment, or other benefits under the health insurance coverage, and a copy of any necessary insurance cards, a requirement that the obligor submit a copy of the administrative order issued pursuant to division (B) of this section to the insurer at the time that the obligor makes application to enroll the children in the health insurance or health care policy, contract, or plan, and a requirement that the obligor, no later than thirty days after the issuance of the administrative order under division (B)(2) of this section, furnish written proof to the child support enforcement agency that division (B)(2) of this section has been complied with;~~

~~(3) A requirement that the obligee under the administrative child support order obtain health insurance coverage for the children who are the subject of the administrative child support order from an insurer that provides a group health insurance or health care policy, contract, or plan that is specified in the administrative order and a requirement that the obligee, no later than thirty days after the issuance of the administrative order under division (B)(1) of this section, furnish written proof to the child support enforcement agency that the required health insurance coverage has been obtained; if that coverage is available through a group health insurance or health care policy, contract, or plan offered by the obligee's employer or through any other group health insurance or health care policy, contract, or plan available to the obligee and if ~~that coverage~~ it is available at a more reasonable cost than ~~health insurance such~~ coverage for the children ~~through a group health insurance or health care policy, contract, or plan~~ is available to the obligor;~~

~~the children in the health insurance or health care policy, contract, or plan;~~

~~(5) A list of the group health insurance and health care policies, contracts, and plans that the child support enforcement agency determines are available at a reasonable cost to the obligor or to the obligee and the name of the insurer that issues each policy, contract, or plan;~~

~~(6) A statement setting forth the name, address, and telephone number of the individual who is to be reimbursed for out of pocket medical, optical, hospital, dental, or prescription expenses paid for each child who is the subject of the administrative child support order and a statement that the insurer that provides the health insurance coverage for the children may continue making payment for medical, optical, hospital, dental, or prescription services directly to any health care provider in accordance with the applicable health insurance or health care policy, contract, or plan;~~

~~(7) A requirement that the obligor and the obligee designate the children who are the subject of the administrative child support order as covered dependents under any health insurance or health care policy, contract, or plan for which they contract;~~

~~(8) A requirement that the obligor, the obligee, or both of them under a formula established by the child support enforcement agency pay copayment or deductible costs required under the health insurance or health care policy, contract, or plan that covers the children;~~

~~(9)(3) If health insurance coverage for the children who are the subject of the administrative order is not available at a reasonable cost through a group health insurance or health care policy, contract, or plan offered by the obligor's employer or through any other group health insurance or health care policy, contract, or plan available to the obligor and is not available at a reasonable cost through a group health insurance or health care policy, contract, or plan offered by the obligee's employer or through any other group health insurance or health care policy, contract, or plan available to or the obligee, a requirement that the obligor and the obligee share liability for the cost of the medical and health care needs of the children who are the subject of the administrative order, under an equitable formula established by the agency, and a requirement that if, after the issuance of the order, health insurance coverage for the children who are the subject of the administrative order becomes available at a reasonable cost through a group health insurance or health care policy, contract, or plan offered by the obligor's or obligee's employer or through any other group health insurance or health care policy, contract, or plan available to the obligor or obligee, the obligor or obligee to whom the coverage becomes available immediately~~

inform the agency of that fact;

~~(10) A notice that, if the obligor is required under divisions (B)(1) and (2) of this section to obtain health insurance coverage for the children who are the subject of the administrative child support order and if the obligor fails to comply with the requirements of those divisions, the child support enforcement agency immediately shall issue an administrative order to the employer of the obligor, upon written notice from the child support enforcement agency, requiring the employer to take whatever action is necessary to make application to enroll the obligor in any available group health insurance or health care policy, contract, or plan with coverage for the children who are the subject of the administrative child support order, to submit a copy of the administrative order issued pursuant to division (B) of this section to the insurer at the time that the employer makes application to enroll the children in the health insurance or health care policy, contract, or plan, and, if the obligor's application is accepted, to deduct any additional amount from the obligor's earnings necessary to pay any additional cost for that health insurance coverage;~~

~~(11) A notice that during the time that an order under this section is in effect, the employer of the obligor is required to release to the obligee or the child support enforcement agency upon written request any necessary information on the health insurance coverage of the obligor, including, but not limited to, the name and address of the insurer and any policy, contract, or plan number, and to otherwise comply with this section and any court order issued under this section;~~

~~(12) A statement setting forth the full name and date of birth of each child who is the subject of the administrative child support order;~~

~~(13) A requirement that the obligor and the obligee comply with any requirement described in division (B)(1), (2), (3), (4), or (7) of this section that is contained in the order issued under this section no later than thirty days after the issuance of the order.~~

~~(C) If an administrative officer of a child support enforcement agency issues an administrative support order under section 3111.20, 3111.21, or 3111.22 of the Revised Code, the child support enforcement agency, in addition to any requirements in those sections and in lieu of an order issued under division (B) of this section, may issue a separate order requiring both~~

~~(4) A requirement that both the obligor and the obligee to obtain health insurance coverage for the children who are the subject of the administrative child support order, if health insurance coverage is available for the children and if the agency determines that the coverage is available at a reasonable cost to both the obligor and the obligee and that the dual coverage by both~~

parents would provide for coordination of medical benefits without unnecessary duplication of coverage. ~~If the agency issues an order under this division, it shall include in the order any of the requirements, notices, and information set forth in divisions (B)(1) to (13) of this section that are applicable.~~

~~(D)~~(C) An administrative support order issued pursuant to section 3111.20 or 3111.22 of the Revised Code shall contain all of the following:

(1) If the obligor is required under division (B)(1) of this section, the obligee is required under division (B)(2) of this section, or both the obligor and obligee are required under division (B)(4) of this section, to provide health insurance coverage for the children, a requirement that the obligor or obligee, whoever is required to obtain health insurance coverage, provide the other parent with information regarding the benefits, limitations, and exclusions of the health insurance coverage, copies of any insurance forms necessary to receive reimbursement, payment, or other benefits under the health insurance coverage, and a copy of any necessary insurance cards, a requirement that the obligor or obligee, whoever is required to obtain health insurance coverage, submit a copy of the administrative order issued pursuant to division (B)(1), (2), or (4) of this section to the insurer at the time that the obligor or obligee, whoever is required to obtain health insurance coverage, makes application to enroll the children in the health insurance or health care policy, contract, or plan, and a requirement that the obligor or obligee, whoever is required to obtain health insurance coverage, furnish written proof to the child support enforcement agency that division (C)(1) of this section has been complied with;

(2) A list of the group health insurance and health care policies, contracts, and plans that the child support enforcement agency determines are available at a reasonable cost to the obligor or to the obligee and the name of the insurer that issues each policy, contract, or plan;

(3) A statement setting forth the name, address, and telephone number of the individual who is to be reimbursed for out-of-pocket medical, optical, hospital, dental, or prescription expenses paid for each child who is the subject of the administrative child support order and a statement that the insurer that provides the health insurance coverage for the children may continue making payment for medical, optical, hospital, dental, or prescription services directly to any health care provider in accordance with the applicable health insurance or health care policy, contract, or plan;

(4) A requirement that the obligor and the obligee designate the children as covered dependents under any health insurance or health care policy, contract, or plan for which they contract;

(5) A requirement that the obligor, the obligee, or both of them under a formula established by the child support enforcement agency pay copayment or deductible costs required under the health insurance or health care policy, contract, or plan that covers the children;

(6) A notice that the employer of the obligor or obligee required to obtain health insurance coverage is required to release to the other parent or the child support enforcement agency upon written request any necessary information on the health insurance coverage, including, but not limited to, the name and address of the insurer and any policy, contract, or plan number, and to otherwise comply with this section and any court order issued under this section;

(7) A statement setting forth the full name and date of birth of each child who is the subject of the administrative child support order;

(8) A requirement that the obligor and the obligee comply with any requirement described in division (B)(1), (2), and (4), and (C)(1) and (4) of this section that is contained in the order issued under section 3111.20, 3111.211, or 3111.22 Of the Revised Code no later than thirty days after the issuance of the order.

(9) A notice that, if the obligor or obligee is required to obtain health insurance coverage pursuant to an administrative support order for the children and if the obligor or obligee fails to obtain the health insurance coverage, the child support enforcement agency will comply with division (D) of this section to obtain a court order requiring the obligor or obligee to obtain the health insurance coverage;

(10) A notice that states the following: "If the person required to obtain health care insurance coverage for the children subject to this administrative support order obtains new employment and the health insurance coverage for the children is provided through the previous employer, the agency shall comply with the requirements of division (E) of section 3111.241 of the Revised Code which may result in the issuance of a notice requiring the new employer to take whatever action is necessary to enroll the children in health care insurance coverage provided by the new employer."

(D) If an obligor or obligee required to obtain health insurance coverage pursuant to an administrative support order issued in accordance with this section does not obtain the required health insurance coverage within thirty days after the administrative support order is issued, the child support enforcement agency shall notify the court of common pleas of the county in which the agency is located in writing of the failure to comply with the administrative support order. On receipt of the notice from the agency, the court shall issue an order to the employer of the obligor or obligee required

to obtain health insurance coverage requiring the employer to take whatever action is necessary to make application to enroll the obligor or obligee required to obtain health insurance coverage in any available group health insurance or health care policy, contract, or plan with coverage for the children, to submit a copy of the administrative support order to the insurer at the time that the employer makes application to enroll the children in the health insurance or health care policy, contract, or plan, and, if the application is accepted, to deduct from the wages or other income of the obligor or obligee required to obtain health insurance coverage the cost of the coverage for the children. On receipt of any court order under this division, the employer shall take whatever action is necessary to comply with the court order.

(E)(1) If an obligor or obligee is required to obtain health insurance coverage pursuant to an administrative support order in accordance with this section and the obligor or obligee obtains health insurance coverage for the children through an employer and subsequently obtains new employment, the child support enforcement agency shall investigate whether the new employer offers health insurance coverage that would cover the children. If the agency determines that the new employer provides health insurance coverage that would cover the children, the agency shall send a notice described in division (E)(2) of this section and a copy of the administrative support order to the new employer and shall send a copy of the notice to the obligor or obligee, whoever is required to obtain health insurance coverage under the administrative support order. On receipt of the notice, the new employer shall comply with its provisions.

(2) The notice required by division (E)(1) shall contain the following:

(a) A requirement that the new employer take whatever action is necessary to make application to enroll the obligor or obligee, whoever is required to obtain health insurance coverage, in any available group health insurance or health care policy, contract, or plan with coverage for the children;

(b) A requirement that the new employer submit a copy of the administrative support order requiring the obligor or obligee to obtain health care insurance for the children to the insurer at the time that the employer makes application to enroll the children in the health insurance or health care policy, contract, or plan;

(c) A requirement that, if the application is accepted, the new employer deduct from the wages or other income of the obligor or obligee, whoever is required to obtain the health insurance coverage, the cost of the coverage for the children;

(d) A statement that the provisions of the notice are final and enforceable by a court and are incorporated into the administrative support order unless the obligor or obligee required to obtain health insurance coverage, within ten days after the date on which the notice is sent, files a written request with the agency requesting modification of the administrative support order pursuant to section 3111.27 of the Revised Code.

(F) Any administrative support order issued ~~under~~ in accordance with, or any court order issued under division (D) of, this section shall be binding upon the obligor and the obligee, their employers, and any insurer that provides health insurance coverage for either of them or their children. The agency shall send a copy of ~~any the~~ administrative support order issued under this section that contains any requirement or notice described in division (B)(1), (2), (3), (4), (7), (8), or (10) of this section or court order by ordinary mail to the obligor, the obligee, and any employer that is subject to the administrative order or court order. ~~The agency shall send a copy of any administrative order issued under this section that contains any requirement contained in division (B)(9) of this section by ordinary mail to the obligor and obligee.~~

~~(E) If an obligor does not comply with any administrative order issued under this section that contains any requirement or notice described in division (B)(1), (2), (4), (7), (8), or (10) of this section within thirty days after the administrative order is issued, the child support enforcement agency shall notify the court of common pleas of the county in which the agency is located in writing of the failure of the obligor to comply with the administrative order. Upon receipt of the notice from the agency, the court shall issue an order to the employer of the obligor requiring the employer to take whatever action is necessary to make application to enroll the obligor in any available group health insurance or health care policy, contract, or plan with coverage for the children who are the subject of the administrative child support order, to submit a copy of the administrative order issued pursuant to division (B) of this section to the insurer at the time that the employer makes application to enroll the children in the health insurance or health care policy, contract, or plan, and, if the obligor's application is accepted, to deduct from the wages or other income of the obligor the cost of the coverage for the children. Upon receipt of any court order under this division, the employer shall take whatever action is necessary to comply with the court order.~~

(G)(1) During the time that any administrative support order issued in accordance with, or court order issued under division (D) of, this section is

in effect and after the employer has received a copy of the administrative support order or court order, the employer of the obligor ~~who is the subject of or obligee required to comply with the administrative support order or court order~~ shall comply with the administrative support order or court order and, upon request from the ~~obligee other parent or the~~ agency, shall release to ~~the obligee that other parent~~ and the child support enforcement agency all information about the ~~obligor's~~ health insurance coverage that is necessary to ensure compliance with this section or any administrative support order issued in accordance with, or court order issued under division (D) of, this section, including, but not limited to, the name and address of the insurer and any policy, contract, or plan number. Any information provided by an employer pursuant to this division shall be used only for the purpose of the enforcement of ~~an the administrative support order or court order issued under this section.~~

(2) Any employer who receives a copy of ~~an the administrative support order or court order issued under this section~~ shall notify the ~~child support enforcement~~ agency of any change in or the termination of the ~~obligor's~~ health insurance coverage that is maintained pursuant to ~~an the order issued under this section.~~

~~(F)~~(3) Any insurer that receives a copy of an administrative support order or court order issued under in accordance with this section shall comply with this section ~~and any administrative order issued under this section~~, regardless of the residence of the children. If an insurer provides health insurance coverage for the children who are the subject of an administrative child support order in accordance with ~~an the administrative support order or court order~~ issued under division (D) of this section, the insurer shall reimburse the parent, who is designated to receive reimbursement in the administrative support order issued under this section, for covered out-of-pocket medical, optical, hospital, dental, or prescription expenses incurred on behalf of the children ~~subject to the administrative order.~~

~~(G)~~(H) If an obligee under an administrative child support order issued in accordance with this section is eligible for medical assistance under Chapter 5111. or 5115. of the Revised Code and the obligor has obtained health insurance coverage ~~pursuant to an administrative order issued under division (B) of this section~~, the obligee shall notify any physician, hospital, or other provider of medical services for which medical assistance is available of the name and address of the obligor's insurer and of the number of the obligor's health insurance or health care policy, contract, or plan. Any physician, hospital, or other provider of medical services for which medical

assistance is available under Chapter 5111. or 5115. of the Revised Code who is notified under this division of the existence of a health insurance or health care policy, contract, or plan with coverage for children who are eligible for medical assistance first shall bill the insurer for any services provided for those children. If the insurer fails to pay all or any part of a claim filed under this division by the physician, hospital, or other medical services provider and the services for which the claim is filed are covered by Chapter 5111. or 5115. of the Revised Code, the physician, hospital, or other medical services provider shall bill the remaining unpaid costs of the services in accordance with Chapter 5111. or 5115. of the Revised Code.

~~(H)~~(I) Any obligor who fails to comply with an administrative support order issued under in accordance with, or a court order issued under division (D) of, this section is liable to the obligee for any medical expenses incurred as a result of the failure to comply with the ~~administrative order.~~ An obligee who fails to comply with an administrative support order issued in accordance with, or a court order issued under division (D) of, this section is liable to the obligor for any medical expenses incurred as a result of the failure to comply with the order.

~~(I)~~(J) Nothing in this section shall be construed to require an insurer to accept for enrollment any child who does not meet the underwriting standards of the health insurance or health care policy, contract, or plan for which application is made.

~~(J) If any person fails to comply with an administrative~~ (K) Whoever violates a court order issued under division (D) of this section, the agency may bring an action under section 3111.242 of the Revised Code in the juvenile court of the county in which the agency is located requesting the court to find the obligor or any other person in may be punished as for contempt pursuant to section 2705.02 of the Revised Code.

(L) An administrative order issued pursuant to this section prior to the effective date of this amendment to provide for the health care needs of children subject to an administrative support order issued pursuant to former section 3111.21 or section 3111.20 or 3111.22 of the Revised Code shall remain in full force and effect and shall be considered a requirement included as part of the administrative support order. The administrative support order shall be subject to the provisions of this section on and after the effective date of this amendment.

Sec. 3111.242. (A) If an obligor or any other person fails to comply with an administrative order issued under former section 3111.21 or section 3111.20, ~~3111.21~~ 3111.211, or 3111.22, or ~~3111.241~~ of the Revised Code, the child support enforcement agency that issued the administrative order

may request the juvenile court of the county in which the agency is located to find the obligor or other person in contempt pursuant to section 2705.02 of the Revised Code.

(B) If an alleged father or natural mother WILLFULLY fails to submit to genetic testing, or the alleged father, natural mother, or any other person who is the custodian of the child WILLFULLY fails to submit the child to genetic testing, as required by an order for genetic testing issued under section 3111.22 of the Revised Code, the child support enforcement agency that issued the order may request that the juvenile court of the county in which the agency is located find the alleged father, natural mother, or other person in contempt pursuant to section 2705.02 of the Revised Code.

Sec. 3111.25. (A)(1) For purposes of this section, a withholding or deduction order that was issued prior to December 31, 1993, under division (A)(1), (2), (4), or (5) of section 3111.23 of the Revised Code as the division existed prior to that date and that has not been terminated on or after December 31, 1993, shall be considered to be a withholding or deduction notice issued under divisions (A) and (B)(1); or (2); ~~(4), or (5)~~ of section 3111.23 of the Revised Code.

(2) ~~An employer A payor~~ that fails to withhold an amount from an obligor's ~~personal earnings income~~ for support in accordance with a withholding requirement contained in a withholding notice issued under divisions (A) and (B)(1) of section 3111.23 of the Revised Code; ~~an employer that is paying an obligor's workers' compensation benefits and that fails to withhold the obligor's workers' compensation benefits for support in accordance with a withholding requirement contained in a withholding notice issued under divisions (A) and (B)(2) of section 3111.23 of the Revised Code;~~ or a financial institution that fails to deduct funds from an obligor's account for support in accordance with a deduction requirement contained in a deduction notice issued under divisions (A) and (B)(~~5~~)(2) of section 3111.23 of the Revised Code; ~~or any other person that fails to withhold or deduct an amount from the income of an obligor in accordance with a withholding or deduction requirement contained in a withholding or deduction notice issued under divisions (A) and (B)(4) of section 3111.23 of the Revised Code~~ is liable for the amount that was not withheld or deducted, provided that no payor that is an employer whose normal pay and disbursement cycles make it impossible to comply with a withholding requirement contained in a withholding notice issued under divisions (A) and (B)(1) of section 3111.23 of the Revised Code shall be liable for the amount not withheld if the employer, as soon as possible after the employer's receipt of the withholding notice, provides the agency that issued

the withholding notice with written notice of the impossibility and the reasons for the impossibility. An employer who is liable under this provision for an amount that was not withheld shall be ordered by the agency to pay that amount to the division of child support enforcement agency in the department of human services, to be disbursed in accordance with the administrative support order for the benefit of the child or spouse.

(B) No payor that is an employer may use a requirement to withhold personal earnings contained in a withholding notice issued under divisions (A) and (B)(1) of section 3111.23 of the Revised Code as a basis for a discharge of, or for any disciplinary action against, an employee, or as a basis for a refusal to employ a person.

Sec. 3111.26. If a child support enforcement agency is requested to determine the existence or nonexistence of a parent and child relationship pursuant to sections ~~3111.24~~ 3111.22 to 3111.29 of the Revised Code, the administrative officer shall provide notice of the determination request pursuant to the Rules of Civil Procedure to the natural mother of the child who is the subject of the request, each man presumed to be the father of the child under section 3111.03 of the Revised Code, and each man alleged to be the natural father of the child. IF THE AGENCY IS UNABLE TO OBTAIN SERVICE OF PROCESS ON THE PRESUMED FATHER, ALLEGED FATHER, OR NATURAL MOTHER WITHIN THE TIME PERIOD DESCRIBED IN DIVISION (C)(1) OF SECTION 3111.22 OF THE REVISED CODE, THE AGENCY SHALL PROCEED WITH THE GENETIC TESTING AS PROVIDED IN THAT SECTION.

Sec. 3111.27. (A) No later than May 1, 1992, the department of human services shall adopt rules in accordance with Chapter 119. of the Revised Code establishing a procedure substantially similar to the procedure adopted pursuant to section 3113.216 of the Revised Code for determining when existing administrative support orders should be reviewed to determine whether it is necessary or in the best interest of the child who is the subject of the administrative support order to modify:

(1) The support amount ordered under the administrative support order and to calculate any modification to the support amount in accordance with section 3113.215 of the Revised Code;

(2) The provisions for the child's health care needs in the administrative support order and to make the modification in accordance with section 3111.241 Of the Revised Code.

(B)(1) If a child support enforcement agency, periodically or upon the request of the obligee or obligor, plans to review an administrative support order in accordance with the rules adopted pursuant to division (A) of this

section or otherwise is requested to review an administrative support order, it shall do all the following prior to formally beginning the review:

(a) Establish a date certain upon which the review shall begin;

(b) At least sixty days before formally beginning the review, send the obligor and obligee notice of the planned review and of the date when the review will formally begin;

(c) Request the obligor to provide the agency, no later than the scheduled date for formally beginning the review, with a copy of the obligor's federal income tax return from the previous year, a copy of all pay stubs obtained by the obligor within the preceding six months, a copy of all records evidencing the receipt of salary, wages, or compensation by the obligor within the preceding six months, a list of the group health insurance and health care policies, contracts, and plans available to the obligor and their costs, the current group health insurance or health care policy, contract, or plan under which the obligor is enrolled and its cost, and any other information necessary to properly review the administrative support order, and request the obligee to provide the agency, no later than the scheduled date for review to formally begin, with a copy of the obligee's federal income tax returns from the previous year, a copy of all pay stubs obtained by the obligee within the preceding six months, a copy of all records evidencing the receipt of salary, wages, or compensation by the obligee within the preceding six months, a list of the group health insurance and health care policies, contracts, and plans available to the obligee and their costs, the current group health insurance or health care policy, contract, or plan under which the obligor is enrolled and its cost, and any other information necessary to properly review the administrative support order;

(d) Include in the notice sent pursuant to division (B)(1)(b) of this section, a notice that if either the obligor or obligee fails to comply with the request for information, the agency may bring an action under section 3111.28 of the Revised Code requesting the court to find the obligor and the obligee in contempt pursuant to section 2705.02 of the Revised Code.

(2) If either the obligor or obligee fails to comply with the request made pursuant to division (B)(1)(c) of this section, the agency may bring an action under section 3111.28 of the Revised Code in the court of common pleas of the county in which the agency is located requesting the court to issue an order requiring an obligor and obligee to comply with the agency's request for information pursuant to division (B)(1)(c) of this section. If the obligor or obligee fails to comply with the court order issued pursuant to section 3111.28 of the Revised Code requiring compliance with the administrative request for information, the obligor or obligee is in contempt of court. In the

action brought under section 3111.28 of the Revised Code, the agency may request the court to issue an order to require the obligor or obligee to provide the necessary information or to permit the agency to take whatever action is necessary to obtain information and make any reasonable assumptions necessary with respect to the ~~income of~~ information the person in contempt did not provide to ensure a fair and equitable review of the administrative child support order. If the agency decides to conduct the review based on the reasonable assumptions with respect to the ~~income of~~ information the person in contempt did not provide, it shall proceed in accordance with the rules adopted by the department of human services pursuant to division (A) of this section.

(C)(1) If the agency determines that a modification is necessary and in the best interest of the child who is the subject of the administrative support order, the agency shall calculate the amount the obligor shall pay in accordance with section 3113.215 of the Revised Code. The agency may not deviate from the guidelines set forth in section 3113.215 of the Revised Code.

(2) If the agency cannot set the amount of support the obligor shall pay without deviating from the guidelines set forth in section 3113.215 of the Revised Code, the agency shall bring an action under section 2151.231 of the Revised Code on behalf of the person who requested the agency to review the existing administrative order or if no one requested the review, on behalf of the obligee, in the court of common pleas of the county in which the agency is located requesting the court to issue a support order in accordance with sections 3113.21 to 3113.219 of the Revised Code.

(3) When it reviews an administrative support order pursuant to this section, the agency shall consider whether the provision for the child's health care needs in the administrative support order is adequate. If the agency determines that the administrative support order does not provide adequately for the child's health care needs, the agency shall modify the order in accordance with section 3111.241 of the Revised Code.

(D)(1) If the agency modifies an existing administrative support order, the agency shall provide the obligee and obligor with notice of the change and shall include in the notice a statement that the obligor or obligee may object to the modified administrative support order by initiating an action under section 2151.231 of the Revised Code in the juvenile court of the county in which the mother, the father, the child, or the guardian or custodian of the child resides.

(2) If the agency modifies an existing administrative support order, the modification shall relate back to the first day of the month following the

e certain on which the review began under division (B)(1)(a) of this section.

Sec. 3111.28. (A) ~~If an employer, a payor or a financial institution, an employer that is paying the obligor's workers' compensation benefits, the public employees retirement board, the board, board of trustees, or other governing entity of any municipal retirement system, the board of trustees of the police and firemen's disability and pension fund, the state teachers retirement board, the school employees retirement board, the state highway patrol retirement board, the person paying or otherwise distributing an obligor's income, or the bureau of workers' compensation fails to comply with a withholding or deduction requirement contained in a withholding or deduction notice issued under section 3111.23 of the Revised Code, the child support enforcement agency that issued the withholding or deduction notice shall request the court to find the employer, payor or financial institution, employer that is paying the obligor's workers' compensation benefits, public employees retirement board, board, board of trustees, or other governing entity of the municipal retirement system, board of trustees of the police and firemen's disability and pension fund, state teachers retirement board, school employees retirement board, state highway patrol retirement board, person paying or otherwise distributing an obligor's income, or bureau of workers' compensation person in contempt pursuant to section 2705.02 of the Revised Code.~~

(B) If an obligor or obligee fails to comply with a child support enforcement agency's request for information pursuant to section 3111.27 of the Revised Code, the agency may request the court of common pleas of the county in which the agency is located to issue an order requiring the obligor or obligee to provide the necessary information or to permit the agency to take whatever action is necessary to obtain information and make any reasonable assumptions necessary with respect to the income of the person who failed to comply with the request to ensure a fair and equitable review of the administrative child support order. If the obligor or obligee fails to comply with a court order requiring compliance with the agency's request for information, the obligor or obligee is in contempt of court. If an obligor or obligee is in contempt of court, the agency may request the court to hold the person who failed to comply in contempt or to permit the agency to take whatever action is necessary to obtain information and make any reasonable assumptions necessary with respect to the income of the person who failed to comply with the request to ensure a fair and equitable review of the administrative child support order.

Sec. 3111.37. (A) If a married woman is the subject of a non-spousal artificial insemination and if her husband consented to the artificial

insemination, the husband shall be treated in law and regarded as the natural father of a child conceived as a result of the artificial insemination, and a child so conceived shall be treated in law and regarded as the natural child of the husband. A presumption that arises under division (A)(1) or (2) of section 3111.03 of the Revised Code is conclusive with respect to this father and child relationship, and no action or proceeding under sections 3111.01 to 3111.19 or section 3111.22 of the Revised Code shall affect the relationship.

(B) If a woman is the subject of a non-spousal artificial insemination, the donor shall not be treated in law or regarded as the natural father of a child conceived as a result of the artificial insemination, and a child so conceived shall not be treated in law or regarded as the natural child of the donor. No action or proceeding under sections 3111.01 to 3111.19 or section 3111.22 of the Revised Code shall affect these consequences.

Sec. 3111.99. (A) For purposes of this section, "administrative support order" and "obligor" have the same meaning as in section 3111.20 of the Revised Code.

(B) Whoever violates section 3111.29 of the Revised Code is guilty of interfering with the establishment of paternity, a misdemeanor of the first degree.

(C) An obligor who violates division (B)(1)(c) of section 3111.23 of the Revised Code shall be fined not more than fifty dollars for a first offense, not more than one hundred dollars for a second offense, and not more than five hundred dollars for each subsequent offense.

(D) An obligor who violates division (E)(2) of section 3111.23 of the Revised Code shall be fined not more than fifty dollars for a first offense, not more than one hundred dollars for a second offense, and not more than five hundred dollars for each subsequent offense.

(E) A fine imposed pursuant to division (C) or (D) of this section shall be paid to the division of child support enforcement agency administering the obligor's child support order in the department of human services OR, PURSUANT TO DIVISION (H)(4) OF SECTION 2301.35 OF THE REVISED CODE, THE CHILD SUPPORT ENFORCEMENT AGENCY. The amount of the fine that does not exceed the amount of arrearage the obligor owes under the administrative support order shall be disbursed in accordance with the support order. The amount of the fine that exceeds the amount of the arrearage under the support order shall be ~~used by the agency for the administration of its program for child support enforcement~~ called program income and shall be collected in accordance with section 5101.325 Of the Revised Code.

Sec. 3113.04. (A) Sentence may be suspended if a person, after conviction under section 2919.21 of the Revised Code and before sentence under that section, appears before the court of common pleas in which the conviction took place and enters into bond to the state in a sum fixed by the court at not less than five hundred nor more than one thousand dollars, with sureties approved by the court, conditioned that the person will furnish the child or other dependent with necessary or proper home, care, food, and clothing, or will pay promptly each week for such purpose to the division of child support enforcement agency in the department of human services, a sum to be fixed by the agency. The child support enforcement agency shall comply with sections 3113.21 to 3113.219 of the Revised Code when it fixes the sum to be paid to the division.

(B) Each order for child support made or modified under this section ~~on or after December 31, 1993~~, shall include as part of the order a general provision, as described in division (A)(1) of section 3113.21 of the Revised Code, requiring the withholding or deduction of ~~wages~~ income or assets of the obligor under the order as described in division (D) of section 3113.21 of the Revised Code or another type of appropriate requirement as described in division (D)~~(6)(3)~~, (D)~~(7)(4)~~ or (H) of that section, to ensure that withholding or deduction from the wages income or assets of the obligor is available from the commencement of the support order for collection of the support and of any arrearages that occur; a statement requiring all parties to the order to notify the child support enforcement agency in writing of their current mailing address, ~~their~~ current residence address, current resident telephone number, current driver's license number, and any changes ~~in either address to that information~~, and a notice that the requirement to notify the agency of all changes ~~in either address to that information~~ continues until further notice from the court. If any person required to pay child support under an order made under this section on or after April 15, 1985, or modified on or after December 1, 1986, is found in contempt of court for failure to make support payments under the order, the court that makes the finding, in addition to any other penalty or remedy imposed, shall assess all court costs arising out of the contempt proceeding against the person and require the person to pay any reasonable attorney's fees of any adverse party, as determined by the court, that arose in relation to the act of contempt.

(C) Notwithstanding section 3109.01 of the Revised Code, if a court issues a child support order under this section, the order shall remain in effect beyond the child's eighteenth birthday as long as the child continuously attends on a full-time basis any recognized and accredited high

school or the order provides that the duty of support of the child continues beyond the child's eighteenth birthday. Except in cases in which the order provides that the duty of support continues for any period after the child reaches nineteen years of age, the order shall not remain in effect after the child reaches age nineteen. Any parent ordered to pay support under a child support order issued under this section shall continue to pay support under the order, including during seasonal vacation periods, until the order terminates.

Sec. 3113.07. As used in this section, "executive director" has the same meaning as in section 5153.01 of the Revised Code.

Sentence may be suspended, if a person, after conviction under section 3113.06 of the Revised Code and before sentence thereunder, appears before the court of common pleas in which such conviction took place and enters into bond to the state in a sum fixed by the court at not less than five hundred dollars, with sureties approved by such court, conditioned that such person will pay, so long as the child remains a ward of the public children services agency or a recipient of aid pursuant to Chapter 5107. or 5115. of the Revised Code, to the executive director thereof or to a trustee to be named by the court, for the benefit of such agency or if the child is a recipient of aid pursuant to Chapter 5107. or 5115. of the Revised Code, to the county department of human services, the reasonable cost of keeping such child. The amount of such costs and the time of payment shall be fixed by the court.

The court, in accordance with section 3113.217 of the Revised Code, shall include in each support order made under this section the requirement that one or both of the parents provide for the health care needs of the child to the satisfaction of the court.

Sec. 3113.21. (A)(1) In any action in which support is ordered under Chapter 3115. or under section 2151.23, 2151.231, 2151.232, 2151.33, 2151.36, 2151.49, 3105.18, 3105.21, 3109.05, 3109.19, 3111.13, 3113.04, 3113.07, 3113.216, or 3113.31 of the Revised Code, the court shall require the withholding or deduction of ~~wages~~ income or assets of the obligor in accordance with division (D) of this section or require the issuance of another type of appropriate court order in accordance with division (D)~~(6)(3)~~ or ~~(7)(4)~~ or (H) of this section to ensure that withholding or deduction from the ~~wages~~ income or assets of the obligor is available from the commencement of the support order for the collection of the support and any arrearages that occur. The court shall determine the specific withholding or deduction requirements or other appropriate requirements applicable to the obligor under the support order in accordance with divisions (D) and (H)

of this section and section 2301.371 of the Revised Code and shall include the specific requirements in the notices described in divisions (A)(2) and (D) of this section or in the court orders described in divisions (A)(2), (D)~~(6)(3)~~ or ~~(7)(4)~~, and (H) of this section. Any person required to comply with any withholding or deduction requirement shall determine the manner of withholding or deducting from the specific requirement included in the notices described in those divisions without the need for any amendment to the support order, and any person required to comply with a court order described in division (D)~~(6)(3)~~, (D)~~(7)(4)~~, or (H) of this section shall comply with the court order without the need for any amendment to the support order. The court shall include in any action in which support is ordered as described in division (A)(1) of this section a general provision that states the following:

"All child support and spousal support under this order shall be withheld or deducted from the ~~wages~~ income or assets of the obligor pursuant to a withholding or deduction notice or appropriate court order issued in accordance with section 3113.21 of the Revised Code or a withdrawal directive issued pursuant to section 3113.214 Of the Revised Code and shall be forwarded to the obligee in accordance with sections 3113.21 to ~~3113.214~~ 3113.213 of the Revised Code."

(2) In any action in which support is ordered or modified as described in division (A)(1) of this section, the court shall determine in accordance with divisions (D) and (H) of this section the types of withholding or deduction requirements or other appropriate requirements that should be imposed relative to the obligor under the support order to collect the support due under the order. Within fifteen days after the obligor under the support order is located subsequent to the issuance of the support order or within fifteen days after the default under the support order, whichever is applicable, the court or the child support enforcement agency, as determined by agreement of the court and the agency, shall send a notice by regular mail to each person required to comply with a withholding or deduction requirement. The notice shall specify the withholding or deduction requirement and shall contain all of the information set forth in division (D)(1)(b); or (2)(b); ~~(3)(b); (4)(b); or (5)(b)~~ of this section that is applicable to the requirement. If the appropriate requirement is an order of the type described in division (D)~~(6)(3)~~, (D)~~(7)(4)~~, or (H) of this section, the court shall issue and send a court order in accordance with that division. The notices and court orders, and the notices provided by the court or child support enforcement agency that require the obligor to notify the agency of any change in the obligor's employment status or of any other change in the status of the obligor's

assets, are final and are enforceable by the court. When the court or agency issues a notice, it shall provide the notice to the obligor in accordance with division (D)(1)(c); or (D)(2)(c); ~~(D)(3)(e), (D)(4)(e), or (D)(5)(e)~~ of this section, whichever is applicable, and shall include with the notice the additional notices described in the particular division that is applicable.

(3)(a) If support is ordered or modified on or after December 31, 1993, under Chapter 3115. or under section 2151.23, 2151.231, 2151.232, 2151.33, 2151.36, 2151.49, 3105.18, 3105.21, 3109.05, 3109.19, 3111.13, 3113.04, 3113.07, 3113.216, or 3113.31 of the Revised Code, if the court has determined in accordance with division (A)(2) of this section the types of withholding or deduction requirements or other appropriate requirements that should be imposed relative to the obligor under the support order to collect the support due under the order, if the court or a child support enforcement agency has mailed the appropriate notice to the person required to comply with the withholding or deduction requirements that the court has determined should be imposed or the court has issued and sent a court order described in division ~~(D)(6)(3), (D)(7)(4),~~ or (H) of this section containing the other appropriate requirements that the court determined should be imposed, and if the child support enforcement agency is notified or otherwise determines that the employment status or other circumstances of the obligor have changed and that it is more appropriate to impose another type of or an additional withholding or deduction requirement or another type of or additional court order containing another appropriate requirement, the agency immediately shall comply with section 3113.212 of the Revised Code. The notices and court orders issued under this division and section 3113.212 of the Revised Code, and the notices provided by the court or child support enforcement agency that require the obligor to notify the agency of any change in the obligor's employment status or of any other change in the status of the obligor's assets, are final and are enforceable by the court.

~~(b) If support has been ordered~~ All orders for support issued prior to December 31, 1993, under Chapter 3115. or under section 2151.23, 2151.231, 2151.33, 2151.36, 2151.49, 3105.18, 3105.21, 3109.05, 3109.19, 3111.13, 3113.04, 3113.07, 3113.216, or 3113.31 of the Revised Code; ~~if the support order has~~ that have not been modified ~~on or after December 31, 1993,~~ if or subject to division (B) of this section ~~has not been applied on or after December 31, 1993,~~ regarding a default under the order; ~~if the support order includes a provision that is substantively comparable to the general provision described in division (A)(1) of this section that must be included in all support orders issued or modified on or after December 31, 1993, and~~

~~if the child support enforcement agency is notified or otherwise determines that the employment status or other circumstances of the obligor under the support order have changed so that it is appropriate to impose a withholding or deduction requirement or another type of or additional appropriate requirement as described in division (D) of this section to collect the support due under the order, the agency shall comply with section 3113.212 of the Revised Code as if the support order had been issued or modified on or after December 31, 1993, and as if it included the general provision described in division (A)(1) of this section that must be included in all support orders issued or modified on or after that date. The notices and court orders issued under this provision and section 3113.212 of the Revised Code, and the notices provided by the court or child support enforcement agency that require the obligor to notify the agency of any change in the obligor's employment status or of any other change in the status of the obligor's assets, are final and are enforceable by the court.~~

~~(e) If support has been ordered prior to December 31, 1993, under Chapter 3115. or under section 2151.23, 2151.33, 2151.36, 2151.49, 3105.18, 3105.21, 3109.05, 3109.19, 3111.13, 3113.04, 3113.07, 3113.216, or 3113.31 of the Revised Code, if the support order has not been modified on or after December 31, 1993, if division (B) of this section has not been applied on or after December 31, 1993, regarding a default under the order, if the support order does not include a provision that is substantively comparable to the general provision described in division (A)(1) of this section that must be included in all support orders issued or modified on or after December 31, 1993, and if the child support enforcement agency is notified or otherwise determines that the employment status or other circumstances of the obligor under the support order have changed so that it is appropriate to impose a withholding or deduction requirement or another type of or additional appropriate requirement as described in division (D) of this section to collect the support due under the order, the agency may request the court to reissue the support order in question to be identical to the support order except for a general provision as described in division (A) of this section requiring the withholding or deduction of wages or assets of the obligor in accordance with division (D) of this section or requiring the issuance of a court order containing another type of appropriate requirement in accordance with division (D)(6), (D)(7), or (H) of this section to ensure that withholding or deduction from the wages or assets of the obligor is available for the collection of current support and any arrearages that occur. Upon the receipt of a request from an agency, the court may reissue the order in accordance with this division. If the court reissues the order, the~~

~~general provision for the withholding or deduction of wages or assets to be included in the reissued support order specifically shall include the statement prescribed in division (B)(1) of this section. Except for the inclusion of the general provision, the provisions of a reissued order under this division shall be identical to the support order in question, and the court or child support enforcement agency shall issue one or more notices requiring withholding or deduction of wages or assets of the obligor in accordance with divisions (A)(2) and (D) of this section, or the court shall issue one or more court orders imposing other appropriate requirements in accordance with division (A)(2) and division (D)(6), (D)(7), or (H) of this section. The notices shall be mailed within fifteen days after the obligor under the support order is located or within fifteen days after the default under the support order, whichever is applicable. Thereafter, section 3113.212 of the Revised Code applies to the issuance of notices and court orders under those divisions with respect to that support order. The notices and court orders issued under this division and section 3113.212 of the Revised Code, and the notices provided by the court or child support enforcement agency that require the obligor to notify the agency of any change in the obligor's employment status or of any other change in the status of the obligor's assets, are final and are enforceable by the court that date shall be considered to contain the general provision described in division (A)(1) of this section and shall be enforced and modified in the same manner as an order for support issued on or after December 31, 1993.~~

(4) The department of human services shall adopt standard forms for the support withholding and deduction notices that are prescribed by divisions (A)(1) to (3) and (B) of this section. All courts and child support enforcement agencies shall use the forms in issuing withholding and deduction notices in compliance with this section.

(B)(1)(a) In any action in which support is ordered under Chapter 3115. or under section 2151.23, 2151.231, 2151.232, 2151.33, 2151.36, 2151.49, 3105.18, 3105.21, 3109.05, 3109.19, 3111.13, 3111.20, ~~3111.21, 3111.22,~~ 3113.04, 3113.07, 3113.216, or 3113.31 of the Revised Code and in which there has been a default under the order, the court shall comply with divisions (B)(1) to (6) of this section.

If the support was ordered prior to December 31, 1993, or pursuant to section 3111.20, ~~3111.21,~~ 3111.211, or 3111.22 of the Revised Code, the court that issued the order, or in the case of an order pursuant to section 3111.20, 3111.211, or 3111.22 Of the Revised Code, the common pleas court of the county in which the child support enforcement agency that issued the order is located, shall reissue the support order under which there

has been a default and shall include in the reissued order a general provision as described in this division requiring the withholding or deduction of wages income or assets of the obligor in accordance with division (D) of this section or requiring the issuance of a court order containing another type of appropriate requirement in accordance with division (D)~~(6)(3)~~, (D)~~(7)(4)~~, or (H) of this section to ensure that withholding or deduction from the wages income or assets is available for the collection of current support and any arrearages that occur. If the support was ordered pursuant to section 3111.20, ~~3111.21~~ 3111.211, or 3111.22 of the Revised Code and the support order includes a general provision similar to the one described in this division, the court shall replace the similar general provision with the general provision described in this division. Except for the inclusion or replacement of the general provision, the provisions of the reissued order required under this division shall be identical to those of the support order under which there has been a default.

~~Regardless of when the support was ordered, when~~ When support has been ordered under any chapter or section described in this division, the child support enforcement agency shall initiate support withholding when the order is in default. Immediately after the identification of a default under the support order, the child support enforcement agency shall conduct the investigation described in division (B)(1)(b) of this section. Additionally, within fifteen calendar days after the identification of a default under the support order, the child support enforcement agency shall investigate the default and, if it is before JULY 1, 1999, SEND ADVANCE NOTICE TO THE OBLIGOR. ON AND AFTER THAT DATE, the division of child support in the department of human services shall send the advance notice to the obligor. The advance notice shall include a notice describing the actions that may be taken against the obligor pursuant to sections 2301.353, 2301.373 and, 2301.374, 2301.375, 2301.42 to 2301.45, and 3113.214 of the Revised Code if the court or agency makes a final and enforceable determination that the obligor is in default pursuant to this division. If the location of the obligor is unknown at the time of the identification of a default under the support order, the ~~agency~~ division shall send the advance notice to the obligor within fifteen days after the agency locates the obligor. The general provision for the withholding or deduction of wages income or assets to be included in the reissued support order specifically shall include the following statement:

"All child support and spousal support under this order shall be withheld or deducted from the wages income or assets of the obligor pursuant to a withholding or deduction notice or appropriate court order issued in

accordance with section 3113.21 of the Revised Code or a withdrawal directive issued pursuant to section 3113.214 Of the Revised Code and shall be forwarded to the obligee in accordance with sections 3113.21 to ~~3113.214~~ 3113.213 of the Revised Code."

(b) After the identification of a default under a support order as described in division (B)(1)(a) of this section, the child support enforcement agency immediately shall conduct an investigation to determine the employment status of the obligor, the obligor's social security number, the name and business address of the obligor's employer, whether the obligor is in default under a support order, the amount of any arrearages, and any other information necessary to enable the court or agency to impose any withholding or deduction requirements and issue the related notices described in division (D) of this section or to issue any court orders described in division (D)~~(6)(3)~~ or ~~(7)(4)~~ of this section. The agency also shall conduct an investigation under this division when required by division (C)(1)(a) or (b) of this section, shall complete the investigation within twenty days after the obligor or obligee files the motion with the court under division (C)(1)(a) of this section or the court orders the investigation under division (C)(1)(b) of this section, ~~and shall conduct an investigation under this division when required by section 3113.214 of the Revised Code.~~

(2) An advance notice to an obligor required by division (B)(1) of this section shall contain all of the following:

(a) A statement of the date on which the advance notice is sent, the amount of arrearages owed by the obligor as determined by the court or the child support enforcement agency, the types of withholding or deduction requirements and related notices described in division (D) of this section or the types of court orders described in division (D)~~(6)(3)~~, (D)~~(7)(4)~~, or (H) of this section that will be issued to pay support and any arrearages, and the amount that will be withheld or deducted pursuant to those requirements;

(b) A statement that any notice for the withholding or deduction of an amount from ~~personal earnings or other~~ income or assets apply to all current and subsequent employers payors of the obligor, and financial institutions in which the obligor has an account, ~~and other persons or entities who pay or distribute income to the obligor~~ and that any withholding or deduction requirement and related notice described in division (D) of this section or any court order described in division (D)~~(6)(3)~~, (D)~~(7)(4)~~, or (H) of this section that is issued will not be discontinued solely because the obligor pays any arrearages;

(c) An explanation of the administrative and court action that will take place if the obligor contests the inclusion of any of the provisions;

(d) A statement that the contents of the advance notice are final and are enforceable by the court unless the obligor files with the child support enforcement agency, within seven days after the date on which the advance notice is sent, a written request for an administrative hearing to determine if a mistake of fact was made in the notice.

(3) If the obligor requests a hearing regarding the advance notice in accordance with division (B)(2)(d) of this section, the child support enforcement agency shall conduct an administrative hearing no later than ten days after the date on which the obligor files the request for the hearing. No later than five days before the date on which the hearing is to be conducted, the agency shall send the obligor and the obligee written notice of the date, time, place, and purpose of the hearing. The notice to the obligor and obligee also shall indicate that the obligor may present testimony and evidence at the hearing only in regard to the issue of whether a mistake of fact was made in the advance notice.

At the hearing, the child support enforcement agency shall determine whether a mistake of fact was made in the advance notice. If it determines that a mistake of fact was made, the agency shall determine the provisions that should be changed and included in a corrected notice and shall correct the advance notice accordingly. The agency shall send its determinations to the obligor. The agency's determinations are final and are enforceable by the court unless, within seven days after the agency makes its determinations, the obligor files a written motion with the court for a court hearing to determine if a mistake of fact still exists in the advance notice or corrected advance notice.

(4) If, within seven days after the agency makes its determinations under division (B)(3) of this section, the obligor files a written motion for a court hearing to determine if a mistake of fact still exists in the advance notice or the corrected advance notice, the court shall hold a hearing on the request as soon as possible, but no later than ten days, after the request is filed. If the obligor requests a court hearing, no later than five days before the date on which the court hearing is to be held, the court shall send the obligor and the obligee written notice by ordinary mail of the date, time, place, and purpose of the court hearing. The hearing shall be limited to a determination of whether there is a mistake of fact in the advance notice or the corrected advance notice.

If, at a hearing conducted under this division, the court detects a mistake of fact in the advance notice or the corrected advance notice, it immediately shall correct the notice.

(5) Upon exhaustion of all rights of the obligor to contest the

withholding or deduction on the basis of a mistake of fact and no later than the expiration of forty-five days after the issuance of the advance notice under division (B)(1) of this section, the court or child support enforcement agency shall issue one or more notices requiring withholding or deduction of ~~wages~~ income or assets of the obligor in accordance with divisions (A)(2) and (D) of this section, or the court shall issue one or more court orders imposing other appropriate requirements in accordance with division (A)(2) and division (D)~~(6)(3)~~, (D)~~(7)(4)~~, or (H) of this section. Thereafter, section 3113.212 of the Revised Code applies in relation to the issuance of the notices and court orders. The notices and court orders issued under this division or section 3113.212 of the Revised Code are final and are enforceable by the court. The court or agency shall send to the obligor by ordinary mail a copy of the withholding or deduction notice, in accordance with division (D) of this section. The failure of the court or agency to give the notice required by this division does not affect the ability of any court to issue any notice or order under this section or any other section of the Revised Code for the payment of support, does not provide any defense to any notice or order for the payment of support that is issued under this section or any other section of the Revised Code, and does not affect any obligation to pay support.

(6) The department of human services shall adopt standard forms for the advance notice prescribed by divisions (B)(1) to (5) of this section. All courts and child support enforcement agencies shall use those forms, and the support withholding and deduction notice forms adopted under division (A)(4) of this section, in complying with this section.

(C)(1) In any action in which support is ordered under Chapter 3115. or under section 2151.23, 2151.231, 2151.232, 2151.33, 2151.36, 2151.49, 3105.18, 3105.21, 3109.05, 3109.19, 3111.13, 3113.04, 3113.07, 3113.216, or 3113.31 of the Revised Code, all of the following apply:

(a) The obligor or obligee under the order may file a motion with the court that issued the order requesting the issuance of one or more withholding or deduction notices as described in division (D) of this section to pay the support due under the order. The motion may be filed at any time after the support order is issued. Upon the filing of a motion pursuant to this division, the child support enforcement agency immediately shall conduct, and shall complete within twenty days after the motion is filed, an investigation in accordance with division (B)(1)(b) of this section. Upon the completion of the investigation and the filing of the agency's report under division (B)(1)(b) of this section, the court shall issue one or more appropriate orders described in division (D) of this section.

(b) If any proceedings involving the support order ~~that was issued before, on, or after December 1, 1986,~~ are commenced in the court and if the court ~~prior to the effective date of this amendment~~ has not issued any orders under division (D) of this section as it existed prior to December 31, 1993, with respect to the support order, if the court determines that any orders issued ~~prior to the effective date of this amendment~~ under division (D) of this section as it existed prior to December 31, 1993, no longer are appropriate, if the court on or after ~~the effective date of this amendment~~ December 31, 1993, has not modified or reissued the support order under division (A) or (B) of this section and issued any notices under division (D) or court orders under division (D)~~(6)(3)~~ or ~~(7)(4)~~ of this section, or if the court on or after ~~the effective date of this amendment~~ December 31, 1993, has modified or reissued the support order under division (A) or (B) of this section and issued one or more notices under division (D) or one or more court orders under division (D)~~(6)(3)~~ or ~~(7)(4)~~ of this section but determines that the notices or court orders no longer are appropriate, the court, prior to or during any hearings held with respect to the proceedings and prior to the conclusion of the proceedings, shall order the child support enforcement agency to conduct an investigation pursuant to division (B)(1)(b) of this section. Upon the filing of the findings of the agency following the investigation, the court, as necessary, shall issue one or more notices described in division (D) or one or more court orders described in division (D)~~(6)(3)~~ or ~~(7)(4)~~ of this section or modify any notices previously issued under division (D) or any court orders previously issued under division (D)~~(6)(3)~~ or ~~(7)(4)~~ of this section.

(c)(i) If a child support enforcement agency, in accordance with section 3113.216 of the Revised Code, requests the court to issue a revised child support order in accordance with a revised amount of child support calculated by the agency, the court shall proceed as described in this division. If neither the obligor nor the obligee requests a court hearing on the revised amount of child support, the court shall issue a revised child support order requiring the obligor to pay the revised amount of child support calculated by the agency. However, if the obligor or the obligee requests a court hearing on the revised amount of child support calculated by the agency, the court, in accordance with division (C)(1)(c)(ii) of this section, shall schedule and conduct a hearing to determine if the revised amount of child support is the appropriate amount and if the amount of child support being paid under the child support order otherwise should be revised.

(ii) If the court is required to schedule and conduct a hearing pursuant to

division (C)(1)(c)(i) of this section, the court shall give the obligor, obligee, and agency at least thirty days' notice of the date, time, and location of the hearing; order the obligor to provide the court with a copy of the obligor's federal income tax return from the previous year, a copy of all pay stubs obtained by the obligor within the preceding six months, ~~and~~ a copy of all other records evidencing the receipt of any other salary, wages, or compensation by the obligor within the preceding six months, a list of the group health insurance and health care policies, contracts, and plans available to the obligor and their costs, and the current health insurance or health care policy, contract, or plan under which the obligor is enrolled and its cost, if the obligor failed to provide any of those documents to the agency, and order the obligee to provide the court with a copy of the obligee's federal income tax return from the previous year, a copy of all pay stubs obtained by the obligee within the preceding six months, ~~and~~ a copy of all other records evidencing the receipt of any other salary, wages, or compensation by the obligee within the preceding six months, a list of the group health insurance and health care policies, contracts, and plans available to the obligee and their costs, and the current health insurance or health care policy, contract, or plan under which the obligee is enrolled and its cost, if the obligee failed to provide any of those documents to the agency; give the obligor and the obligee notice that any willful failure to comply with that court order is contempt of court and, upon a finding by the court that the party is in contempt of court, the court and the agency will take any action necessary to obtain the information or make any reasonable assumptions necessary with respect to the ~~income of~~ information the person in contempt of court did not provide to ensure a fair and equitable review of the child support order; issue a revised child support order requiring the obligor to pay the revised amount of child support calculated by the agency, if the court determines at the hearing that the revised amount of child support calculated by the agency is the appropriate amount; and determine the appropriate amount of child support and, if necessary, issue a revised child support order requiring the obligor to pay the amount of child support determined by the court, if the court determines that the revised amount of child support calculated by the agency is not the appropriate amount.

(iii) In determining, at a hearing conducted under divisions (C)(1)(c)(i) and (ii) of this section, the appropriate amount of child support to be paid by the obligor, the court shall consider, in addition to all other factors required by law to be considered, the appropriate person, whether it is the obligor, obligee, or both, to be required in accordance with section 3113.217 Of the Revised Code to provide health insurance coverage for the children

specified in the order, and the cost of health insurance which the obligor, the obligee, or both ~~the obligor and the obligee~~ have been ordered in accordance with section 3113.217 Of the Revised Code to obtain for the children specified in the order.

~~(d) On or after July 1, 1990, the court shall issue any order required by section 3113.217 of the Revised Code.~~

~~(e)(i)~~ (i) ~~On or after July 1, 1990, an~~ An obligee under a child support order may file a motion with the court that issued the order requesting the court to modify the order to require the obligor to obtain health insurance coverage for the children who are the subject of the order, and ~~on or after July 1, 1990,~~ an obligor under a child support order may file a motion with the court that issued the order requesting the court to modify the order to require the obligee to obtain health insurance coverage for those children. Upon the filing of such a motion, the court shall order the child support enforcement agency to conduct an investigation to determine whether the obligor or obligee has satisfactory health insurance coverage for the children. Upon completion of its investigation, the agency shall inform the court, in writing, of its determination. If the court determines that neither the obligor nor the obligee has satisfactory health insurance coverage for the children, it shall ~~issue an order~~ modify the child support order in accordance with section 3113.217 of the Revised Code.

~~(ii)~~ (ii) ~~On or after July 1, 1990, an~~ An obligor or obligee under a child support order may file a motion with the court that issued the order requesting the court to modify the amount of child support required to be paid under the order because that amount does not adequately cover the medical needs of the child. Upon the filing of such a motion, the court shall determine whether the amount of child support required to be paid under the order adequately covers the medical needs of the child and whether to modify the order, in accordance with division (B)(4) of section 3113.215 of the Revised Code.

~~(f)(e)~~ (e) Whenever a court modifies, reviews, or otherwise reconsiders a child support order, it may reconsider which parent may claim the children who are the subject of the child support order as dependents for federal income tax purposes as set forth in section 151 of the "Internal Revenue Code of 1986," 100 Stat. 2085, 26 U.S.C. 1, as amended, and shall issue its determination on this issue as part of the child support order. The court in its order may permit the parent who is not the residential parent and legal custodian to claim the children as dependents for federal income tax purposes only if the payments for child support are current in full as ordered by the court for the year in which the children will be claimed as

dependents. If the court determines that the parent who is not the residential parent and legal custodian may claim the children as dependents for federal income tax purposes, it shall order the residential parent to take whatever action is necessary pursuant to section 152 of the "Internal Revenue Code of 1986," 100 Stat. 2085, 26 U.S.C. 1, as amended, to enable the parent who is not the residential parent and legal custodian to claim the children as dependents for federal income tax purposes in accordance with the order of the court. Any willful failure of the residential parent to comply with the order of the court is contempt of court.

~~(g) If the order is a child support order issued on or after July 1, 1990, or if the order modifies, on or after July 1, 1990, a prior child support order (f)~~ When issuing or modifying a child support order, the court shall include in the order all of the requirements, specifications, and statements described in division (B) of section 3113.218 of the Revised Code. If the obligor or obligee does not request a court hearing on the revised amount of child support determined by the agency and filed with the court pursuant to section 3113.216 of the Revised Code and the court modifies the order to include the revised amount pursuant to division (C)(1)(c)(i) of this section, the modification shall relate back to the first day of the month following the date certain on which the review of the child support order began pursuant to division (C)(1)(a) of section 3113.216 of the Revised Code. If the obligor or obligee requests a court hearing on the revised amount of child support pursuant to this section and section 3113.216 of the Revised Code and the court, after conducting a hearing, modifies the child support amount under the order, the modification shall relate back to THE FIRST DAY OF THE MONTH FOLLOWING THE DATE CERTAIN ON WHICH THE REVIEW OF THE CHILD SUPPORT ORDER BEGAN PURSUANT TO DIVISION (C)(1)(a) OF SECTION 3113.216 OF THE REVISED CODE.

(2) In any action in which a support order is issued, ~~on or after December 1, 1986,~~ under Chapter 3115. or under section 2151.23, 2151.231, 2151.232, 2151.33, 2151.36, 2151.49, 3105.18, 3105.21, 3109.05, 3109.19, 3111.13, 3113.04, 3113.07, 3113.216, or 3113.31 of the Revised Code, the court issuing the order also shall conduct a hearing, prior to or at the time of the issuance of the support order, to determine the employment status of the obligor, the obligor's social security number, the name and business address of the obligor's employer, and any other information necessary to enable the court or a child support enforcement agency to issue any withholding or deduction notice described in division (D) of this section or for the court to issue a court order described in division (D)~~(6)(3)~~ or ~~(7)(4)~~ of this section. The court, prior to the hearing, shall give the obligor notice of the hearing

that shall include the date on which the notice is given and notice that the obligor is subject to a requirement for the withholding of a specified amount from ~~personal earnings~~ income if employed and to one or more other types of withholding or deduction requirements described in division (D) or one or more types of court orders described in division (D)~~(6)(3)~~ or ~~(7)(4)~~ of this section and that the obligor may present evidence and testimony at the hearing to prove that any of the requirements would not be proper because of a mistake of fact.

The court or child support enforcement agency, immediately upon the court's completion of the hearing, shall issue one or more of the types of notices described in division (D) of this section imposing a withholding or deduction requirement, or the court shall issue one or more types of court orders described in division (D)~~(6)(3)~~ or ~~(7)(4)~~ of this section.

(D) If a court or child support enforcement agency is required under division (A), (B), or (C) of this section or any other section of the Revised Code to issue one or more withholding or deduction notices described in this division or court orders described in division (D)~~(6)(3)~~ or ~~(7)(4)~~ of this section, the court shall issue one or more of the following types of notices or court orders, or the agency shall issue one or more of the following types of notices to pay the support required under the support order in question and also, if required by any of those divisions, any other section of the Revised Code, or the court, to pay any arrearages:

(1)(a) If the court or the child support enforcement agency determines that the obligor is ~~employed~~ receiving income from a payor, the court or agency shall require the obligor's ~~employer~~ payor to withhold from the obligor's ~~personal earnings~~ income a specified amount for support in satisfaction of the support order, to begin the withholding no later than ~~the first pay period that occurs after~~ fourteen working days following the date the notice was mailed to the employer under divisions (A)(2) or (B) and (D)(1)(b) of this section or, if the payor is an employer, no later than the first pay period that occurs after fourteen working days following the date the notice was mailed, to send the amount withheld to the division of child support enforcement agency for that county in the department of human services pursuant to section 5101.325 Of the Revised Code, to send that amount to the agency division immediately but not later than ~~ten~~ seven days after the date the obligor is paid, and to continue the withholding at intervals specified in the notice until further notice from the court or child support enforcement agency. To the extent possible, the amount specified in the notice to be withheld shall satisfy the amount ordered for support in the support order plus any arrearages that may be owed by the obligor under any

prior support order that pertained to the same child or spouse, notwithstanding the limitations of sections 2329.66, 2329.70, 2716.02, and 2716.05 of the Revised Code. However, in no case shall the sum of the amount specified in the notice to be withheld and any fee withheld by the ~~employer~~ payor as a charge for its services exceed the maximum amount permitted under section 303(b) of the "Consumer Credit Protection Act," 15 U.S.C. 1673(b).

(b) If the court or agency imposes a withholding requirement under division (D)(1)(a) of this section, it, within the applicable period of time specified in division (A), (B), or (C) of this section, shall send to the obligor's ~~employer~~ payor by regular mail a notice that contains all of the information set forth in divisions (D)(1)(b)(i) to (xi) of this section. The notice is final and is enforceable by the court. The notice shall contain all of the following:

(i) The amount to be withheld from the obligor's ~~wages~~ income and a statement that the amount actually withheld for support and other purposes, including the fee described in division (D)(1)(b)(xi) of this section, shall not be in excess of the maximum amounts permitted under section 303(b) of the "Consumer Credit Protection Act," 15 U.S.C. 1673(b);

(ii) A statement that the ~~employer~~ payor is required to send the amount withheld to the division of child support enforcement ~~agency~~ immediately, but not later than ~~ten~~ seven working days, after the obligor is paid ~~by the employer~~ and is required to report to the agency the date on which the amount was withheld from the obligor's ~~wages~~ income;

(iii) A statement that the withholding is binding upon the ~~employer~~ payor until further notice from the agency;

(iv) A statement that if the payor is an employer, the payor is subject to a fine to be determined under the law of this state for discharging the obligor from employment, refusing to employ the obligor, or taking any disciplinary action against the obligor because of the withholding requirement;

(v) A statement that, if the ~~employer~~ payor fails to withhold ~~wages~~ income in accordance with the provisions of the notice, the ~~employer~~ payor is liable for the accumulated amount the ~~employer~~ payor should have withheld from the obligor's ~~wages~~ income;

(vi) A statement that the withholding in accordance with the notice and under the provisions of this section has priority over any other legal process under the law of this state against the same ~~wages~~ income;

(vii) The date on which the notice was mailed and a statement that the ~~employer~~ payor is required to implement the withholding no later than ~~the first pay period that occurs after~~ fourteen working days following the date

the notice was mailed or, if the payor is an employer, no later than the first pay period that occurs after fourteen working days following the date the notice was mailed and is required to continue the withholding at the intervals specified in the notice;

(viii) A requirement that the ~~employer payor~~ promptly notify the child support enforcement agency, in writing, within ten working days after the date of ~~any termination of the obligor's employment, any layoff of the obligor, any leave of absence of the obligor without pay, or any other situation that occurs including, termination of employment, layoff of the obligor from employment, any leave of absence of the obligor from employment without pay, termination of workers' compensation benefits, or termination of any pension, annuity, allowance, or retirement benefit,~~ in which the ~~employer payor~~ ceases to pay ~~personal earnings income~~ in an amount sufficient to comply with the order to the obligor, provide the agency with the obligor's last known address, notify the agency of ~~the obligor's~~ any new employer or income source, if known, and provide the agency with ~~the~~ any new employer's or income source's name, address, and telephone number, if known;

(ix) A requirement that, if the payor is an employer, identify in the notification given under division (D)(1)(b)(viii) of this section any types of benefits other than personal earnings that the obligor is receiving or is eligible to receive as a benefit of employment or as a result of the obligor's termination of employment, including, but not limited to, unemployment compensation, workers' compensation benefits, severance pay, sick leave, lump-sum payments of retirement benefits or contributions, and bonuses or profit-sharing payments or distributions, and the amount of such benefits, and include in the notification the obligor's last known address and telephone number, date of birth, social security number, and court case number and, if known, the name and business address of any new employer of the obligor;

(x) A requirement that, no later than the earlier of forty-five days before the lump-sum payment is to be made or, if the obligor's right to the lump-sum payment is determined less than forty-five days before it is to be made, the date on which that determination is made, the ~~employer payor~~ notify the child support enforcement agency of any lump-sum payments of any kind of ~~five one~~ hundred fifty dollars or more that are to be paid to the obligor, hold the lump-sum payments of ~~five one~~ hundred fifty dollars or more for thirty days after the date on which the lump-sum payments otherwise would have been paid to the obligor, ~~if the lump-sum payments are workers' compensation benefits, severance pay, sick leave, lump sum~~

~~payments of retirement benefits or contributions, annual bonuses, or profit sharing payments or distributions,~~ and, upon order of the court, pay any specified amount of the lump-sum payment to the division of child support enforcement agency.

(xi) A statement that, in addition to the amount withheld for support, the ~~employer payor~~ may withhold a fee from the obligor's earnings income as a charge for its services in complying with the notice and a specification of the amount that may be withheld.

(c) The court or agency shall send the notice described in division (D)(1)(b) of this section to the obligor and shall attach to the notice an additional notice requiring the obligor immediately to notify the child support enforcement agency, in writing, of any change in employment, including self-employment, the obligor's income source and of the availability of any other sources of income that can be the subject of any withholding or deduction requirement described in division (D) of this section. The court or agency shall serve the notices upon the obligor at the same time as service of the support order or, if the support order previously has been issued, shall send the notices to the obligor by regular mail at the last known address at the same time that it sends the notice described in division (D)(1)(b) of this section to the ~~employer payor~~. The notification required of the obligor shall include a description of the nature of any new employment or income source, the name ~~and~~, business address, and telephone number of any new employer or income source, and any other information reasonably required by the court. No obligor shall fail to give the notification required by division (D)(1)(c) of this section.

~~(2)(a) If the court or the child support enforcement agency determines that the obligor is receiving workers' compensation payments, the court or agency may require the bureau of workers' compensation or the employer that has been granted the privilege of paying compensation directly and that is paying workers' compensation benefits to the obligor to withhold from the obligor's workers' compensation payments a specified amount for support in satisfaction of the support order, to begin the withholding no later than the date of the first payment that occurs after fourteen working days following the date the notice was mailed to the bureau or employer under divisions (A)(2) or (B) and (D)(2)(b) of this section, to send the amount withheld to the child support enforcement agency for that county, to send that amount to the agency immediately but not later than ten days after the date the payment is made to the obligor, to provide the date on which the amount was withheld, and to continue the withholding at intervals specified in the notice until further notice from the court or agency. To the extent possible,~~

~~the amount specified in the notice to be withheld shall satisfy the amount ordered for support in the support order plus any arrearages that may be owed by the obligor under any prior support order that pertained to the same child or spouse, notwithstanding the limitations of section 4123.67 of the Revised Code. However, in no case shall the sum of the amount specified in the notice to be withheld and any fee withheld by an employer as a charge for its services exceed the maximum amount permitted under section 303(b) of the "Consumer Credit Protection Act," 15 U.S.C. 1673(b).~~

~~(b) If the court or agency imposes a withholding requirement under division (D)(2)(a) of this section, it, within the applicable period of time specified in division (A), (B), or (C) of this section, shall send to the bureau of workers' compensation or the employer that is paying the obligor's workers' compensation benefits by regular mail a notice that contains all of the information set forth in divisions (D)(2)(b)(i) to (x) of this section. The notice is final and is enforceable by the court. The notice shall contain all of the following:~~

~~(i) The amount to be withheld from the obligor's worker's compensation payments and a statement that the amount actually withheld for support and other purposes, including the fee described in division (D)(2)(b)(x) of this section, if applicable, shall not be in excess of the maximum amounts permitted under section 303(b) of the "Consumer Credit Protection Act," 15 U.S.C. 1673(b);~~

~~(ii) A statement that the bureau or employer is required to send the amount withheld to the child support enforcement agency immediately, but not later than ten working days, after the payment is made to the obligor and is required to report to the agency the date on which the amount was withheld from the obligor's payments;~~

~~(iii) A statement that the withholding is binding upon the bureau or employer until further notice from the court or agency;~~

~~(iv) If the notice is sent to an employer who is paying the obligor's worker's compensation benefits, a statement that, if the employer fails to withhold from the obligor's worker's compensation payments in accordance with the provisions of the notice, the employer is liable for the accumulated amount the employer should have withheld from the obligor's payments;~~

~~(v) A statement that the withholding in accordance with the notice and under the provisions of this section has priority over any other legal process under the law of this state against the same payment of benefits;~~

~~(vi) The date on which the notice was mailed and a statement that the bureau or employer is required to implement the withholding no later than the date of the first payment that occurs after fourteen working days~~

~~following the date the notice was mailed and is required to continue the withholding at the intervals specified in the notice;~~

~~(vii) A requirement that the bureau or employer promptly notify the child support enforcement agency, in writing, within ten working days after the date of any termination of the obligor's workers' compensation benefits;~~

~~(viii) A requirement that the bureau or employer include in all notices the obligor's last known mailing address, last known residence address, and social security number;~~

~~(ix) A requirement that, no later than the earlier of forty five days before the lump sum payment is to be made or, if the obligor's right to the lump sum payment is determined less than forty five days before it is to be made, the date on which that determination is made, the bureau or employer notify the child support enforcement agency of any lump sum payment of any kind of five hundred dollars or more that is to be paid to the obligor, hold the lump sum payment for thirty days after the date on which the lump sum payment otherwise would be paid to the obligor, and, upon order of the court, pay any specified amount of the lump sum payment to the agency.~~

~~(x) If the notice is sent to an employer who is paying the obligor's workers' compensation benefits, a statement that, in addition to the amount withheld for support, the employer may withhold a fee from the obligor's benefits as a charge for its services in complying with the notice and a specification of the amount that may be withheld.~~

~~(e) The court or agency shall send the notice described in division (D)(2)(b) of this section to the obligor and shall attach to the notice an additional notice requiring the obligor to immediately notify the child support enforcement agency, in writing, of any change in the obligor's workers' compensation payments, of the obligor's commencement of employment, including self-employment, and of the availability of any other sources of income that can be the subject of any withholding or deduction requirement described in division (D) of this section. The court or agency shall serve the notices upon the obligor at the same time as service of the support order or, if the support order previously has been issued, shall send the notices to the obligor by regular mail at the obligor's last known address at the same time that it sends the notice described in division (D)(2)(b) of this section to the bureau or employer. The additional notice also shall notify the obligor that upon commencement of employment the obligor may request the court or the child support enforcement agency to cancel its workers' compensation payment withholding notice and instead issue a notice requiring the withholding of an amount from the obligor's personal~~

~~earnings for support in accordance with division (D)(1) of this section and that upon commencement of employment the court may cancel its workers' compensation payment withholding notice and instead will issue a notice requiring the withholding of an amount from the obligor's personal earnings for support in accordance with division (D)(1) of this section. The notification required of the obligor shall include a description of the nature of any new employment, the name and business address of any new employer, and any other information reasonably required by the court.~~

~~(3)(a) If the court or child support enforcement agency determines that the obligor is receiving any pension, annuity, allowance, or other benefit or is to receive or has received a warrant refunding the individual account from the public employees retirement system, a municipal retirement system established subject to sections 145.01 to 145.58 of the Revised Code, the police and firemen's disability and pension fund, the state teachers retirement system, the school employees retirement system, or the state highway patrol retirement system, the court or agency may require the public employees retirement board, the board, board of trustees, or other governing entity of any municipal retirement system, the board of trustees of the police and firemen's disability and pension fund, the state teachers retirement board, the school employees retirement board, or the state highway patrol retirement board to withhold from the obligor's pension, annuity, allowance, other benefit, or warrant a specified amount for support in satisfaction of the support order, to begin the withholding no later than the date of the first payment that occurs after fourteen working days following the date the notice was mailed to the board, board of trustees, or other entity under divisions (A)(2) or (B) and (D)(3)(b) of this section, to send the amount withheld to the child support enforcement agency for that county, to send that amount to the agency immediately but not later than ten days after the date the payment is made to the obligor, to provide the date on which the amount was withheld, and to continue the withholding at intervals specified in the notice until further notice from the court or agency. To the extent possible, the amount specified in the notice to be withheld shall satisfy the amount ordered for support in the support order plus any arrearages that may be owed by the obligor under any prior support order that pertained to the same child or spouse, notwithstanding the limitations of sections 2329.66, 2329.70, and 2716.13 of the Revised Code. However, in no case shall the sum of the amount specified in the notice to be withheld and any fee withheld by the board, board of trustees, or other entity as a charge for its services exceed the maximum amount permitted under section 303(b) of the "Consumer Credit Protection Act," 15 U.S.C. 1673(b).~~

~~(b) If the court or agency imposes a withholding requirement under division (D)(3)(a) of this section, it, within the applicable period of time specified in division (A), (B), or (C) of this section, shall send to the board, board of trustees, or other entity by regular mail a notice that contains all of the information set forth in divisions (D)(3)(b)(i) to (ix) of this section. The notice is final and is enforceable by the court. The notice shall contain all of the following:~~

~~(i) The amount to be withheld from the obligor's pension, annuity, allowance, other benefit, or warrant and a statement that the amount actually withheld for support and other purposes, including the fee described in division (D)(3)(b)(ix) of this section, shall not be in excess of the maximum amounts permitted under section 303(b) of the "Consumer Credit Protection Act," 15 U.S.C. 1673(b);~~

~~(ii) A statement that the board, board of trustees, or other entity is required to send the amount withheld to the child support enforcement agency immediately, but not later than ten working days, after the payment is made to the obligor and is required to report to the agency the date on which the amount was withheld from the obligor's payments;~~

~~(iii) A statement that the withholding is binding upon the board, board of trustees, or other entity until further notice from the court or agency;~~

~~(iv) A statement that the withholding in accordance with the notice and under the provisions of this section has priority over any other legal process under the law of this state against the same payment of the pension, annuity, allowance, other benefit, or warrant;~~

~~(v) The date on which the notice was mailed and a statement that the board, board of trustees, or other entity is required to implement the withholding no later than the date of the first payment that occurs after fourteen working days following the date the notice was mailed and is required to continue the withholding at the intervals specified in the notice;~~

~~(vi) A requirement that the board, board of trustees, or other entity promptly notify the child support enforcement agency, in writing, within ten working days after the date of any termination of the obligor's pension, annuity, allowance, or other benefit;~~

~~(vii) A requirement that the board, board of trustees, or other entity include in all notices the obligor's last known mailing address, last known residence address, and social security number;~~

~~(viii) A requirement that, no later than the earlier of forty five days before the lump sum payment is to be made or, if the obligor's right to the lump sum payment is determined less than forty five days before it is to be made, the date on which that determination is made, the board, board of~~

~~trustees, or other entity notify the child support enforcement agency of any lump-sum payment of any kind of five hundred dollars or more that is to be paid to the obligor, hold the lump-sum payment for thirty days after the date on which the lump-sum payment would otherwise be paid to the obligor, if the lump-sum payments are lump-sum payments of retirement benefits or contributions, and, upon order of the court, pay any specified amount of the lump-sum payment to the agency;~~

~~(ix) A statement that, in addition to the amount withheld for support, the board, board of trustees, or other entity may withhold a fee from the obligor's pension, annuity, allowance, other benefit, or warrant as a charge for its services in complying with the notice and a specification of the amount that may be withheld.~~

~~(e) The court or agency shall send the notice described in division (D)(3)(b) of this section to the obligor and shall attach to the notice an additional notice requiring the obligor immediately to notify the child support enforcement agency, in writing, of any change in pension, annuity, allowance, or other benefit, of the commencement of employment, including self-employment, and of the availability of any other sources of income that can be the subject of any withholding or deduction requirement described in division (D) of this section. The court or agency shall serve the notices upon the obligor at the same time as service of the support order or, if the support order previously has been issued, shall send the notices to the obligor by regular mail at the last known address at the same time that it sends the notice described in division (D)(3)(b) of this section to the board, board of trustees, or other entity. The additional notice also shall specify that upon commencement of employment the obligor may request the court or the child support enforcement agency to issue a notice requiring the withholding of an amount from personal earnings for support in accordance with division (D)(1) of this section and that upon commencement of employment the court may cancel its withholding notice under division (D)(3)(b) of this section and instead will issue a notice requiring the withholding of an amount from personal earnings for support in accordance with division (D)(1) of this section. The notification required of the obligor shall include a description of the nature of any new employment, the name and business address of any new employer, and any other information reasonably required by the court.~~

~~(4)(a) If the court or child support enforcement agency determines that the obligor is receiving any form of income, including, but not limited to, disability or sick pay, insurance proceeds, lottery prize awards, federal, state, or local government benefits to the extent that the benefits can be~~

~~withheld or deducted under any law governing the benefits, any form of trust fund or endowment fund, vacation pay, commissions and draws against commissions that are paid on a regular basis, bonuses or profit sharing payments or distributions, or any lump-sum payments, the court or agency may require the person who pays or otherwise distributes the income to the obligor to withhold from the obligor's income a specified amount for support in satisfaction of the support order, to begin the withholding no later than the date of the first payment that occurs after fourteen working days following the date the notice was mailed to the person paying or otherwise distributing the obligor's income under divisions (A)(2) or (B) and (D)(4)(b) of this section, to send the amount withheld to the child support enforcement agency for that county, to send that amount to the agency immediately but not later than ten days after the date the payment is made to the obligor, to provide the date on which the amount was withheld, and to continue the withholding at intervals specified in the notice until further notice from the court or agency. To the extent possible, the amount specified in the notice to be withheld shall satisfy the amount ordered for support in the support order plus any arrearages that may be owed by the obligor under any prior support order that pertained to the same child or spouse, notwithstanding the limitations of sections 2329.66, 2329.70, and 2716.13 of the Revised Code. However, in no case shall the sum of the amount specified in the notice to be withheld and any fee withheld by the person paying or otherwise distributing the obligor's income as a charge for its services exceed the maximum amount permitted under section 303(b) of the "Consumer Credit Protection Act," 15 U.S.C. 1673(b).~~

~~(b) If the court or agency imposes a withholding requirement under division (D)(4)(a) of this section, it, within the applicable period of time specified in division (A), (B), or (C) of this section, shall send to the person paying or otherwise distributing the obligor's income by regular mail a notice that contains all of the information set forth in divisions (D)(4)(b)(i) to (ix) of this section. The notice is final and is enforceable by the court. The notice shall contain all of the following:~~

~~(i) The amount to be withheld from the obligor's income and a statement that the amount actually withheld for support and other purposes, including the fee described in division (D)(4)(b)(ix) of this section, shall not be in excess of the maximum amounts permitted under section 303(b) of the "Consumer Credit Protection Act," 15 U.S.C. 1673(b);~~

~~(ii) A statement that the person paying or otherwise distributing the obligor's income is required to send the amount withheld to the child support enforcement agency immediately, but not later than ten working days, after~~

~~the payment is made to the obligor and is required to report to the agency the date on which the amount was withheld from the obligor's payments;~~

~~(iii) A statement that the withholding is binding upon the person paying or otherwise distributing the obligor's income until further notice from the court or agency;~~

~~(iv) A statement that the withholding in accordance with the notice and under the provisions of this section has priority over any other legal process under the law of this state against the same payment of the income;~~

~~(v) A statement that the person paying or otherwise distributing the obligor's income is required to implement the withholding no later than the date of the first payment that occurs after fourteen working days following the date the notice was mailed and is required to continue the withholding at the intervals specified in the notice;~~

~~(vi) A requirement that the person paying or otherwise distributing the obligor's income promptly notify the child support enforcement agency, in writing, within ten days after the date of any termination of the obligor's income;~~

~~(vii) A requirement that the person paying or otherwise distributing the obligor's income include in all notices the obligor's last known mailing address, last known residence address, and social security number;~~

~~(viii) A requirement that, no later than the earlier of forty five days before the lump sum payment is to be made or, if the obligor's right to the lump sum payment is determined less than forty five days before it is to be made, the date on which that determination is made, the person paying or otherwise distributing the obligor's income notify the child support enforcement agency of any lump sum payment of any kind of five hundred dollars or more that is to be paid to the obligor, hold the lump sum payment for thirty days after the date on which the lump sum payment would otherwise be paid to the obligor, if the lump sum payment is sick pay, lump sum payment of retirement benefits or contributions, or profit sharing payments or distributions, and, upon order of the court, pay any specified amount of the lump sum payment to the child support enforcement agency;~~

~~(ix) A statement that, in addition to the amount withheld for support, the person paying or otherwise distributing the obligor's income may withhold a fee from the obligor's income as a charge for its services in complying with the order and a specification of the amount that may be withheld.~~

~~(c) The court or agency shall send the notice described in division (D)(4)(b) of this section to the obligor and shall attach to the notice an additional notice requiring the obligor immediately to notify the child support enforcement agency, in writing, of any change in income to which~~

~~the withholding notice applies, of the commencement of employment, including self-employment, and of the availability of any other sources of income that can be the subject of any withholding or deduction requirement described in division (D) of this section. The court or agency shall serve the notices upon the obligor at the same time as service of the support order or, if the support order previously has been issued, shall send the notices to the obligor by regular mail at the last known address at the same time that it sends the notice described in division (D)(4)(b) of this section to the person paying or otherwise distributing the obligor's income. The additional notice also shall specify that upon commencement of employment the obligor may request the court or child support enforcement agency to issue a notice requiring the withholding of an amount from the obligor's personal earnings for support in accordance with division (D)(1) of this section and that upon commencement of employment the court may cancel its withholding notice under division (D)(4)(b) of this section and instead will issue a notice requiring the withholding of an amount from personal earnings for support in accordance with division (D)(1) of this section. The notification required of the obligor shall include a description of the nature of any new employment, the name and business address of any new employer, and any other information reasonably required by the court.~~

~~(5)(a) If the court or child support enforcement agency determines that the obligor has funds on deposit in any account in a financial institution under the jurisdiction of the court, the court or agency may require any financial institution in which the obligor's funds are on deposit to deduct from the obligor's account a specified amount for support in satisfaction of the support order, to begin the deduction no later than fourteen working days following the date the notice was mailed to the financial institution under divisions (A)(2) or (B) and (D)(5)(2)(b) of this section, to send the amount deducted to the division of child support enforcement agency for that county in the department of human services pursuant to section 5101.325 Of the Revised Code, to send that amount to the agency division immediately but not later than ~~ten~~ seven working days after the date the latest deduction was made, to provide the date on which the amount was deducted, and to continue the deduction at intervals specified in the notice until further notice from the court or child support enforcement agency. To the extent possible, the amount specified in the notice to be deducted shall satisfy the amount ordered for support in the support order plus any arrearages that may be owed by the obligor under any prior support order that pertained to the same child or spouse, notwithstanding the limitations of sections 2329.66, 2329.70, and 2716.13 of the Revised Code. ~~However, in no case shall the~~~~

~~sum of the amount specified in the notice to be deducted and the fee deducted by the financial institution as a charge for its services exceed the maximum amount permitted under section 303(b) of the "Consumer Credit Protection Act," 15 U.S.C. 1673(b).~~

(b) If the court or agency imposes a withholding requirement under division (D)~~(5)(2)~~(a) of this section, it, within the applicable period of time specified in division (A), (B), or (C) of this section, shall send to the financial institution by regular mail a notice that contains all of the information set forth in divisions (D)~~(5)(2)~~(b)(i) to (viii) of this section. The notice is final and is enforceable by the court. The notice shall contain all of the following:

(i) ~~The amount to be deducted from the obligor's account and a statement that the amount actually deducted for support and other purposes, including the fee described in division (D)(5)(b)(viii) of this section, shall not be in excess of the maximum amounts permitted under section 303(b) of the "Consumer Credit Protection Act," 15 U.S.C. 1673(b);~~

(ii) A statement that the financial institution is required to send the amount deducted to the division of child support ~~enforcement agency~~ immediately, but not later than ~~ten~~ seven working days, after the date the last deduction was made and is required to report to the child support enforcement agency the date on which the amount was deducted from the obligor's account;

(iii) A statement that the deduction is binding upon the financial institution until further notice from the court or agency;

(iv) A statement that the withholding in accordance with the notice and under the provisions of this section has priority over any other legal process under the law of this state against the same account;

(v) The date on which the notice was mailed and a statement that the financial institution is required to implement the deduction no later than fourteen working days following the date the notice was mailed and is required to continue the deduction at the intervals specified in the notice;

(vi) A requirement that the financial institution promptly notify the child support enforcement agency, in writing, within ten days after the date of any termination of the account from which the deduction is being made and notify the agency, in writing, of the opening of a new account at that financial institution, the account number of the new account, the name of any other known financial institutions in which the obligor has any accounts, and the numbers of those accounts;

(vii) A requirement that the financial institution include in all notices the obligor's last known mailing address, last known residence address, and

social security number;

(viii) A statement that, in addition to the amount deducted for support, the financial institution may deduct a fee from the obligor's account as a charge for its services in complying with the notice and a specification of the amount that may be deducted.

(c) The court or agency shall send the notice described in division (D)~~(5)(2)~~(b) of this section to the obligor and shall attach to the notice an additional notice requiring the obligor immediately to notify the child support enforcement agency, in writing, of any change in the status of the account from which the amount of support is being deducted or the opening of a new account with any financial institution, of commencement of employment, including self-employment, or of the availability of any other sources of income that can be the subject of any withholding or deduction requirement described in division (D) of this section. The court or agency shall serve the notices upon the obligor at the same time as service of the support order or, if the support order previously has been issued, shall send the notices to the obligor by regular mail at the last known address at the same time that it sends the notice described in division (D)~~(5)(2)~~(b) of this section to the financial institution. The additional notice also shall specify that upon commencement of employment, the obligor may request the court or child support enforcement agency to cancel its financial institution account deduction notice and instead issue a notice requiring the withholding of an amount from personal earnings for support in accordance with division (D)(1) of this section and that upon commencement of employment the court may cancel its financial institution account deduction notice under division (D)~~(5)(2)~~(b) of this section and instead will issue a notice requiring the withholding of an amount from personal earnings for support in accordance with division (D)(1) of this section. The notification required of the obligor shall include a description of the nature of any new accounts opened at a financial institution under the jurisdiction of the court, the name and business address of that financial institution, a description of the nature of any new employment or income source, the name ~~and~~, business address, and telephone number of any new employer or income source, and any other information reasonably required by the court.

~~(6)(3)~~(3) The court may issue an order requiring the obligor to enter into a cash bond with the court. The court shall issue the order as part of the support order or, if the support order previously has been issued, as a separate order. Any cash bond so required shall be in a sum fixed by the court at not less than five hundred nor more than ten thousand dollars, conditioned that the obligor will make payment as previously ordered and

will pay any arrearages under any prior support order that pertained to the same child or spouse. The order, along with an additional order requiring the obligor to immediately notify the child support enforcement agency, in writing, ~~of commencement of employment, including self-employment~~ if the obligor begins to receive income from a payor, shall be attached to, and shall be served upon the obligor at the same time as service of, the support order or, if the support order previously has been issued, as soon as possible after the issuance of the order under this division. The additional order also shall specify that ~~upon commencement of employment~~ when the obligor begins to receive income from a payor the obligor may request the court to cancel its bond order and instead issue a notice requiring the withholding of an amount from ~~personal earnings~~ income for support in accordance with division (D)(1) of this section and that ~~upon commencement of employment~~ when the obligor begins to receive income from a payor the court will proceed to collect on the bond, if the court determines that payments due under the support order have not been made and that the amount that has not been paid is at least equal to the support owed for one month under the support order, and will issue a notice requiring the withholding of an amount from ~~personal earnings~~ income for support in accordance with division (D)(1) of this section. The notification required of the obligor shall include a description of the nature of any new employment, the name and business address of any new employer, and any other information reasonably required by the court.

The court shall not order an obligor to post a cash bond under this division unless the court determines that the obligor has the ability to do so. A child support enforcement agency shall not issue an order of the type described in this division. If a child support enforcement agency is required to issue a withholding or deduction notice under division (D) of this section but the agency determines that no notice of the type described in division (D)(1) ~~to (5)~~ or (2) of this section would be appropriate, the agency may request the court to issue a court order under this division, and, upon the request, the court may issue an order as described in this division.

~~(7)(4)~~ (4) If the obligor is unemployed, has no income, and does not have an account at any financial institution, or on request of a child support enforcement agency made under section 3111.231 Of the Revised Code, the court shall issue an order requiring the obligor ~~to seek employment~~, if the obligor is able to engage in employment and immediately to, to seek employment or participate in a work activity to which a recipient of assistance under Title IV-A of the "Social Security Act," 49 Stat. 620 (1935), 42 U.S.C.A. 301, as amended, may be assigned as specified in

on 407(d) of the "Social Security Act," 42 U.S.C.A. 607(d), as amended. The court shall include in the order a requirement that the obligor notify the child support enforcement agency upon obtaining employment, upon obtaining any income, or upon obtaining ownership of any asset with a value of five hundred dollars or more. The court may issue the order regardless of whether the obligee to whom the obligor owes support is a recipient of assistance under Title (IV)-A of the "Social Security Act." The court shall issue the ~~notice order~~ as part of ~~the a~~ support order or, if ~~the a~~ support order previously has been issued, as a separate ~~notice~~. ~~A child support enforcement agency shall not issue a notice of the type described in this division order.~~ If a child support enforcement agency is required to issue a withholding or deduction notice under division (D) of this section but the agency determines that no notice of the type described in division (D)(1) ~~to~~ ~~(5)~~ ~~or~~ (2) of this section would be appropriate, the agency may request the court to issue a court order under ~~this division (D)(4) of this section~~, and, upon the request, the court may issue an order as described in ~~this division (D)(4) of this section~~.

If an obligor is ordered to participate in a work activity, the child support enforcement agency of the county in which the obligor resides shall oversee the obligor's participation in accordance with rules the department of human services shall adopt in accordance with Chapter 119. of the Revised Code. A child support enforcement agency may contract with one or more governmental agencies or persons to carry out some or all of its oversight duties.

(E) If a court or child support enforcement agency is required under division (A), (B), or (C) of this section or any other section of the Revised Code to issue one or more notices or court orders described in division (D) of this section, the court or agency to the extent possible shall issue a sufficient number of notices or court orders under division (D) of this section to provide that the aggregate amount withheld or deducted under those notices or court orders satisfies the amount ordered for support in the support order plus any arrearages that may be owed by the obligor under any prior support order that pertained to the same child or spouse, notwithstanding the limitations of sections 2329.66, 2329.70, 2716.13, and 4123.67 of the Revised Code. However, in no case shall the aggregate amount withheld ~~or deducted~~ pursuant to a withholding notice issued under division (D)(1) of this section and any fees withheld ~~or deducted~~ pursuant to the notice as a charge for services exceed the maximum amount permitted under section 303(b) of the "Consumer Credit Protection Act," 15 U.S.C. 1673(b).

(F)(1) Any withholding or deduction requirement that is contained in a notice described in division (D) of this section and that is required to be issued by division (A), (B), or (C) of this section or any other section of the Revised Code has priority over any order of attachment, any order in aid of execution, and any other legal process issued under state law against the same earnings, payments, or account.

(2) When two or more withholding ~~or deduction~~ notices ~~that are~~ described in division (D)(1) of this section and that are required to be issued by division (A), (B), or (C) of this section or any other section of the Revised Code are received by ~~an employer, the bureau of workers' compensation, an employer that is paying more than one person's workers' compensation benefits, the public employees retirement board, the board, board of trustees, or other governing entity of any municipal retirement system, the board of trustees of the police and firemen's disability and pension fund, the state teachers retirement board, the school employees retirement board, the state highway patrol retirement board, a person paying or otherwise distributing income for more than one obligor, or a financial institution, the employer, bureau of workers' compensation, employer paying workers' compensation benefits, board, board of trustees, or other governing entity of a retirement system, person paying or distributing income to an obligor, or financial institution~~ the payor shall comply with all of the requirements contained in the notices to the extent that the total amount withheld from the obligor's ~~personal earnings, payments, pensions, annuities, allowances, benefits, other sources of income, or savings~~ does not exceed the maximum amount permitted under section 303(b) of the "Consumer Credit Protection Act," 15 U.S.C. 1673(b), withhold ~~or deduct~~ amounts in accordance with the allocation set forth in divisions (F)(2)(a) and (b) of this section, notify each court or child support enforcement agency that issued one of the notices of the allocation, and give priority to amounts designated in each notice as current support in the following manner:

(a) If the total of the amounts designated in the notices as current support exceeds the amount available for withholding under section 303(b) of the "Consumer Credit Protection Act," 15 U.S.C. 1673(b), ~~the employer, bureau of workers' compensation, employer paying workers' compensation benefits, board, board of trustees, or other governing entity of a municipal retirement system, person paying or distributing income to an obligor, or financial institution~~ payor shall allocate to each notice an amount for current support equal to the amount designated in that notice as current support multiplied by a fraction in which the numerator is the amount of ~~personal earnings, payments, pensions, annuities, allowances, benefits, other sources~~

~~of income, or savings~~ available for withholding and the denominator is the total amount designated in all of the notices as current support.

(b) If the total of the amounts designated in the notices as current support does not exceed the amount available for withholding under section 303(b) of the "Consumer Credit Protection Act," 15 U.S.C. 1673(b), ~~the persons and entities listed in division (F)(2)(a) of this section~~ payor shall pay all of the amounts designated as current support in the notices and shall allocate to each notice an amount for past-due support equal to the amount designated in that notice as past-due support multiplied by a fraction in which the numerator is the amount of ~~personal earnings, payments, pensions, annuities, allowances, benefits, other sources of income, or savings~~ remaining available for withholding after the payment of current support and the denominator is the total amount designated in all of the notices as past-due support.

(G)(1) Except when a provision specifically authorizes or requires service other than as described in this division, service of any notice on any party, ~~the bureau of workers' compensation, an employer that is paying a person's workers' compensation benefits, the public employees retirement board, the board, board of trustees, or other governing entity of any municipal retirement system, the board of trustees of the police and firemen's disability and pension fund, the state teachers retirement board, the school employees retirement board, the state highway patrol retirement board, a person paying or otherwise distributing an obligor's income, a financial institution, or an employer~~ payor, for purposes of division (A), (B), (C), or (D) of this section, ~~may~~ shall be made by ~~personal service or ordinary first class mail directed to the addressee at the last known address, or, in the case of a corporation, at its usual place of doing business. Any service of notice by ordinary first class mail shall be evidenced by a certificate of mailing filed with the clerk of the court~~ A notice shall be considered to have been served when it is mailed.

(2) Each party to a support order shall notify the child support enforcement agency of the party's current mailing address ~~and~~ current residence address, current residence telephone number, and current driver's license number, at the time of the issuance or modification of the order and, until further notice of the court that issues the order, shall notify the agency of any change in ~~either address~~ that information immediately after the change occurs. Any willful failure to comply with this division is contempt of court. No person shall fail to give the notice required by division (G)(2) of this section.

(3) Each support order, or modification of a support order, that is

~~subject to this section shall contain a statement requiring each party to the order to notify the child support enforcement agency in writing of the party's current mailing address, the party's current residence address, and of any changes in either address and a notice that the requirement to notify the agency of all changes in either address continues until further notice from the court and that a willful failure to supply a correct mailing address or residence address or to provide the agency with all changes in either address is contempt of court.~~ notice that states the following in boldFACEd type and in all capital letters:

"Each party to this support order MUST notify the child support enforcement agency in writing of HIS OR HER current mailing address, current residence address, current residence telephone number, current driver's license number, and of any changes in that information. EACH PARTY MUST notify the agency of all changes until further notice from the court. If you are the obligor under a child support order and you fail to make the required notifications you may be fined UP TO \$50 for a first offense, \$100 for a second offense, and \$500 for each subsequent offense. If YOU ARE AN OBLIGOR or obligee UNDER ANY SUPPORT ORDER AND you willfully fail to make the required notifications you may be found in contempt of court and be subjected to fines up to \$1,000 and imprisonment for not more than 90 days.

If you are an obligor and you fail to make the required notifications you may not receive notice of the following enforcement actions against you: imposition of liens against your property; loss of your professional or occupational license, driver's license, or recreational license; withholding from your income; access restriction and deduction from your accounts in financial institutions; and any other action permitted by law to obtain money from you to satisfy your support obligation."

(4)(a) The parent who is the residential parent and legal custodian of a child for whom a support order is issued or the person who otherwise has custody of a child for whom a support order is issued immediately shall notify, and the obligor under a support order may notify, the child support enforcement agency of any reason for which the support order should terminate, including, but not limited to, the child's attainment of the age of majority if the child no longer attends an accredited high school on a full-time basis AND THE SUPPORT ORDER DOES NOT provide for THE DUTY OF SUPPORT TO CONTINUE PAST THE AGE OF MAJORITY; the child ceasing to attend such a high school on a full-time basis after attaining the age of majority, IF THE SUPPORT ORDER DOES NOT provide for THE DUTY OF SUPPORT TO CONTINUE PAST THE AGE

OF MAJORITY; or the death, marriage, emancipation, enlistment in the armed services, deportation, or change of legal or physical custody of the child. A willful failure to notify the child support enforcement agency as required by this division is contempt of court. Upon receipt of a notice pursuant to this division, the agency immediately shall conduct an investigation to determine if any reason exists for which the support order should terminate. The agency may conduct such an investigation regardless of whether it received notice under this division. If the agency ~~se~~ determines the order should terminate, it immediately shall notify the court that issued the support order of the reason for which the support order should terminate.

(b) Upon receipt of a notice given pursuant to division (G)(4)(a) of this section, the court shall order the division of child support to impound any funds received for the child pursuant to the support order and the court shall set the case for a hearing for a determination of whether the support order should be terminated or modified or whether the court should take any other appropriate action.

(c) If the court terminates a support order pursuant to divisions (G)(4)(a) and (b) of this section, the termination of the support order also terminates any withholding or deduction order as described in division (D) or (H) of this section ~~that was issued relative to the support order~~ prior to December 31, 1993, and any withholding or deduction notice as described in division (D) or court order as described in division (D)~~(6)(3)~~, (D)~~(7)(4)~~, or (H) of this section ~~that was issued relative to the support order~~ on or after December 31, 1993. Upon the termination of any withholding or deduction order or any withholding or deduction notice, the court immediately shall notify the appropriate child support enforcement agency that the order or notice has been terminated, and the agency immediately shall notify each ~~employer, payor or financial institution, or other person or entity that was~~ required to withhold or deduct a sum of money for the payment of support under the terminated withholding or deduction order or ~~the terminated withholding or deduction~~ notice that the order or notice has been terminated and that it is required to cease all withholding or deduction under the order or notice.

(d) The department of human services shall adopt rules that provide for both of the following:

(i) The return to the appropriate person of any funds that a court has ordered impounded under division (G)(4)(b) of this section if the support order under which the funds were paid has been terminated pursuant to divisions (G)(4)(a) and (b) of this section;

(ii) The return to the appropriate person of any other payments made pursuant to a support order if the payments were made at any time after the

support order under which the funds were paid has been terminated pursuant to divisions (G)(4)(a) and (b) of this section.

(5) If any party to a support order requests a modification of the order or if any obligee under a support order or any person on behalf of the obligee files any action to enforce a support order, the court shall notify the child support enforcement agency that is administering the support order or that will administer the order after the court's determination of the request or the action, of the request or the filing.

(6) When a child support enforcement agency receives any notice under division (G) of section 2151.23, section 2301.37, division (E) of section 3105.18, division (C) of section 3105.21, division (A) of section 3109.05, division (F) of section 3111.13, division (B) of section 3113.04, section 3113.21, section 3113.211, section 3113.212, division (K) of section 3113.31, or division ~~(D)(C)(3)~~ of section ~~3115.22~~ 3115.31 of the Revised Code, it shall issue the most appropriate notices under division (D) of this section. Additionally, it shall do all of the following:

(a) If the obligor is subject to a withholding notice issued under division (D)(1) of this section and the notice relates to the obligor's change of employment, send a withholding notice under that division to the new employer of the obligor as soon as the agency obtains knowledge of that employer;

(b) If the notification received by the agency specifies that a lump-sum payment of ~~five~~ one hundred fifty dollars or more is to be paid to the obligor, notify the court of the receipt of the notice and its contents; The agency may notify the court if the notification specifies that a lump-sum payment of less than one hundred fifty dollars is to be paid to the obligor.

(c) Comply with section 3113.212 of the Revised Code, as appropriate.

(H)(1)(a) For purposes of division (D)(1) of this section, when a person who fails to comply with a support order that is subject to that division derives income from self-employment or commission, is employed by an employer not subject to the jurisdiction of the court, or is in any other employment situation that makes the application of that division impracticable, the court may require the person to enter into a cash bond to the court in a sum fixed by the court at not less than five hundred nor more than ten thousand dollars, conditioned that the person will make payment as previously ordered.

(b) When a court determines at a hearing conducted under division (B) of this section, or a child support enforcement agency determines at a hearing or pursuant to an investigation conducted under division (B) of this section, that the obligor under the order in relation to which the hearing or

investigation is conducted is unemployed and has no other source of income and no assets so that the application of divisions (B) and (D) of this section would be impracticable, the court shall issue an order as described in division (D)~~(7)~~(4) of this section and shall order the obligor to notify the child support enforcement agency in writing immediately ~~upon commencement of employment, including self-employment, of the receipt of workers' compensation payments,~~ of the receipt of any other source of income; or of the opening of an account in a financial institution, and to include in the notification a description of the nature of the employment or income source, the name ~~and~~, business address, and telephone number of the employer or income source, and any other information reasonably required by the court.

(2) When a court determines, at a hearing conducted under division (C)(2) of this section, that an obligor is unemployed, is not receiving workers' compensation payments, does not have an account in a financial institution, and has no other source of income and no assets so that the application of divisions (C)(2) and (D) of this section would be impracticable, the court shall issue an order as described in division (D)~~(7)~~(4) of this section and shall order the obligor to notify the child support enforcement agency, in writing, immediately ~~upon commencement of employment, including self-employment, of the receipt of workers' compensation payments,~~ of the receipt of any other source of income; or of the opening of an account in a financial institution, and to include in the notification a description of the nature of the employment or income source, the name ~~and~~, business address, and telephone number of the employer or income source or the name ~~and~~, address, and telephone number of the financial institution, and any other information reasonably required by the court.

(3)(a) Upon receipt of a notice from a child support enforcement agency under division (G)(6) of this section that a lump-sum payment ~~of five hundred dollars or more~~ is to be paid to the obligor, the court shall do either of the following:

(i) If the obligor is in default under the support order or has any unpaid arrearages under the support order, issue an order requiring the transmittal of the lump-sum payment to the division of child support enforcement agency.

(ii) If the obligor is not in default under the support order and does not have any unpaid arrearages under the support order, issue an order directing the person who gave the notice to the court to immediately pay the full amount of the lump-sum payment to the obligor.

(b) Upon receipt of any moneys pursuant to division (H)(3)(a) of this section, a the division of child support ~~enforcement agency~~ shall pay the amount of the lump-sum payment that is necessary to discharge all of the obligor's arrearages to the obligee and, within two business days after its receipt of the money, any amount that is remaining after the payment of the arrearages to the obligor.

(c) Any court that issued an order prior to December 1, 1986, requiring an employer to withhold an amount from an obligor's personal earnings for the payment of support shall issue a supplemental order that does not change the original order or the related support order requiring the employer to do all of the following:

(i) No later than the earlier of forty-five days before a lump-sum payment is to be made or, if the obligor's right to a lump-sum payment is determined less than forty-five days before it is to be made, the date on which that determination is made, notify the child support enforcement agency of any lump-sum payment of any kind of ~~five~~ one hundred fifty dollars or more that is to be paid to the obligor;

(ii) Hold the lump-sum payment for thirty days after the date on which it would otherwise be paid to the obligor, if the lump-sum payment is sick pay, a lump-sum payment of retirement benefits or contributions, or profit-sharing payments or distributions;

(iii) Upon order of the court, pay any specified amount of the lump-sum payment to the division of child support ~~enforcement agency~~.

(d) If an employer knowingly fails to notify the child support enforcement agency in accordance with division (D) of this section of any lump-sum payment to be made to an obligor, the employer is liable for any support payment not made to the obligee as a result of its knowing failure to give the notice as required by that division.

(I)(1) Any support order, or modification of a support order, that is subject to this section shall contain the date of birth and social security number of the obligor.

(2) No withholding or deduction notice described in division (D) or court order described in division (D)~~(6)(3)~~ or ~~(7)(4)~~ of this section shall contain any information other than the information specifically required by division (A), (B), (C), or (D) of this section or by any other section of the Revised Code and any additional information that the issuing court determines may be necessary to comply with the notice.

(J) No withholding or deduction notice described in division (D) or court order described in division (D)~~(6)(3)~~ or ~~(7)(4)~~ of this section and issued under division (A), (B), or (C) of this section or any other section of

the Revised Code shall be terminated solely because the obligor pays any part or all of the arrearages under the support order.

(K)(1) Except as provided in division (K)(2) of this section and section 2301.42 of the Revised Code and the rules adopted pursuant to division (C) of that section, if child support arrearages are owed by an obligor to the obligee and to the department of human services, any payments received on the arrearages by the division of child support enforcement agency first shall be paid to the obligee until the arrearages owed to the obligee are paid in full.

(2) Division (K)(1) of this section does not apply to the collection of past-due child support from refunds of paid federal taxes pursuant to section 5101.32 of the Revised Code or of overdue child support from refunds of paid state income taxes pursuant to sections 5101.321 and 5747.121 of the Revised Code.

(L)(1) Each court with jurisdiction to issue support orders or orders establishing the existence or nonexistence of a parent and child relationship shall establish rules of court to ensure that the following percentage of all actions to establish the existence or nonexistence of a parent and child relationship, to establish a support requirement, or to modify a previously issued support order be completed within the following time limits:

(a) ~~Ninety~~ Seventy-five per cent of all of the actions shall be completed within ~~three~~ six months after they were initially filed;

(b) ~~Ninety-eight~~ Ninety per cent of all of the actions shall be completed within ~~six~~ twelve months after they were initially filed;

~~(c) One hundred per cent of all of the actions shall be completed within twelve months after they were initially filed.~~

(2) If a case involves complex legal issues requiring full judicial review, the court shall issue a temporary support order within the time limits set forth in division (L)(1) of this section, which temporary order shall be in effect until a final support order is issued in the case. All cases in which the imposition of a notice or order under division (D) of this section is contested shall be completed within the period of time specified by law for completion of the case. The failure of a court to complete a case within the required period does not affect the ability of any court to issue any order under this section or any other section of the Revised Code for the payment of support, does not provide any defense to any order for the payment of support that is issued under this section or any other section of the Revised Code, and does not affect any obligation to pay support.

(3)(a) In any Title IV-D case, the judge, when necessary to satisfy the federal requirement of expedited process for obtaining and enforcing

support orders, shall appoint ~~referees~~ magistrates to make findings of fact and recommendations for the judge's approval in the case. All ~~referees~~ magistrates appointed pursuant to this division shall be attorneys admitted to the practice of law in this state. If the court appoints a ~~referee~~ magistrate pursuant to this division, the court may appoint any additional administrative and support personnel for the ~~referee~~ magistrate.

(b) Any ~~referee~~ magistrate appointed pursuant to division (L)(3)(a) of this section may perform any of the following functions:

- (i) The taking of testimony and keeping of a record in the case;
- (ii) The evaluation of evidence and the issuance of recommendations to establish, modify, and enforce support orders;
- (iii) The acceptance of voluntary acknowledgments of support liability and stipulated agreements setting the amount of support to be paid;
- (iv) The entering of default orders if the obligor does not respond to notices in the case within a reasonable time after the notices are issued;
- (v) Any other functions considered necessary by the court.

(4) The child support enforcement agency may conduct administrative reviews of support orders to obtain voluntary notices or court orders under division (D) of this section and to correct any errors in the amount of any arrearages owed by an obligor. The obligor and the obligee shall be notified of the time, date, and location of the administrative review at least fourteen days before it is held.

(M)(1) The termination of a support obligation or a support order does not abate the power of any court to collect overdue and unpaid support or to punish any person for a failure to comply with an order of the court or to pay any support as ordered in the terminated support order and does not abate the authority of a child support enforcement agency to issue, in accordance with this section, any notice described in division (D) of this section or of a court to issue, in accordance with this section, any court order as described in division (D)~~(6)~~(3) or ~~(7)~~(4) of this section, to collect any support due or arrearage under the support order.

(2) Any court that has the authority to issue a support order shall have all powers necessary to enforce that support order, and all other powers, set forth in this section.

(3) Except as provided in division (M)(4) of this section, a court may not retroactively modify an obligor's duty to pay a delinquent support payment.

(4) A court with jurisdiction over a support order may modify an obligor's duty to pay a support payment that becomes due after notice of a petition to modify the support order has been given to each obligee and to

the obligor before a final order concerning the petition for modification is entered.

(N) If an obligor is in default under a support order and has a claim against another person of more than one thousand dollars, the obligor shall notify the child support enforcement agency of the claim, the nature of the claim, and the name of the person against whom the claim exists. If an obligor is in default under a support order and has a claim against another person or is a party in an action for any judgment, the child support enforcement agency or the agency's attorney, on behalf of the obligor, immediately shall file with the court in which the action is pending a motion to intervene in the action or a creditor's bill. The motion to intervene shall be prepared and filed pursuant to Civil Rules 5 and 24(A) and (C).

Nothing in this division shall preclude an obligee from filing a motion to intervene in any action or a creditor's bill.

(O) If an obligor is receiving unemployment compensation benefits, an amount may be deducted from those benefits for purposes of child support, in accordance with section 2301.371 and division (D)(4) of section 4141.28 of the Revised Code. Any deduction from a source in accordance with those provisions is in addition to, and does not preclude, any withholding or deduction for purposes of support under divisions (A) to (N) of this section.

(P) As used in this section, and in sections 3113.211 to 3113.217 of the Revised Code:

(1) "Financial institution" means a bank, savings and loan association, or credit union, or a regulated investment company or mutual fund in which a person who is required to pay child support has funds on deposit that are not exempt under the law of this state or the United States from execution, attachment, or other legal process.

(2) "Title IV-D case" means any case in which the child support enforcement agency is enforcing the child support order pursuant to Title IV-D of the "Social Security Act," 88 Stat. 2351 (1975), 42 U.S.C. 651, as amended.

(3) "Obligor" means the person who is required to pay support under a support order.

(4) "Obligee" means the person who is entitled to receive the support payments under a support order.

(5) "Support order" means an order for the payment of support and, for orders issued or modified on or after December 31, 1993, includes any notices described in division (D) or (H) of this section that are issued in accordance with this section.

(6) "Support" means child support, spousal support, and support for a

spouse or former spouse.

(7) "Personal earnings" means compensation paid or payable for personal services, however denominated, and includes, but is not limited to, wages, salary, commissions, bonuses, draws against commissions, profit sharing, and vacation pay.

(8) "Default" has the same meaning as in section 2301.34 of the Revised Code.

(9) "Payor" means any person or entity that pays or distributes income to an obligor, including the obligor, if the obligor is self employed; an employer; an employer that is paying the obligor's workers' COMPENSATION benefits; the public employees retirement board; the board of trustees, or other governing entity of a municipal retirement system; the board of trustees of the POLICE and firemen's disability and pension fund; the state teachers retirement board; the school employees retirement board; the state highway patrol RETIREMENT board; the bureau of workers' compensation; or any other person or entity, EXCEPT THE BUREAU OF EMPLOYMENT SERVICES WITH RESPECT TO UNEMPLOYMENT COMPENSATION BENEFITS PAID PURSUANT TO CHAPTER 4141. Of the Revised Code.

(Q) As used in this section, "income" means any form of monetary payment, including personal earnings; workers' compensation payments; unemployment compensation benefits TO THE EXTENT PERMITTED BY, AND IN ACCORDANCE WITH, SECTION 2301.371 OF THE REVISED CODE, DIVISION (D)(4) OF SECTION 4141.28 OF THE REVISED CODE, AND FEDERAL LAW GOVERNING THE BUREAU OF EMPLOYMENT SERVICES; pensions; annuities; allowances; private or governmental retirement benefits; disability or sick pay; insurance proceeds; lottery prize awards; federal, state, or local government benefits to the extent that the BENEFITS can be withheld or deducted under the law governing the BENEFITS; any form of trust fund or endowment; lump-sum payments; and any other payment in money.

Sec. 3113.211. (A)(1) For purposes of this section, a withholding or deduction order that was issued prior to December 31, 1993, under division (D)(1), (2), (3), (4), or (5) of section 3113.21 of the Revised Code as the division existed prior to that date and that has not been terminated on or after December 31, 1993, shall be considered to be a withholding or deduction notice issued under division (D)(1); ~~or (2); (3); (4); or (5)~~ of section 3113.21 of the Revised Code.

(2) ~~An employer~~ A payor ordered to withhold a specified amount from the ~~personal earnings~~ income of an employee under a withholding notice

issued under division (A), (B), (C), or (D)(1) of section 3113.21 of the Revised Code for purposes of support also may deduct from the ~~personal earnings~~ income of the person, in addition to the amount withheld for purposes of support, a fee of two dollars or an amount not to exceed one per cent of the amount withheld for purposes of support, whichever is greater, as a charge for its services in complying with the withholding requirement included in the withholding notice. ~~An employer that is paying a person's workers' compensation benefits and that is required to withhold a specified amount from a person's workers' compensation benefits under a withholding notice issued under division (D)(2) of section 3113.21 of the Revised Code for purposes of support also may deduct from the workers' compensation benefits, in addition to the amount withheld for purposes of support, a fee of two dollars or an amount not to exceed one per cent of the amount withheld for purposes of support, whichever is greater, as a charge for its services in complying with the withholding requirement included in the withholding notice.~~ A financial institution required to deduct funds from an account under a deduction notice issued under division (D)~~(5)~~(2) of section 3113.21 of the Revised Code for purposes of support may deduct from the account of the person, in addition to the amount deducted for purposes of support, a fee of five dollars or an amount not to exceed the lowest rate that it charges, if any, for a debit transaction in a similar account, whichever is less, as a charge for its service in complying with the deduction requirement included in the deduction notice. ~~The public employees retirement board, the board, board of trustees, or other governing entity of any municipal retirement system, the board of trustees of the police and firemen's disability and pension fund, the state teachers retirement board, the school employees retirement board, the state highway patrol retirement board, and a person paying or otherwise distributing an obligor's income required to withhold or deduct a specified amount from an obligor's pension, annuity, allowance, other benefit, or other source of income under a withholding or deduction notice issued under division (D)(3) or (4) of section 3113.21 of the Revised Code for purposes of support also may deduct from the obligor's pension, annuity, allowance, other benefit, or other source of income, a fee of two dollars or an amount not to exceed one per cent of the amount withheld or deducted, whichever is less, as a charge for its services in complying with the withholding or deduction requirement included in the withholding or deduction notice.~~

The entire amount withheld or deducted pursuant to a withholding or deduction notice issued under division (D) of section 3113.21 of the Revised Code for purposes of support shall be forwarded to the division of child

~~support enforcement agency of the county in which that court is located~~ in the department of human services immediately, but not later than ~~ten~~ seven working days after, the withholding or deduction, as directed in the withholding or deduction notice.

(B) ~~If an employer, a payor or financial institution, an employer that is paying an obligor's workers' compensation benefits, the public employees retirement board, the board, board of trustees, or other governing entity of any municipal retirement system, the board of trustees of the police and firemen's disability and pension fund, the state teachers retirement board, the school employees retirement board, the state highway patrol retirement board, the person paying or otherwise distributing an obligor's income, or the bureau of workers' compensation is required to withhold or deduct a specified amount from the personal earnings, payments, pensions, annuities, allowances, benefits, other sources of income; or savings of more than one obligor under a withholding or deduction notice issued under division (D) of section 3113.21 of the Revised Code and is required to forward the amounts withheld or deducted to the same~~ division of child support enforcement agency, the employer, the public employees retirement board, the board, board of trustees, or other governing entity of any municipal retirement system, the board of trustees of the police and firemen's disability and pension fund, the state teachers retirement board, the school employees retirement board, the state highway patrol retirement board, the person paying or otherwise distributing an obligor's income, payor or the financial institution, the employer that is paying an obligor's workers' compensation benefits, or the bureau of workers' compensation may combine all of the amounts to be forwarded in one payment, provided the payment is accompanied by a list that clearly identifies each obligor who is covered by the payment and the portion of the payment that is attributable to that obligor.

(C) Upon receipt of any amount forwarded from ~~an employer, a payor or financial institution, an employer that is paying a person's workers' compensation benefits, the public employees retirement board, the board, board of trustees, or other governing entity of any municipal retirement system, the board of trustees of the police and firemen's disability and pension fund, the state teachers retirement board, the school employees retirement board, the state highway patrol retirement board, the person paying or otherwise distributing an obligor's income, or the bureau of workers' compensation under this section,~~ a clerk of court or the division of child support enforcement agency shall distribute the amount to the obligee within two business days of its receipt of the amount forwarded. The

department of human services may adopt, revise, or amend rules under Chapter 119. of the Revised Code to assist ~~the clerk of court or child support enforcement agency~~ in the implementation of this division.

(D) A payor or financial institution shall not be subject to criminal or civil liability for compliance, in accordance with this section, with a withholding or deduction notice issued pursuant to division (D) of section 3113.21 Of the Revised Code.

Sec. 3113.212. (A) When a court has issued a support order, when the court or a child support enforcement agency has issued one or more notices containing one or more of the requirements described in division (D) of section 3113.21 of the Revised Code or when a court has issued one or more court orders described in division (D)~~(6)(3)~~ or ~~(7)(4)~~ of that section, and when either the child support enforcement agency receives a notification as described in division (D), (G), or (H) of section 3113.21 of the Revised Code that pertains to a change in the ~~employment status, status of the workers' compensation payments, status of the pension, annuity, allowance, benefit, or other~~ source of income, or status of accounts in a financial institution of the obligor or the child support enforcement agency otherwise determines that the ~~employment status, status of the workers' compensation payments, status of the pension, annuity, allowance, benefit, or other~~ source of income, or status of accounts in a financial institution of the obligor has changed, the child support enforcement agency immediately shall conduct an investigation to determine the obligor's present ~~employment status, his employer's address, whether he has any other~~ source of income or assets, and the obligor's address and social security number and shall issue one or more notices described in division (D) of section 3113.21 of the Revised Code that it determines are appropriate. If the agency determines that no notice of the type described in division (D)(1) ~~to (5)~~ or (2) of that section would be appropriate, the agency may request the court to issue a court order under division (D)~~(6)(3)~~ or ~~(7)(4)~~ of that section, and, upon the request, the court may issue an order as described in that division. The notices and court orders are final and are enforceable by the court. The notices shall be mailed within fifteen days after the obligor under the support order is located or within fifteen days after the default under the support order, whichever is applicable.

If the court or child support enforcement agency previously has issued one or more notices containing one or more of the requirements described in division (D) of section 3113.21 of the Revised Code or the court previously has issued one or more court orders described in division (D)~~(6)(3)~~ or ~~(7)(4)~~ of that section and the child support enforcement agency determines that any

of the requirements or court orders no longer are appropriate due to the change, the agency immediately shall cancel any previously issued notice, and the court shall cancel any previously issued court order that no longer is appropriate, the agency shall send written notice of the cancellation by regular mail to the person who was required to comply with the withholding, deduction, or other requirement contained in the canceled notice or court order, and the agency shall issue one or more new notices containing one or more requirements described in division (D) of section 3113.21 of the Revised Code that it determines are appropriate. If the agency determines that no notice of the type described in division (D)(1) ~~to (5)~~ or (2) of that section would be appropriate, the agency may request the court to issue a court order under division (D)~~(6)(3)~~ or ~~(7)(4)~~ of that section, and, upon the request, the court may issue an order as described in that division. The notices and court orders are final and are enforceable by the court. The notices shall be mailed within fifteen days after the obligor under the support order is located or within fifteen days after the default under the support order, whichever is applicable.

(B) When a court or child support enforcement agency has issued one or more notices containing one or more of the requirements described in division (D)~~(2), (3), (4), or (5)~~ of section 3113.21 of the Revised Code requiring withholding by a payor that is not an employer or requiring deduction by a financial institution or a court has issued one or more court orders described in division (D)~~(6)(3)~~ or ~~(7)(4)~~ of that section and the agency is informed that the obligor has commenced employment, the agency shall issue a notice requiring the withholding of an amount from the person's personal earnings for support, in accordance with division (D)(1) of section 3113.21 of the Revised Code. The notice is final and is enforceable by the court. Additionally, if the court or agency determines that payments due under the support order have not been made and that the amount that has not been paid is at least equal to the support owed for one month under the support order, the court shall proceed to collect on any cash bond and shall order it paid to the division of child support in the department of human services.

(C) If a child support enforcement agency sends a notice imposing a withholding or deduction requirement or a court sends a court order imposing any other appropriate requirement to a person under division (A) or (B) of this section, the notice or court order, for purposes of sections 3113.21 to 3113.219 of the Revised Code, also shall be considered to have been issued under division (D) of section 3113.21 of the Revised Code. The notice or court order is final and is enforceable by the court.

(D) If a child support enforcement agency sends a notice imposing a withholding or deduction requirement or any other appropriate requirement to a person under division (A) or (B) of this section or under section 3113.21 of the Revised Code and if the ~~employer, the payor or financial institution; the employer that is paying the obligor's workers' compensation benefits, the public employees retirement board, the board, board of trustees, or other governing entity of the municipal retirement system, the board of trustees of the police and firemen's disability and pension fund, the state teachers retirement board, the school employees retirement board, the state highway patrol retirement board, the person paying or otherwise distributing an obligor's income, or the bureau of workers' compensation~~ that is sent the withholding, deduction, or other appropriate notice fails to comply with the notice, the child support enforcement agency shall request the court to issue a court order requiring the ~~employer, the payor or financial institution; the employer that is paying the obligor's workers' compensation benefits, the public employees retirement board, the board, board of trustees, or other governing entity of the municipal retirement system, the board of trustees of the police and firemen's disability and pension fund, the state teachers retirement board, the school employees retirement board, the state highway patrol retirement board, the person paying or otherwise distributing an obligor's income, or the bureau of workers' compensation~~ to comply with the withholding, deduction, or other appropriate notice sent by the agency immediately or be held in contempt of court. If the court issues the requested order and if the ~~employer, the payor or financial institution; the employer that is paying the obligor's workers' compensation benefits, the public employees retirement board, the board, board of trustees, or other governing entity of the municipal retirement system, the board of trustees of the police and firemen's disability and pension fund, the state teachers retirement board, the school employees retirement board, the state highway patrol retirement board, the person paying or otherwise distributing an obligor's income, or the bureau of workers' compensation~~ does not comply with the withholding, deduction, or other appropriate order of the agency that is the subject of the court order immediately, it is in contempt of court.

Sec. 3113.213. (A)(1) For purposes of this section, a withholding or deduction order that was issued prior to December 31, 1993, under division (D)(1), (2), (4), or (5) of section 3113.21 of the Revised Code as the division existed prior to that date and that has not been terminated on or after December 31, 1993, shall be considered to be a withholding or deduction notice issued under division (D)(1); ~~or (2), (4), or (5)~~ of section 3113.21 of the Revised Code.

(2) The failure of any person to send any notification required by division (D) or (H) of section 3113.21 of the Revised Code shall be considered as contempt of court.

(B) ~~An employer~~ A payor that fails to withhold an amount from an obligor's ~~personal earnings income~~ for support in accordance with a withholding requirement included in a withholding notice issued under division (D)(1) of section 3113.21 of the Revised Code, ~~an employer that is paying an obligor's workers' compensation benefits and that fails to withhold the obligor's workers' compensation benefits for support in accordance with a withholding requirement included in a withholding notice issued under division (D)(2) of section 3113.21 of the Revised Code,~~ or a financial institution that fails to deduct funds from an obligor's account for support in accordance with a deduction requirement included in a deduction notice issued under division (D)~~(5)~~(2) of section 3113.21 of the Revised Code, ~~or any other person that fails to withhold or deduct an amount from the income of an obligor in accordance with a withholding or deduction requirement included in a withholding or deduction notice issued under division (D)(4) of section 3113.21 of the Revised Code~~ is liable for the amount that was not withheld or deducted, provided that no payor that is an employer whose normal pay and disbursement cycles make it impossible to comply with a withholding requirement contained in a withholding notice issued under division (D)(1) of section 3113.21 of the Revised Code shall be liable for the amount not withheld if the employer, as soon as possible after the employer's receipt of the withholding notice, provides the court or child support enforcement agency that issued the notice with written notice of the impossibility and the reasons for the impossibility. An employer who is liable under this provision for an amount that was not withheld shall be ordered by the court to pay that amount to the ~~clerk of the court or the~~ division of child support enforcement agency in the department of human services, to be disbursed in accordance with the support order for the benefit of the child or spouse.

(C) The court may fine ~~an employer~~ a payor not more than two hundred dollars for failure to withhold ~~personal earnings income~~ or to notify the court or child support enforcement agency that ~~an obligor has terminated employment, has been laid off, has taken a leave of absence without pay, has entered into another~~ a situation in which has occurred causing the employer to cease paying ~~payor to pay personal earnings~~ income in an amount sufficient to comply with the order to the obligor, or, in cases in which the obligor is an employer, the obligor is receiving or is eligible to receive a benefit of employment other than personal earnings, as required by

~~a withholding notice issued under division (D)(1) of section 3113.21 of the Revised Code. The court may fine an employer that is paying an obligor's workers' compensation benefits not more than two hundred dollars for failure to withhold an obligor's workers' compensation benefits or to notify the court or child support enforcement agency of any termination in the payment of the obligor's workers' compensation benefits, as required by a withholding notice issued under division (D)(2) of section 3113.21 of the Revised Code. The court may fine a person who is paying or otherwise distributing the income of an obligor not more than two hundred dollars for failure to withhold or deduct an amount from the income of the obligor or to notify the court or child support enforcement agency of the termination of that income, as required by a withholding or deduction notice issued under division (D)(4) of section 3113.21 of the Revised Code. The court may fine a financial institution not more than two hundred dollars for failure to deduct funds from an account or to notify the court or child support enforcement agency of the termination of an account from which funds are being deducted or the opening of a new account, as required by a deduction notice issued under division (D)(5)(2) of section 3113.21 of the Revised Code.~~

(D) No payor that is an employer may use a requirement to withhold personal earnings contained in a withholding notice issued under division (D)(1) of section 3113.21 of the Revised Code, as a basis for a discharge of, or for any disciplinary action against, an employee, or as a basis for a refusal to employ a person. The court may fine an employer who so discharges or takes disciplinary action against an employee, or refuses to employ a person, not more than five hundred dollars.

Sec. 3113.214. (A) For the purposes of this section, "access restriction" means that funds may not be withdrawn or transferred.

(B) If, as a result of information obtained pursuant to an agreement under section 5101.315 of the Revised Code, the division of child support in the department of human services finds or receives notice that identifies an obligor in default who maintains an account with a financial institution, the division shall, within one business day, enter the information into the case registry established pursuant to section 5101.319 of the Revised Code.

(C) A financial institution that learns, pursuant to an agreement under section 5101.315 of the Revised Code, that an obligor in default maintains an account with the financial institution shall promptly place an access restriction on the account. The access restriction shall remain on the account until the financial institution complies with a withdrawal directive under division (F) of this section or a court or child support enforcement agency

orders the financial institution to remove the access restriction.

(D) The child support enforcement agency shall, no later than five business days after information is entered into the case registry pursuant to division (B) of this section, investigate and determine the amount of funds in the account that is available to satisfy the obligor's arrearages under a support order. The financial institution shall cooperate with the agency's investigation.

(E)(1) If a child support enforcement agency that completes an investigation described in division (D) of this section does not find that any person other than the obligor has an ownership interest in the account, it shall issue a withdrawal directive pursuant to division (F) of this section. If the agency finds that a person other than an obligor has an ownership interest in the account, the agency shall send written notice by first-class mail to that person at an address for that person contained in records of the financial institution, except that if the address of that person is not contained in records of the financial institution, the agency shall send the notice to that person in care of another person whose address is contained in records of the financial institution concerning the account.

(2) The notice shall contain both of the following:

(a) A statement of the date the notice is sent, that another of the account holders is an obligor under a support order, the name of the obligor, that the support order is in default, the amount of the arrearage owed by the obligor as determined by the court or child support enforcement agency, the amount that will be withdrawn, the type of account from which the amount will be withdrawn, and the name of the financial institution from which the amount will be withdrawn;

(b) a statement that the person may object to the withdrawal by filing with the agency, no later than ten days after the date on which the notice is sent, a written request for an administrative hearing to determine whether any amount contained in the account is the property of the person to whom the notice is sent and should not be subject to the withdrawal directive.

(3) The person to whom the notice is sent shall have ten days from the date the notice is sent to object to the withdrawal by filing with the agency a written request for an administrative hearing to determine whether any amount contained in the account is the property of that person and should not be subject to the withdrawal directive.

(a) If the person requests it, the agency shall conduct an administrative hearing no later than ten days after the date the person files the request for the hearing. No later than five days before the date the hearing is to be conducted, the agency shall send the person written notice of the date, time,

place, and purpose of the hearing.

At the hearing, the agency shall determine whether any amount contained in the account is the property of the person who filed the objection. The person may present testimony and evidence at the hearing only in regard to the issue of whether how much, if any, of the amount contained in the account is the property of the person and should not be subject to withdrawal directive. If the agency determines that any amount contained in the account is the property of the person, the agency shall determine that amount. The agency shall send notice of its determination to the person.

If the agency determines that the total amount in the account is the property of the person, it shall order the financial institution to release the access restriction on the account and shall take no further enforcement action on the account. If the agency determines that some of the funds in the account are the property of the person, it shall order the financial institution to release the access restriction on the account in that amount and shall take no further enforcement action on those funds. The agency shall issue a withdrawal directive pursuant to division (F) of this section for the remaining funds unless, no later than ten days after the agency makes its determination, the person files a written motion with the court of common pleas of the county served by the child support enforcement agency for a hearing to determine whether any amount contained in the account is the property of the person. If the person files a timely motion with the court, the court shall hold a hearing on the request no later than ten days after the request is filed. No later than five days before the date on which the hearing is to be held, the court shall send the person written notice by ordinary mail of the date, time, place, and purpose of the hearing. The hearing shall be limited to a determination of how much, if any of the amount contained in the account is the property of the person.

If the court determines that all of the funds in the account are the property of the person, it shall order the financial institution to release the access restriction on the account and to take no further enforcement action on the account. If the court determines that some of the funds in the account are the property of the person, it shall determine that amount, order the financial institution to release the access restriction on the account in that amount, and order the agency to take no further enforcement action on those funds. If the court determines that any of the funds in the account are not the property of the person, it shall issue a withdrawal directive pursuant to division (F) of this section.

(b) If a person to whom a notice is sent under division (E)(1) of this

section fails to file a timely request for an administrative hearing, the agency shall send a withdrawal directive to the financial institution pursuant to division (F) of this section.

(F)(1) subject to division (D) and (E) of this section, an agency that determines that an obligor has funds in an account in a financial institution, shall issue a withdrawal directive to the financial institution. The directive shall require the financial institution to transmit funds from the account to the division of child support.

(2) The withdrawal directive shall contain the following information:

(a) The name, address, and social security number or taxpayer identification number of the obligor;

(b) A statement that the obligor has been determined to be in default under a support order;

(c) The amount of the arrearage owed by the obligor as determined by the court or child support enforcement agency;

(d) The amount of funds that are to be withdrawn from the account and the type of account from which the funds are to be withdrawn.

(3) On receipt of a withdrawal directive, a financial institution shall withdraw the amount specified from the account described in the notice and pay it to the division of child support.

(G) A financial institution is not subject to criminal or civil liability for imposing an access restriction on an account or complying with a withdrawal directive pursuant to this section or for any other action taken in good faith pursuant to this section.

Sec. 3113.215. (A) As used in this section:

(1) "Income" means either of the following:

(a) For a parent who is employed to full capacity, the gross income of the parent;

(b) For a parent who is unemployed or underemployed, the sum of the gross income of the parent, and any potential income of the parent.

(2) "Gross income" means, except as excluded in this division, the total of all earned and unearned income from all sources during a calendar year, whether or not the income is taxable, and includes, but is not limited to, income from salaries, wages, overtime pay and bonuses to the extent described in division (B)(5)(d) of this section, commissions, royalties, tips, rents, dividends, severance pay, pensions, interest, trust income, annuities, social security benefits, workers' compensation benefits, unemployment insurance benefits, disability insurance benefits, benefits received by and in the possession of the veteran who is the beneficiary for any service-connected disability under a program or law administered by the

United States department of veterans' affairs or veterans' administration, spousal support actually received from a person not a party to the support proceeding for which actual gross income is being determined, and all other sources of income; income of members of any branch of the United States armed services or national guard, including, but not limited to, amounts representing base pay, basic allowance for quarters, basic allowance for subsistence, supplemental subsistence allowance, cost of living adjustment, specialty pay, variable housing allowance, and pay for training or other types of required drills; self-generated income; and potential cash flow from any source.

"Gross income" does not include any of the following:

(a) Benefits received from means-tested public assistance programs, including, but not limited to, Ohio works first; prevention, retention, and contingency; supplemental security income; food stamps; or disability assistance;

(b) Benefits for any service-connected disability under a program or law administered by the United States department of veterans' affairs or veterans' administration that have not been distributed to the veteran who is the beneficiary of the benefits and that are in the possession of the United States department of veterans' affairs or veterans' administration;

(c) Child support received for children who were not born or adopted during the marriage at issue;

(d) Amounts paid for mandatory deductions from wages other than taxes, social security, or retirement in lieu of social security, including, but not limited to, union dues;

(e) Nonrecurring or unsustainable income or cash flow items.

(3) "Self-generated income" means gross receipts received by a parent from self-employment, proprietorship of a business, joint ownership of a partnership or closely held corporation, and rents minus ordinary and necessary expenses incurred by the parent in generating the gross receipts. "Self-generated income" includes expense reimbursements or in-kind payments received by a parent from self-employment, the operation of a business, or rents, including, but not limited to, company cars, free housing, reimbursed meals, and other benefits, if the reimbursements are significant and reduce personal living expenses.

(4)(a) "Ordinary and necessary expenses incurred in generating gross receipts" means actual cash items expended by the parent or the parent's business and includes depreciation expenses of replacement business equipment as shown on the books of a business entity.

(b) Except as specifically included in "ordinary and necessary expenses

incurred in generating gross receipts" by division (A)(4)(a) of this section, "ordinary and necessary expenses incurred in generating gross receipts" does not include depreciation expenses and other noncash items that are allowed as deductions on any federal tax return of the parent or the parent's business.

(5) "Potential income" means both of the following for a parent that the court, or a child support enforcement agency pursuant to sections 3111.20, ~~3111.21~~ 3111.211, and 3111.22 of the Revised Code, determines is voluntarily unemployed or voluntarily underemployed:

(a) Imputed income that the court or agency determines the parent would have earned if fully employed as determined from the parent's employment potential and probable earnings based on the parent's recent work history, the parent's occupational qualifications, and the prevailing job opportunities and salary levels in the community in which the parent resides;

(b) Imputed income from any nonincome-producing assets of a parent, as determined from the local passbook savings rate or another appropriate rate as determined by the court or agency, not to exceed the rate of interest specified in division (A) of section 1343.03 of the Revised Code, if the income is significant.

(6) "Child support order" means an order for the payment of child support.

(7) "Combined gross income" means the combined gross income of both parents.

(8) "Split parental rights and responsibilities" means a situation in which there is more than one child who is the subject of an allocation of parental rights and responsibilities and each parent is the residential parent and legal custodian of at least one of those children.

(9) "Schedule" means the basic child support schedule set forth in division (D) of this section.

(10) "Worksheet" means the applicable worksheet that is used to calculate a parent's child support obligation and that is set forth in divisions (E) and (F) of this section.

(11) "Nonrecurring or unsustainable income or cash flow item" means any income or cash flow item that the parent receives in any year or for any number of years not to exceed three years and that the parent does not expect to continue to receive on a regular basis. "Nonrecurring or unsustainable income or cash flow item" does not include a lottery prize award that is not paid in a lump sum or any other item of income or cash flow that the parent receives or expects to receive for each year for a period of more than three years or that the parent receives and invests or otherwise

utilizes to produce income or cash flow for a period of more than three years.

(12) "Extraordinary medical expenses" means any uninsured medical expenses that are incurred for a child during a calendar year and that exceed one hundred dollars for that child during that calendar year.

(B)(1) In any action in which a child support order is issued or modified under Chapter 3115, or section 2151.23, ~~2151.231, 2151.232~~, 2151.33, 2151.36, 2151.49, 3105.18, 3105.21, 3109.05, 3109.19, 3111.13, 3113.04, 3113.07, 3113.216, or 3113.31 of the Revised Code, in any other proceeding in which the court determines the amount of child support that will be ordered to be paid pursuant to a child support order, or when a child support enforcement agency determines the amount of child support that will be paid pursuant to an administrative child support order issued pursuant to sections 3111.20, ~~3111.21~~ 3111.211, and 3111.22 of the Revised Code, the court or agency shall calculate the amount of the obligor's child support obligation in accordance with the basic child support schedule in division (D) of this section, the applicable worksheet in division (E) or (F) of this section, and the other provisions of this section, shall specify the support obligation as a monthly amount due, and shall order the support obligation to be paid in periodic increments as it determines to be in the best interest of the children. In performing its duties under this section, the court or agency is not required to accept any calculations in a worksheet prepared by any party to the action or proceeding. In any action or proceeding in which the court determines the amount of child support that will be ordered to be paid pursuant to a child support order or when a child support enforcement agency determines the amount of child support that will be paid pursuant to an administrative child support order issued pursuant to sections 3111.20, ~~3111.21~~ 3111.211, and 3111.22 of the Revised Code, the amount of child support that would be payable under a child support order, as calculated pursuant to the basic child support schedule in division (D) of this section and pursuant to the applicable worksheet in division (E) of this section, through line 24, or in division (F) of this section, through line 23, is rebuttably presumed to be the correct amount of child support due, and the court or agency shall order that amount to be paid as child support unless both of the following apply with respect to an order issued by a court:

(a) The court, after considering the factors and criteria set forth in division (B)(3) of this section, determines that the amount calculated pursuant to the basic child support schedule and pursuant to the applicable worksheet in division (E) of this section, through line 24, or in division (F) of this section, through line 23, would be unjust or inappropriate and would

not be in the best interest of the child.

(b) The court enters in the journal the amount of child support calculated pursuant to the basic child support schedule and pursuant to the applicable worksheet in division (E) of this section, through line 24, or in division (F) of this section, through line 23, its determination that that amount would be unjust or inappropriate and would not be in the best interest of the child, and findings of fact supporting that determination.

(2) In determining the amount of child support to be paid under any child support order, the court, upon its own recommendation or upon the recommendation of the child support enforcement agency, shall or the child support enforcement agency, pursuant to sections 3111.20, ~~3111.21~~ 3111.211, and 3111.22 of the Revised Code, shall do all of the following:

(a) If the combined gross income of both parents is less than six thousand six hundred dollars per year, the court or agency shall determine the amount of the obligor's child support obligation on a case-by-case basis using the schedule as a guideline. The court or agency shall review the obligor's gross income and living expenses to determine the maximum amount of child support that it reasonably can order without denying the obligor the means for self-support at a minimum subsistence level and shall order a specific amount of child support, unless the obligor proves to the court or agency that the obligor is totally unable to pay child support and the court or agency determines that it would be unjust or inappropriate to order the payment of child support and enters its determination and supporting findings of fact in the journal.

(b) If the combined gross income of both parents is greater than one hundred fifty thousand dollars per year, the court or agency shall determine the amount of the obligor's child support obligation on a case-by-case basis and shall consider the needs and the standard of living of the children who are the subject of the child support order and of the parents. When the court or agency determines the amount of the obligor's child support obligation for parents with a combined gross income greater than one hundred fifty thousand dollars, the court or agency shall compute a basic combined child support obligation that is no less than the same percentage of the parents' combined annual income that would have been computed under the basic child support schedule and under the applicable worksheet in division (E) of this section, through line 24, or in division (F) of this section, through line 23, for a combined gross income of one hundred fifty thousand dollars, unless the court or agency determines that it would be unjust or inappropriate and would not be in the best interest of the child, obligor, or obligee to order that amount and enters in the journal the figure,

mination, and findings.

(c) The court shall not order an amount of child support that deviates from the amount of child support that would otherwise result from the use of the basic child support schedule and the applicable worksheet in division (E) of this section, through line 24, or in division (F) of this section, through line 23, unless both of the following apply:

(i) The court, after considering the factors and criteria set forth in division (B)(3) of this section, determines that the amount calculated pursuant to the basic child support schedule and pursuant to the applicable worksheet in division (E) of this section, through line 24, or in division (F) of this section, through line 23, would be unjust or inappropriate and would not be in the best interest of the child;

(ii) The court enters in the journal the amount of child support calculated pursuant to the basic child support schedule and pursuant to the applicable worksheet in division (E) of this section, through line 24, or in division (F) of this section, through line 23, its determination that that amount would be unjust or inappropriate and would not be in the best interest of the child, and findings of fact supporting that determination.

(3) The court, in accordance with divisions (B)(1) and (2)(c) of this section, may deviate from the amount of support that otherwise would result from the use of the schedule and the applicable worksheet in division (E) of this section, through line 24, or in division (F) of this section, through line 23, in cases in which the application of the schedule and the applicable worksheet in division (E) of this section, through line 24, or in division (F) of this section, through line 23, would be unjust or inappropriate and would not be in the best interest of the child. In determining whether that amount would be unjust or inappropriate and would not be in the best interest of the child, the court may consider any of the following factors and criteria:

(a) Special and unusual needs of the children;

(b) Extraordinary obligations for minor children or obligations for handicapped children who are not stepchildren and who are not offspring from the marriage or relationship that is the basis of the immediate child support determination;

(c) Other court-ordered payments;

(d) Extended times of visitation or extraordinary costs associated with visitation, provided that this division does not authorize and shall not be construed as authorizing any deviation from the schedule and the applicable worksheet in division (E) of this section, through line 24, or in division (F) of this section, through line 23, or any escrowing, impoundment, or withholding of child support because of a denial of or interference with a

right of companionship or visitation granted by court order;

(e) The obligor obtains additional employment after a child support order is issued in order to support a second family;

(f) The financial resources and the earning ability of the child;

(g) Disparity in income between parties or households;

(h) Benefits that either parent receives from remarriage or sharing living expenses with another person;

(i) The amount of federal, state, and local taxes actually paid or estimated to be paid by a parent or both of the parents;

(j) Significant in-kind contributions from a parent, including, but not limited to, direct payment for lessons, sports equipment, schooling, or clothing;

(k) The relative financial resources, other assets and resources, and needs of each parent;

(l) The standard of living and circumstances of each parent and the standard of living the child would have enjoyed had the marriage continued or had the parents been married;

(m) The physical and emotional condition and needs of the child;

(n) The need and capacity of the child for an education and the educational opportunities that would have been available to the child had the circumstances requiring a court order for support not arisen;

(o) The responsibility of each parent for the support of others;

(p) Any other relevant factor.

The court may accept an agreement of the parents that assigns a monetary value to any of the factors and criteria listed in division (B)(3) of this section that are applicable to their situation.

(4) If an obligor or obligee under a child support order requests the court to modify the amount of support required to be paid pursuant to the child support order, the court shall recalculate the amount of support that would be required to be paid under the support order in accordance with the schedule and pursuant to the applicable worksheet in division (E) of this section, through line 24, or in division (F) of this section, through line 23, and if that amount as recalculated is more than ten per cent greater than or more than ten per cent less than the amount of child support that is required to be paid pursuant to the existing child support order, the deviation from the recalculated amount that would be required to be paid under the schedule and the applicable worksheet in division (E) of this section, through line 24, or in division (F) of this section, through line 23, shall be considered by the court as a change of circumstance that is substantial enough to require a modification of the amount of the child support order. In

determining pursuant to this division the recalculated amount of support that would be required to be paid under the support order for purposes of determining whether that recalculated amount is more than ten per cent greater than or more than ten per cent less than the amount of child support that is required to be paid pursuant to the existing child support order, the court shall consider, in addition to all other factors required by law to be considered, the cost of health insurance which the obligor, the obligee, or both the obligor and the obligee have been ordered to obtain for the children specified in the order. Additionally, if an obligor or obligee under a child support order requests the court to modify the amount of support required to be paid pursuant to the child support order and if the court determines that the amount of support does not adequately meet the medical needs of the child, the inadequate coverage shall be considered by the court as a change of circumstance that is substantial enough to require a modification of the amount of the child support order. If the court determines that the amount of child support required to be paid under the child support order should be changed due to a substantial change of circumstances that was not contemplated at the time of the issuance of the original child support order or the last modification of the child support order, the court shall modify the amount of child support required to be paid under the child support order to comply with the schedule and the applicable worksheet in division (E) of this section, through line 24, or in division (F) of this section, through line 23, unless the court determines that the amount calculated pursuant to the basic child support schedule and pursuant to the applicable worksheet in division (E) of this section, through line 24, or in division (F) of this section, through line 23, would be unjust or inappropriate and would not be in the best interest of the child and enters in the journal the figure, determination, and findings specified in division (B)(2)(c) of this section.

(5) When a court computes the amount of child support required to be paid under a child support order or a child support enforcement agency computes the amount of child support to be paid pursuant to an administrative child support order issued pursuant to section 3111.20, ~~3111.21~~ 3111.211, or 3111.22 of the Revised Code, all of the following apply:

(a) The parents shall verify current and past income and personal earnings with suitable documents, including, but not limited to, paystubs, employer statements, receipts and expense vouchers related to self-generated income, tax returns, and all supporting documentation and schedules for the tax returns.

(b) The amount of any pre-existing child support obligation of a parent

under a child support order and the amount of any court-ordered spousal support paid to a former spouse shall be deducted from the gross income of that parent to the extent that payment under the child support order or that payment of the court-ordered spousal support is verified by supporting documentation.

(c) If other minor children who were born to the parent and a person other than the other parent who is involved in the immediate child support determination live with the parent, the court or agency shall deduct an amount from that parent's gross income that equals the number of such minor children times the federal income tax exemption for such children less child support received for them for the year, not exceeding the federal income tax exemption.

(d) When the court or agency calculates the gross income of a parent, it shall include the lesser of the following as income from overtime and bonuses:

(i) The yearly average of all overtime and bonuses received during the three years immediately prior to the time when the person's child support obligation is being computed;

(ii) The total overtime and bonuses received during the year immediately prior to the time when the person's child support obligation is being computed.

(e) When the court or agency calculates the gross income of a parent, it shall not include any income earned by the spouse of that parent.

(f) The court shall not order an amount of child support for reasonable and ordinary uninsured medical or dental expenses in addition to the amount of the child support obligation determined in accordance with the schedule. The court shall issue a separate order for extraordinary medical or dental expenses, including, but not limited to, orthodontia, psychological, appropriate private education, and other expenses, and may consider the expenses in adjusting a child support order.

(g) When a court or agency calculates the amount of child support to be paid pursuant to a child support order or an administrative child support order, if the combined gross income of both parents is an amount that is between two amounts set forth in the first column of the schedule, the court or agency may use the basic child support obligation that corresponds to the higher of the two amounts in the first column of the schedule, use the basic child support obligation that corresponds to the lower of the two amounts in the first column of the schedule, or calculate a basic child support obligation that is between those two amounts and corresponds proportionally to the parents' actual combined gross income.

(h) When the court or agency calculates gross income, the court or agency, when appropriate, may average income over a reasonable period of years.

(6)(a) If the court issues a shared parenting order in accordance with section 3109.04 of the Revised Code, the court shall order an amount of child support to be paid under the child support order that is calculated in accordance with the schedule and with the worksheet set forth in division (E) of this section, through line 24, except that, if the application of the schedule and the worksheet, through line 24, would be unjust or inappropriate to the children or either parent and would not be in the best interest of the child because of the extraordinary circumstances of the parents or because of any other factors or criteria set forth in division (B)(3) of this section, the court may deviate from the amount of child support that would be ordered in accordance with the schedule and worksheet, through line 24, shall consider those extraordinary circumstances and other factors or criteria if it deviates from that amount, and shall enter in the journal the amount of child support calculated pursuant to the basic child support schedule and pursuant to the applicable worksheet, through line 24, its determination that that amount would be unjust or inappropriate and would not be in the best interest of the child, and findings of fact supporting that determination.

(b) For the purposes of this division, "extraordinary circumstances of the parents" includes, but is not limited to, all of the following:

- (i) The amount of time that the children spend with each parent;
- (ii) The ability of each parent to maintain adequate housing for the children;
- (iii) Each parent's expenses, including, but not limited to, child care expenses, school tuition, medical expenses, and dental expenses.

(7)(a) In any action in which a child support order is issued or modified under Chapter 3115. or section 2151.23, 2151.231, 2151.232, 2151.33, 2151.36, 2151.49, 3105.18, 3105.21, 3109.05, 3109.19, 3111.13, 3113.04, or 3113.31 of the Revised Code or in any other proceeding in which the court determines the amount of child support that will be ordered to be paid pursuant to a child support order and except as otherwise provided in this division, the court shall issue a minimum support order requiring the obligor to pay a minimum amount of fifty dollars a month for child support under the child support order. The court, in its discretion and in appropriate circumstances, may issue a minimum support order requiring the obligor to pay an amount of child support that is less than fifty dollars a month or not requiring the obligor to pay an amount for support. The appropriate

circumstances for which a court may issue a minimum support order requiring an obligor to pay an amount of child support that is less than fifty dollars a month or not requiring the obligor to pay an amount for support include, but are not limited to, the nonresidential parent's medically verified or documented physical or mental disability or institutionalization in a facility for persons with a mental illness. If the court issues a minimum support order pursuant to this division and the obligor under the support order is the recipient of need-based public assistance, any unpaid amounts of support due under the support order shall accrue as arrearages from month to month, the obligor's current obligation to pay the support due under the support order is suspended during any period of time that the obligor is receiving need-based public assistance and is complying with any seek work orders issued pursuant to division (D)~~(7)~~(4) of section 3113.21 of the Revised Code, and the court, obligee, and child support enforcement agency shall not enforce the obligation of the obligor to pay the amount of support due under the support order during any period of time that the obligor is receiving need-based public assistance and is complying with any seek work orders issued pursuant to division (D)~~(7)~~(4) of section 3113.21 of the Revised Code.

(b) Notwithstanding division (B)(7)(a) of this section, if the amount of support payments that federal law requires or permits to be disregarded in determining eligibility for aid under Chapter 5107. of the Revised Code exceeds fifty dollars, instead of fifty dollars the amount of a minimum support order described in division (B)(7)(a) of this section shall be the amount federal law requires or permits to be disregarded.

(c) Except when the parents have split parental rights and responsibilities, a parent's child support obligation for a child for whom the parent is the residential parent and legal custodian shall be presumed to be spent on that child and shall not become part of a child support order, and a parent's child support obligation for a child for whom the parent is not the residential parent and legal custodian shall become part of a child support order. If the parents have split parental rights and responsibilities, the child support obligations of the parents shall be offset, and the court shall issue a child support order requiring the parent with the larger child support obligation to pay the net amount pursuant to the child support order. If neither parent of a child who is the subject of a child support order is the residential parent and legal custodian of the child and the child resides with a third party who is the legal custodian of the child, the court shall issue a child support order requiring each parent to pay that parent's child support obligation pursuant to the child support order.

Whenever a court issues a child support order, it shall include in the order specific provisions for regular, holiday, vacation, and special visitation in accordance with section 3109.05, 3109.11, or 3109.12 of the Revised Code or in accordance with any other applicable section of the Revised Code. The court shall not authorize or permit the escrowing, impoundment, or withholding of any child support payment because of a denial of or interference with a right of visitation included as a specific provision of the child support order or as a method of enforcing the specific provisions of the child support order dealing with visitation.

(D) The following basic child support schedule shall be used by all courts and child support enforcement agencies when calculating the amount of child support that will be paid pursuant to a child support order or an administrative child support order, unless the combined gross income of the parents is less than sixty-six hundred dollars or more than one hundred fifty thousand dollars:

Income	Basic Child Support Schedule					Combined Gross Number of Children
	One	Two	Three	Four	Five	
6600	600	600	600	600	600	600
7200	600	600	600	600	600	600
7800	600	600	600	600	600	600
8400	600	600	600	600	600	600
9000	849	859	868	878	887	896
9600	1259	1273	1287	1301	1315	1329
10200	1669	1687	1706	1724	1743	1761
10800	2076	2099	2122	2145	2168	2192
11400	2331	2505	2533	2560	2588	2616
12000	2439	2911	2943	2975	3007	3039
12600	2546	3318	3354	3390	3427	3463
13200	2654	3724	3765	3806	3846	3887
13800	2761	4029	4175	4221	4266	4311
14400	2869	4186	4586	4636	4685	4735
15000	2976	4342	4996	5051	5105	5159
15600	3079	4491	5321	5466	5524	5583
16200	3179	4635	5490	5877	5940	6003
16800	3278	4780	5660	6254	6355	6423
17400	3378	4924	5830	6442	6771	6843

180003478	5069	5999	6629	7186	7262
186003578	5213	6169	6816	7389	7682
192003678	5358	6339	7004	7592	8102
198003778	5502	6508	7191	7796	8341
204003878	5647	6678	7378	7999	8558
210003977	5790	6847	7565	8201	8774
216004076	5933	7015	7750	8402	8989
222004176	6075	7182	7936	8602	9204
228004275	6216	7345	8116	8798	9413
234004373	6357	7509	8297	8994	9623
240004471	6498	7672	8478	9190	9832
246004570	6639	7836	8658	9386	10042
252004668	6780	8000	8839	9582	10251
258004767	6920	8163	9020	9778	10461
264004865	7061	8327	9200	9974	10670
270004963	7202	8490	9381	10170	10880
276005054	7332	8642	9548	10351	11074
282005135	7448	8776	9697	10512	11246
288005216	7564	8911	9845	10673	11418
294005297	7678	9045	9995	10833	11592
300005377	7792	9179	10143	10994	11764
306005456	7907	9313	10291	11154	11936
312005535	8022	9447	10439	11315	12107
318005615	8136	9581	10587	11476	12279
324005694	8251	9715	10736	11636	12451
330005774	8366	9849	10884	11797	12623
336005853	8480	9983	11032	11957	12794
342005933	8595	10117	11180	12118	12966
348006012	8709	10251	11328	12279	13138
354006091	8824	10385	11476	12439	13310
360006171	8939	10519	11624	12600	13482
366006250	9053	10653	11772	12761	13653
372006330	9168	10787	11920	12921	13825
378006406	9275	10913	12058	13071	13988
384006447	9335	10984	12137	13156	14079
390006489	9395	11055	12215	13242	14170
396006530	9455	11126	12294	13328	14261
402006571	9515	11197	12373	13413	14353
408006613	9575	11268	12451	13499	14444
414006653	9634	11338	12529	13583	14534

420006694	9693	11409	12607	13667	14624
426006735	9752	11479	12684	13752	14714
432006776	9811	11549	12762	13836	14804
438006817	9871	11619	12840	13921	14894
444006857	9930	11690	12917	14005	14985
450006898	9989	11760	12995	14090	15075
456006939	10049	11830	13073	14174	15165
462006978	10103	11897	13146	14251	15250
468007013	10150	11949	13203	14313	15316
474007048	10197	12000	13260	14375	15382
480007083	10245	12052	13317	14437	15448
486007117	10292	12103	13374	14498	15514
492007152	10339	12155	13432	14560	15580
498007187	10386	12206	13489	14622	15646
504007222	10433	12258	13546	14684	15712
510007257	10481	12309	13603	14745	15778
516007291	10528	12360	13660	14807	15844
522007326	10575	12412	13717	14869	15910
528007361	10622	12463	13774	14931	15976
534007396	10669	12515	13832	14992	16042
540007431	10717	12566	13889	15054	16108
546007468	10765	12622	13946	15120	16178
552007524	10845	12716	14050	15232	16298
558007582	10929	12814	14159	15350	16425
564007643	11016	12918	14273	15474	16558
570007704	11104	13021	14388	15598	16691
576007765	11192	13125	14502	15722	16824
582007825	11277	13225	14613	15842	16953
588007883	11361	13324	14723	15961	17079
594007941	11445	13423	14832	16079	17206
600008000	11529	13522	14941	16197	17333
606008058	11612	13620	15050	16315	17460
612008116	11696	13719	15160	16433	17587
618008175	11780	13818	15269	16552	17714
624008233	11864	13917	15378	16670	17840
630008288	11945	14011	15481	16783	17958
636008344	12024	14102	15582	16893	18075
642008399	12103	14194	15683	17002	18193
648008454	12183	14285	15784	17111	18310
654008510	12262	14376	15885	17220	18427

660008565	12341	14468	15986	17330	18544
666008620	12421	14559	16087	17439	18661
672008676	12500	14650	16188	17548	18778
678008731	12579	14741	16289	17657	18895
684008786	12659	14833	16390	17767	19012
690008842	12738	14924	16491	17876	19129
696008897	12817	15015	16592	17985	19246
702008953	12897	15107	16693	18094	19363
708009008	12974	15196	16791	18201	19476
714009060	13047	15281	16885	18302	19585
720009111	13120	15366	16979	18404	19694
726009163	13194	15451	17073	18506	19803
732009214	13267	15536	17167	18608	19912
738009266	13340	15621	17261	18709	20021
744009318	13413	15706	17355	18811	20130
750009369	13487	15791	17449	18913	20239
756009421	13560	15876	17543	19015	20347
762009473	13633	15961	17636	19116	20456
768009524	13707	16046	17730	19218	20565
774009576	13780	16131	17824	19320	20674
780009627	13853	16216	17918	19422	20783
786009679	13927	16300	18012	19523	20892
792009731	14000	16385	18106	19625	21001
798009782	14073	16470	18200	19727	21109
804009834	14147	16555	18294	19829	21218
810009885	14220	16640	18387	19930	21326
816009936	14292	16723	18480	20030	21434
822009987	14364	16807	18573	20131	21541
8280010038	14439	16891	18665	20235	21651
8340010090	14514	16979	18762	20340	21763
8400010142	14589	17066	18859	20444	21875
8460010194	14663	17154	18956	20549	21987
8520010246	14738	17241	19052	20653	22099
8580010298	14813	17329	19149	20758	22211
8640010350	14887	17417	19246	20863	22323
8700010403	14962	17504	19343	20967	22435
8760010455	15037	17592	19440	21072	22547
8820010507	15111	17679	19537	21176	22659
8880010559	15186	17767	19633	21281	22771
8940010611	15261	17855	19730	21386	22883

9000010663	15335	17942	19827	21490	22995
9060010715	15410	18030	19924	21595	23107
9120010767	15485	18118	20021	21700	23219
9180010819	15559	18205	20118	21804	23331
9240010872	15634	18293	20215	21909	23443
9300010924	15709	18380	20311	22013	23555
9360010976	15783	18468	20408	22118	23667
9420011028	15858	18556	20505	22223	23779
9480011080	15933	18643	20602	22327	23891
9540011132	16007	18731	20699	22432	24003
9600011184	16082	18818	20796	22536	24115
9660011236	16157	18906	20892	22641	24227
9720011289	16231	18994	20989	22746	24339
9780011341	16306	19081	21086	22850	24451
9840011393	16381	19169	21183	22955	24563
9900011446	16450	19255	21279	23062	24676
9960011491	16516	19334	21366	23156	24777
10020011536	16583	19413	21453	23250	24878
10080011581	16649	19491	21539	23345	24978
10140011625	16714	19569	21625	23437	25077
10200011670	16779	19646	21710	23530	25177
10260011714	16844	19724	21796	23623	25276
10320011759	16909	19801	21881	23715	25375
10380011803	16974	19879	21967	23808	25475
10440011847	17039	19956	22052	23901	25574
10500011892	17104	20034	22138	23994	25673
10560011934	17167	20108	22220	24083	25769
10620011979	17232	20186	22305	24176	25868
10680012023	17297	20263	22391	24269	25968
10740012068	17362	20341	22476	24361	26067
10800012110	17425	20415	22559	24451	26162
10860012155	17490	20493	22644	24543	26262
10920012199	17555	20570	22730	24636	26361
10980012243	17620	20648	22815	24729	26460
11040012286	17683	20722	22897	24818	26556
11100012331	17748	20800	22983	24911	26655
11160012375	17813	20877	23068	25004	26755
11220012419	17878	20955	23154	25096	26854
11280012462	17941	21029	23236	25186	26949
11340012506	18006	21107	23322	25278	27049

11400012551	18071	21184	23407	25371	27148
11460012595	18136	21262	23493	25464	27247
11520012640	18202	21339	23578	25557	27347
11580012682	18264	21414	23660	25646	27442
11640012727	18329	21491	23746	25739	27542
11700012771	18394	21569	23831	25832	27641
11760012815	18460	21646	23917	25924	27740
11820012858	18522	21721	23999	26013	27836
11880012902	18587	21798	24084	26106	27935
11940012947	18652	21876	24170	26199	28034
12000012991	18718	21953	24256	26292	28134
12060013034	18780	22028	24338	26381	28229
12120013078	18845	22105	24423	26474	28329
12180013123	18910	22183	24509	26567	28428
12240013167	18976	22260	24594	26659	28527
12300013210	19038	22335	24676	26749	28623
12360013254	19103	22412	24762	26841	28722
12420013299	19168	22490	24847	26934	28821
12480013343	19234	22567	24933	27027	28921
12540013386	19296	22642	25015	27116	29016
12600013430	19361	22719	25101	27209	29115
12660013474	19426	22797	25186	27302	29215
12720013519	19492	22874	25272	27395	29314
12780013561	19554	22949	25354	27484	29410
12840013606	19619	23026	25439	27576	29509
12900013650	19684	23104	25525	27669	29608
12960013695	19750	23181	25610	27762	29708
13020013739	19815	23259	25696	27855	29807
13080013783	19879	23335	25780	27946	29905
13140013828	19945	23414	25868	28041	30007
13200013874	20012	23494	25955	28136	30108
13260013919	20079	23573	26043	28231	30210
13320013963	20143	23649	26127	28323	30308
13380014008	20210	23729	26215	28418	30410
13440014054	20276	23808	26302	28513	30511
13500014099	20343	23887	26390	28608	30613
13560014143	20407	23964	26474	28699	30711
13620014188	20474	24043	26561	28794	30813
13680014234	20541	24123	26649	28889	30914
13740014279	20607	24202	26737	28984	31016

13800014323	20671	24278	26821	29075	31114
13860014368	20738	24358	26908	29170	31215
13920014414	20805	24437	26996	29265	31317
13980014459	20872	24516	27083	29361	31419
14040014503	20936	24593	27168	29452	31517
14100014549	21002	24672	27255	29547	31618
14160014594	21069	24751	27343	29642	31720
14220014639	21136	24831	27430	29737	31822
14280014683	21200	24907	27515	29828	31920
14340014729	21267	24986	27602	29923	32021
14400014774	21333	25066	27690	30018	32123
14460014820	21400	25145	27777	30113	32225
14520014865	21467	25225	27865	30208	32327
14580014909	21531	25301	27949	30300	32424
14640014963	21596	25377	28041	30396	32526
14700015006	21659	25452	28124	30486	32622
14760015049	21722	25527	28207	30576	32718
14820015090	21782	25599	28286	30662	32810
14880015133	21845	25674	28369	30752	32907
14940015176	21908	25749	28452	30842	33003
15000015218	21971	25823	28534	30931	33099

(E) When a court or child support enforcement agency calculates the amount of child support that will be required to be paid pursuant to a child support order or an administrative child support order in a proceeding in which one parent is the residential parent and legal custodian of all of the children who are the subject of the child support order or the court issues a shared parenting order, the court or child support enforcement agency shall use a worksheet that is identical in content and form to the following worksheet:

"Worksheet  
..... County Domestic Relations Court (or)  
..... County Child Support Enforcement Agency  
Child Support Computation  
Sole Residential Parent or  
Shared Parenting Order

Name of parties .....

Case No. ....

Number of minor children ..... The following parent was designated as the residential parent and legal custodian (disregard if shared parenting order):

..... mother; ..... father.

Father has ..... pay periods annually; mother has ..... pay periods annually.

	Column I Father	Column II Mother	Column III Combined
1a. Annual gross income from employment or, when determined appropriate by the court or agency, average annual gross income from employment over a reasonable period of years (exclude overtime and bonuses).....	\$.....	\$.....	
b. Amount of overtime and bonuses	Father	Mother	
Yr. 3 (Three years ago)	\$.....	\$.....	
Yr. 2 (Two years ago)	\$.....	\$.....	
Yr. 1 (Last calendar year)	\$.....	\$.....	
Average:	\$.....	\$.....	
(Include in Column I and/or Column II the average of the three years or the year 1 amount, whichever is less, if there exists a reasonable expectation that the total earnings from overtime and/or bonuses during the current calendar year will meet or exceed the amount that is the lower of the average of the three years or the year 1 amount. If, however, there exists a reasonable expectation that the total earnings from overtime/bonuses during the current calendar year will be less than the lower of the average of the three years or the year 1 amount, include only the amount reasonably expected to be earned	\$.....	\$.....	

year.).....		
2. Annual income from interest	\$.....	\$.....
and dividends (whether or not taxable).....		
3. Annual income from	\$.....	\$.....
unemployment compensation.....		
4. Annual income from workers' compensation or disability insurance benefits.....	\$.....	\$.....
5. Other annual income	\$.....	\$.....
(identify).....		
6. Total annual gross income (add lines 1-5).....	\$.....	\$.....
7. Annual court-ordered support paid for other children.....	\$.....	\$.....
8. Adjustment for minor children born to either parent and another parent, which children are living with this parent (number of children times federal income tax exemption less child support received for the year, not to exceed the federal tax exemption).....	\$.....	\$.....
9. Annual court-ordered spousal support paid to a former spouse.....	\$.....	\$.....
10. Amount of local income taxes actually paid or estimated to be paid.....	\$.....	\$.....
11. For self-employed individuals, deduct 5.6% of adjusted gross income or the actual marginal difference between the actual rate paid by	\$.....	\$.....

the self-employed individual and the F.I.C.A.

rate.....

12. For self-employed individuals, deduct ordinary and necessary business expenses..... \$..... \$.....

13. Total gross income adjustments (add lines 7-12)..... \$..... \$.....

14. Adjusted annual gross income (subtract line 13 from line 6)..... \$..... \$.....

15. Combined annual income that is basis for child support order (add line 14, Col. I and Col. II)..... \$.....

16. Percentage parent's income to total income  
 a. Father (divide line 14, Col. I by .....% line 15, Col. III)

b. Mother (divide line 14, Col. II ..... + ..... = 100%  
 by line 15, Col. III) .....%

17. Basic combined child support obligation (Refer to basic child support schedule in division (D) of section 3113.215 of the Revised Code; in the first column of the schedule, locate the sum that is nearest to the combined annual income listed in line 15, Col. III of this worksheet, then refer to the column of the schedule that corresponds to the number of children in this family. If the income of the parents is more than one sum, and less than another sum, in the first column of the schedule, you may calculate the basic combined

obligation (Refer to basic child support schedule in division (D) of section 3113.215 of the Revised Code; in the first column of the schedule, locate the sum that is nearest to the combined annual income listed in line 15, Col. III of this worksheet, then refer to the column of the schedule that corresponds to the number of children in this family. If the income of the parents is more than one sum, and less than another sum, in the first column of the schedule, you may calculate the basic combined

\$.....

child support obligation based upon the obligation for those two sums.).....

18. Annual child care expenses \$..... \$.....  
for the children who are the subject of this order that are work, employment training, or education related, as approved by the court or agency (deduct the tax credit from annual cost, whether or not claimed).....

19. Marginal, out-of-pocket costs, \$..... \$.....  
necessary to provide for health insurance for the children who are the subject of this order.....

20. Total child care and medical expenses (add lines 18 and 19, Column I and Column II)..... \$..... \$.....

21. Combined annual child support obligation for this family (add lines 17 and 20, Column I and Column II)..... \$.....

22. Annual support obligation/parent

a. Father (multiply line 21, Col. III, by line 16a)..... \$.....

b. Mother (multiply line 21, Col. III, by line 16b)..... \$.....

23. Adjustment for actual expenses paid for annual child care expenses and marginal, out-of-pocket costs, necessary to provide for health insurance (enter number from line 18 or 19

if applicable).....

24. Actual annual obligation	\$.....	\$.....
(subtract line 23 from line 22a or 22b).....		
25. Gross household income per party after exchange of child support (add lines 14 and 24 Column I or II for residential parent or, in the case of shared parenting order, the parent to whom child support will be paid; subtract line 24 Column I or II from line 14 for parent who is not the residential parent or, in the case of shared parenting order, the parent who will pay child support).....	\$.....	\$.....
26. Comments, rebuttal, or adjustments to correct figures in lines 24, Column I and 24, Column II if they would be unjust or inappropriate and would not be in best interest of the child or children (specific facts to support adjustments must be included)..... (Addendum sheet may be attached)	\$.....	\$.....
27. Final figure (this amount reflects final annual child support obligation).....	\$.....	father/mother obligor
28. For decree: child support per child per week or per month (divide obligor's annual share, line 27, by 12 or 52 and by number of children).....	\$.....	
29. For deduction order: child support per pay period (calculate support per pay period from	\$.....	

gure on line 28) plus appropriate  
~~poundage~~.....  
processing charge.

Calculations have been reviewed.

Signatures .....

Father

I do/do not consent.

Sworn to before me and subscribed in my presence, this ..... day of  
....., 19...

.....  
Notary Public  
.....

Mother

I do/do not consent.

Sworn to before me and subscribed in my presence, this ..... day of  
....., 19...

.....  
Notary Public  
.....

.....  
Attorney for Father

.....  
Attorney for Mother"

(F) When a court or child support enforcement agency calculates the amount of child support that will be required to be paid pursuant to a child support order in a proceeding in which both parents have split parental rights and responsibilities with respect to the children who are the subject of the child support order, the court or child support enforcement agency shall use a worksheet that is identical in content and form to the following worksheet:

"Worksheet

..... County Domestic Relations Court (or)  
..... County Child Support Enforcement Agency  
Child Support Computation  
Split Parental Rights and Responsibilities

Name of parties .....

Case No. ....

Number of minor children ..... The following parent was designated residential parent and legal custodian:

..... mother; ..... father.

Father has ..... pay periods annually; mother has ..... pay periods annually.

Column I    Column II    Column  
Father      Mother      III

			Combined
1a. Annual gross income from employment or, when determined to be appropriate by the court or agency, average annual gross income from employment over a reasonable period of years (exclude overtime and bonuses).....	\$.....	\$.....	
b. Amount of overtime and bonuses	Father	Mother	
Yr. 3 (Three years ago)	\$.....	\$.....	
Yr. 2 (Two years ago)	\$.....	\$.....	
Yr. 1 (Last calendar year)	\$.....	\$.....	
Average:	\$.....	\$.....	
(Include in Column I and/or Column II the average of the three years or the year 1 amount, whichever is less, if there exists a reasonable expectation that the total earnings from overtime and/or bonuses during the current calendar year will meet or exceed the amount that is the lower of the average of the three years or the year 1 amount. If, however, there exists a reasonable expectation that the total earnings from overtime/bonuses during the current calendar year will be less than the lower of the average of the three years or the year 1 amount, include only the amount reasonably expected to be earned this year.).....	\$.....	\$.....	
2. Annual income from interest	\$.....	\$.....	

and dividends (whether or not taxable).....		
3. Annual income from unemployment compensation.....	\$.....	\$.....
4. Annual income from workers' compensation or disability insurance benefits.....	\$.....	\$.....
5. Other annual income (identify).....	\$.....	\$.....
6. Total annual gross income (add lines 1-5).....	\$.....	\$.....
7. Annual court-ordered support paid for other children.....	\$.....	\$.....
8. Adjustment for minor children born to either parent and another parent, which children are living with this parent (number of children times federal income tax exemption less child support received for the year, not to exceed the federal tax exemption).....	\$.....	\$.....
9. Annual court-ordered spousal support paid to a former spouse.....	\$.....	\$.....
10. Amount of local income taxes actually paid or estimated to be paid.....	\$.....	\$.....
11. For self-employed individuals, deduct 5.6% of adjusted gross income or the actual marginal difference between the actual rate paid by the self-employed individual and the F.I.C.A. rate.....	\$.....	\$.....

12. For self-employed individuals, deduct ordinary and necessary business expenses.....	\$.....	\$.....	
13. Total gross income adjustments (add lines 7-12).....	\$.....	\$.....	
14. Adjusted annual gross income (subtract line 13 from line 6).....	\$.....	\$.....	
15. Combined annual income that is basis for child support order (add line 14, Col. I and Col. II).....			\$.....
16. Percentage parent's income to total income			
a. Father (divide line 14, Col. I by line 15, Col. III).....%			
b. Mother (divide line 14, Col. II by line 15, Col. III).....%		+ .....	= 100%
17. Basic combined child support obligation/household			
a. For children for whom the father is the residential parent and legal custodian (Refer to basic child support schedule in division (D) of section 3113.215 of the Revised Code; in the first column of the schedule, locate the sum that is nearest to the combined annual income listed in line 15, Col. III of this worksheet, then refer to the column of the schedule that corresponds to the number of children for whom the father is the residential parent and legal custodian. If the income of the parents is more than one sum, and less than another sum, in the			\$.....

first column of the schedule, you may calculate the basic combined child support obligation based upon the obligation for those two sums.).....

b. For children for whom the mother is the residential parent and the legal custodian. (Refer to basic child support schedule in division (D) of section 3113.215 of the Revised Code; in the first column of the schedule, locate the sum that is nearest to the combined annual income listed in line 15, Col. III of this worksheet, then refer to the column of the schedule that corresponds to the number of children for whom the mother is the residential parent and the legal custodian. If the income of the parents is more than one sum, and less than another sum, in the first column of the schedule, you may calculate the basic combined child support obligation based upon the obligation for those two sums.)..... \$.....

18. Annual child care expenses for the children who are the subject of this order that are work, employment training, or education related, as approved by the court or agency (deduct the tax credit from annual cost, whether or not claimed)

a. Expenses paid by the father..... \$.....

b. Expenses paid by the mother..... \$.....

19. Marginal, out-of-pocket costs, necessary to provide for health insurance for the children who are the subject of this order		
a. Costs paid by the	\$.....	
father.....		
b. Costs paid by the		\$.....
mother.....		
20. Total annual child care and medical expenses		
a. Of father (add lines 18a and	\$.....	
19a).....		
b. Of mother (add lines 18b and		\$.....
19b).....		
21. Total annual child support obligation		
a. Of father for child(ren) for	\$.....	
whom the mother is the		
residential parent and legal		
custodian (add lines 20a and 17b		
and multiply by line		
16a).....		
b. Of mother for child(ren) for		\$.....
whom the father is the residential		
parent and legal custodian (add		
lines 20b and 17a and multiply by		
line		
16b).....		
22. Adjustment for actual expenses paid for annual child care expenses, and marginal, out-of-pocket costs, necessary to provide for health insurance		
a. For father (enter number from	\$.....	
line		
20a).....		
b. For mother (enter number from		\$.....
line		
20b).....		
23. Actual annual obligation	\$.....	\$.....

(subtract line 22a from line 21a and insert in Column I; subtract line 22b from line 21b and insert in Column

II).....

24. Net annual support obligation \$..... \$.....

(greater amount on line 23

Column I or line 23 Column II

minus lesser amount on line 23

Column I or line 23 Column

II).....

25. Gross household income per \$..... \$.....

party after exchange of child

support.....

(add line 14 and line 24 for the parent receiving a child support payment; subtract line 24 from line 14 for the parent making a child support payment)

26. Comments, rebuttal, or \$..... \$.....

adjustments to correct figures in

lines 24, Column I and 24,

Column II if they would be unjust

or inappropriate and would not be

in best interest of the children

(specific facts to support

adjustments must be

included).....

(Addendum sheet may be attached)

27. Final figure (this amount \$..... father/mother

reflects final annual child support obligor

obligation).....

28. For decree: child support per \$.....

child per week or per month

(divide obligor's annual share,

line 27, by 12 or 52 and by the

number of

children).....

29. For deduction order: child \$.....

support per day (calculate support

per pay period from figure on line  
28) and add appropriate  
poundage.....  
processing charge.

Calculations have been reviewed.

Signatures .....

Father

I do/do not consent.

Sworn to before me and subscribed in my presence, this ..... day of  
....., 19...

.....  
Notary Public

.....  
Mother

I do/do not consent.

Sworn to before me and subscribed in my presence, this ..... day of  
....., 19...

.....  
Notary Public

.....  
Attorney for Father

.....  
Attorney for Mother"

(G) At least once every four years, the department of human services shall review the basic child support schedule set forth in division (D) of this section to determine whether support orders issued in accordance with the schedule and the applicable worksheet in division (E) of this section, through line 24, or in division (F) of this section, through line 23, adequately provide for the needs of the children who are subject to the support orders, prepare a report of its review, and submit a copy of the report to both houses of the general assembly. For each review, the department shall establish a child support guideline advisory council to assist the department in the completion of its reviews and reports. Each council shall be composed of obligors, obligees, judges of courts of common pleas who have jurisdiction over domestic relations cases, attorneys whose practice includes a significant number of domestic relations cases, representatives of child support enforcement agencies, other persons interested in the welfare of children, three members of the senate appointed by the president of the senate, no more than two of whom are members of the same party, and three members of the house of representatives appointed by the speaker of the house, no more than two of whom are members of the same party. The department shall consider input from the council prior to the completion of

any report under this section. The advisory council shall cease to exist at the time that it submits its report to the general assembly. Any expenses incurred by an advisory council shall be paid by the department.

On or before March 1, 1993, the department shall submit its initial report under this division to both houses of the general assembly. On or before the first day of March of every fourth year after 1993, the department shall submit a report under this division to both houses of the general assembly.

Sec. 3113.216. (A) As used in this section, "obligor" and "obligee" have the same meanings as in section 3113.21 of the Revised Code.

(B) No later than October 13, 1990, the department of human services shall adopt rules pursuant to Chapter 119. of the Revised Code establishing a procedure for determining when existing child support orders should be reviewed to determine whether it is necessary and in the best interest of the children who are the subject of the child support order to change the child support order. The rules shall include, but are not limited to, all of the following:

(1) Any procedures necessary to comply with section 666(a)(10) of Title 42 of the U.S. Code, "Family Support Act of 1988," 102 Stat. 2346, 42 U.S.C. 666(a)(10), as amended, and any regulations adopted pursuant to, or to enforce, that section;

(2) Procedures for determining what child support orders are to be subject to review upon the request of either the obligor or the obligee or periodically by the child support enforcement agency administering the child support order;

(3) Procedures for the child support enforcement agency to periodically review and to review, upon the request of the obligor or the obligee, any child support order that is subject to review to determine whether the amount of child support paid under the child support order should be adjusted in accordance with the basic child support schedule set forth in division (D) of section 3113.215 of the Revised Code or whether the provisions for the child's health care needs under the child support order should be modified in accordance with section 3113.217 Of the Revised Code;

(4) Procedures for giving obligors and obligees notice of their right to request a review of a child support order that is determined to be subject to review, notice of any proposed revision of the amount of child support to be paid under the child support order, notice of the procedures for requesting a hearing on any proposed revision of the amount of child support to be paid under a child support order, notice of any administrative hearing to be held

on a proposed revision of the amount of child support to be paid under a child support order, at least sixty days' prior notice of any review of their child support order, and notice that a failure to comply with any request for documents or information to be used in the review of a child support order is contempt of court;

(5) Procedures for obtaining the necessary documents and information necessary to review child support orders and for holding administrative hearings on a proposed revision of the amount of child support to be paid under a child support order;

(6) Procedures for adjusting child support orders in accordance with the basic child support schedule set forth in division (D) of section 3113.215 of the Revised Code and the applicable worksheet in division (E) of that section, through line 24 or in division (F) of that section, through line 23;

(7) Procedures for adjusting the provisions of the child support order governing the health care needs of the child pursuant to section 3113.217 Of the Revised Code.

(C)(1) If a child support enforcement agency, periodically or upon request of an obligor or obligee, plans to review a child support order in accordance with the rules adopted pursuant to division (B) of this section or otherwise plans to review a child support order, it shall do all of the following prior to formally beginning the review:

(a) Establish a date certain upon which the review will formally begin;

(b) At least sixty days before formally beginning the review, send the obligor and the obligee notice of the planned review and of the date when the review will formally begin;

(c) Request the obligor to provide the agency, no later than the scheduled date for formally beginning the review, with a copy of the obligor's federal income tax return from the previous year, a copy of all pay stubs obtained by the obligor within the preceding six months, a copy of all other records evidencing the receipt of any other salary, wages, or compensation by the obligor within the preceding six months, a list of the group health insurance and health care policies, contracts, and plans available to the obligor and their costs, the current health insurance or health care policy, contract, or plan under which the obligor is enrolled and its cost, and any other information necessary to properly review the child support order, and request the obligee to provide the agency, no later than the scheduled date for formally beginning the review, with a copy of the obligee's federal income tax return from the previous year, a copy of all pay stubs obtained by the obligee within the preceding six months, a copy of all other records evidencing the receipt of any other salary, wages, or

nsation by the obligee within the preceding six months, a list of the group health insurance and health care policies, contracts, and plans available to the obligee and their costs, the current health insurance or health care policy, contract, or plan under which the obligee is enrolled and its cost, and any other information necessary to properly review the child support order;

(d) Include in the notice sent pursuant to division (C)(1)(b) of this section, a notice that a willful failure to provide the documents and other information requested pursuant to division (C)(1)(c) of this section is contempt of court.

(2) If either the obligor or the obligee fails to comply with a request for information made pursuant to division (C)(1)(c) of this section, it is contempt of court, and the agency shall notify the court of the failure to comply with the request for information. The agency may request the court to issue an order requiring the obligor or the obligee to provide the information as requested or take whatever action is necessary to obtain the information and make any reasonable assumptions necessary with respect to the ~~income of~~ information the person in contempt of court did not provide to ensure a fair and equitable review of the child support order. If the agency decides to conduct the review based ~~upon~~ on reasonable assumptions with respect to the ~~income of~~ information the person in contempt of court did not provide, it shall proceed under division (C)(3) of this section in the same manner as if all requested information has been received.

(3) Upon the date established pursuant to division (C)(1)(a) of this section for formally beginning the review of a child support order, the agency shall review the child support order and shall do all of the following:

(a) Calculate a revised amount of child support to be paid under the child support order;

(b) Give the obligor and obligee notice of the revised amount of child support to be paid under the child support order, of their right to request an administrative hearing on the revised amount of child support, of the procedures and time deadlines for requesting the hearing, and that the revised amount of child support will be submitted to the court for inclusion in a revised child support order unless the obligor or obligee requests an administrative hearing on the proposed change within thirty days after receipt of the notice under this division;

(c) If neither the obligor nor the obligee timely requests an administrative hearing on the revised amount of child support to be paid under the child support order, submit the revised amount of child support to the court for inclusion in a revised child support order;

(d) If the obligor or the obligee timely requests an administrative

ng on the revised amount of child support to be paid under the child support order, the agency shall schedule a hearing on the issue, give the obligor and obligee notice of the date, time, and location of the hearing, conduct the hearing in accordance with the rules adopted under division (B) of this section, redetermine at the hearing a revised amount of child support to be paid under the child support order, and give notice of all of the following to the obligor and obligee:

(i) The revised amount of child support to be paid under the child support order;

(ii) That they may request a court hearing on the revised amount of child support;

(iii) That the agency will submit the revised amount of child support to the court for inclusion in a revised child support order, if neither the obligor nor the obligee requests a court hearing on the revised amount of child support.

(e) If neither the obligor nor the obligee requests a court hearing on the revised amount of child support to be paid under the child support order, submit the revised amount of child support to the court for inclusion in a revised child support order.

(4) In calculating a revised amount of child support to be paid under a child support order under division (C)(3)(a) of this section, and in redetermining, at an administrative hearing conducted under division (C)(3)(d) of this section, a revised amount of child support to be paid under a child support order, the child support enforcement agency shall consider, in addition to all other factors required by law to be considered, ~~the~~ the following:

(a) The appropriate person, whether it is the obligor, obligee, or both, to be required in accordance with section 3113.217 Of the Revised Code to provide health insurance coverage for the children specified in the order;

(b) The cost of health insurance coverage which the obligor, the obligee, or both ~~the obligor and the obligee~~ have been ordered to obtain in accordance with section 3113.217 Of the Revised Code for the children specified in the order.

(D) If an obligor or obligee files a request for a court hearing on a revised amount of child support to be paid under a child support order in accordance with division (C) of this section and the rules adopted under division (B) of this section, the court shall conduct a hearing in accordance with division (C)(1)(c) of section 3113.21 of the Revised Code.

(E) A child support enforcement agency is not required to review a child support order pursuant to this section if the review is not otherwise required

by section 666(a)(10) of Title 42 of the U.S. Code, "Family Support Act of 1988," 102 Stat. 2346, 42 U.S.C. 666(a)(10), as amended, and any regulations adopted pursuant to, or to enforce, that section and if either of the following apply:

(1) The obligee has made an assignment under section 5107.20 of the Revised Code of the right to receive child support payments, the agency determines that the review would not be in the best interest of the children who are the subject of the child support order, and neither the obligor nor the obligee has requested that the review be conducted;

(2) The obligee has not made an assignment under section 5107.20 of the Revised Code of the right to receive child support payments, neither the obligor nor the obligee has requested that the review be conducted.

Sec. 3113.217. (A) As used in this section:

(1) "Obligor" and "obligee" have the same meanings as in section 3113.21 of the Revised Code.

(2) "Insurer" means any person that is authorized to engage in the business of insurance in this state under Title XXXIX of the Revised Code, any health insuring corporation, and any legal entity that is self-insured and provides benefits to its employees or members.

(B) In any action or proceeding in which a child support order is issued or modified ~~on or after July 1, 1990,~~ under Chapter 3115. or section 2151.23, 2151.231, 2151.232, 2151.33, 2151.36, 2151.49, ~~3105.18, 3105.21, 3109.05, 3109.19, 3111.13, 3113.04, 3113.07, 3113.216, or 3113.31~~ of the Revised Code, the ~~child support enforcement agency shall determine whether the obligor or obligee has satisfactory health insurance coverage, other than medical assistance under Title XIX of the "Social Security Act," 49 Stat. 620 (1935), 42 U.S.C. 301, as amended, for the children who are the subject of the child support order. If the agency determines that neither the obligor nor the obligee has satisfactory health insurance coverage for the children, it shall file a motion with the court requesting the court to issue an order in accordance with divisions (C) to (K) of this section.~~

~~(C) In any action or proceeding in which a child support order is issued or modified on or after July 1, 1990, under Chapter 3115. or section 2151.23, 2151.231, 2151.33, 2151.36, 2151.49, 3105.18, 3105.21, 3109.05, 3109.19, 3111.13, 3113.04, 3113.07, 3113.216, or 3113.31 of the Revised Code, in addition to any requirements in those sections, the court also shall issue a separate order that includes all determine the parent responsible for the health care of the children subject to the child support order and shall include in the order one of the following:~~

(1) A requirement that the obligor under the child support order obtain

~~health insurance coverage for the children who are the subject of the child support order from an insurer that provides a group health insurance or health care policy, contract, or plan that is specified in the order and a requirement that the obligor, no later than thirty days after the issuance of the order under division (C)(1) of this section, furnish written proof to the child support enforcement agency that the required health insurance coverage has been obtained, if that coverage is available at a reasonable cost through a group health insurance or health care policy, contract, or plan offered by the obligor's employer or through any other group health insurance or health care policy, contract, or plan available to the obligor and if health insurance coverage for the children it is not available for a more reasonable cost through a group health insurance or health care policy, contract, or plan available to the obligee under the child support order;~~

~~(2) If the obligor is required under division (C)(1) of this section to obtain health insurance coverage for the children who are the subject of the child support order, a requirement that the obligor supply the obligee with information regarding the benefits, limitations, and exclusions of the health insurance coverage, copies of any insurance forms necessary to receive reimbursement, payment, or other benefits under the health insurance coverage, and a copy of any necessary insurance cards, a requirement that the obligor submit a copy of the court order issued pursuant to division (C) of this section to the insurer at the time that the obligor makes application to enroll the children in the health insurance or health care policy, contract, or plan, and a requirement that the obligor, no later than thirty days after the issuance of the order under division (C)(2) of this section, furnish written proof to the child support enforcement agency that division (C)(2) of this section has been complied with;~~

~~(3) A requirement that the obligee under the child support order obtain health insurance coverage for the children who are the subject of the child support order from an insurer that provides a group health insurance or health care policy, contract, or plan that is specified in the order and a requirement that the obligee, no later than thirty days after the issuance of the order under division (C)(1) of this section, furnish written proof to the child support enforcement agency that the required health insurance coverage has been obtained, if that coverage is available through a group health insurance or health care policy, contract, or plan offered by the obligee's employer or through any other group health insurance or health care policy, contract, or plan available to the obligee and if that coverage it is available at a more reasonable cost than health insurance such coverage for the children through a group health insurance or health care policy;~~

act, or plan is available to the obligor;

~~(4) If the obligee is required under division (C)(3) of this section to obtain health insurance coverage for the children who are the subject of the child support order, a requirement that the obligee submit a copy of the court order issued pursuant to division (C) of this section to the insurer at the time that the obligee makes application to enroll the children in the health insurance or health care policy, contract, or plan;~~

~~(5) A list of the group health insurance and health care policies, contracts, and plans that the court determines are available at a reasonable cost to the obligor or to the obligee and the name of the insurer that issues each policy, contract, or plan;~~

~~(6) A statement setting forth the name, address, and telephone number of the individual who is to be reimbursed for out of pocket medical, optical, hospital, dental, or prescription expenses paid for each child who is the subject of the support order and a statement that the insurer that provides the health insurance coverage for the children may continue making payment for medical, optical, hospital, dental, or prescription services directly to any health care provider in accordance with the applicable health insurance or health care policy, contract, or plan;~~

~~(7) A requirement that the obligor and the obligee designate the children who are the subject of the child support order as covered dependents under any health insurance or health care policy, contract, or plan for which they contract;~~

~~(8) A requirement that the obligor, the obligee, or both of them under a formula established by the court pay co-payment or deductible costs required under the health insurance or health care policy, contract, or plan that covers the children;~~

~~(9)(3) If health insurance coverage for the children who are the subject of the order is not available at a reasonable cost through a group health insurance or health care policy, contract, or plan offered by the obligor's employer or through any other group health insurance or health care policy, contract, or plan available to the obligor and is not available at a reasonable cost through a group health insurance or health care policy, contract, or plan offered by the obligee's employer or through any other group health insurance or health care policy, contract, or plan available to or the obligee, a requirement that the obligor and the obligee share liability for the cost of the medical and health care needs of the children who are the subject of the order, under an equitable formula established by the court, and a requirement that if, after the issuance of the order, health insurance coverage for the children who are the subject of the order becomes available at a~~

reasonable cost through a group health insurance or health care policy, contract, or plan offered by the obligor's or obligee's employer or through any other group health insurance or health care policy, contract, or plan available to the obligor or obligee, the obligor or obligee to whom the coverage becomes available immediately inform the court of that fact:

~~(10) A notice that, if the obligor is required under divisions (C)(1) and (2) of this section to obtain health insurance coverage for the children who are the subject of the child support order and if the obligor fails to comply with the requirements of those divisions, the court immediately shall issue an order to the employer of the obligor, upon written notice from the child support enforcement agency, requiring the employer to take whatever action is necessary to make application to enroll the obligor in any available group health insurance or health care policy, contract, or plan with coverage for the children who are the subject of the child support order, to submit a copy of the court order issued pursuant to division (C) of this section to the insurer at the time that the employer makes application to enroll the children in the health insurance or health care policy, contract, or plan, and, if the obligor's application is accepted, to deduct any additional amount from the obligor's earnings necessary to pay any additional cost for that health insurance coverage;~~

~~(11) A notice that during the time that an order under this section is in effect, the employer of the obligor is required to release to the obligee or the child support enforcement agency upon written request any necessary information on the health insurance coverage of the obligor, including, but not limited to, the name and address of the insurer and any policy, contract, or plan number, and to otherwise comply with this section and any court order issued under this section;~~

~~(12) A statement setting forth the full name and date of birth of each child who is the subject of the child support order;~~

~~(13) A requirement that the obligor and the obligee comply with any requirement described in division (C)(1), (2), (3), (4), or (7) of this section that is contained in the order issued under this section no later than thirty days after the issuance of the order.~~

~~(D) In any action in which a child support order is issued or modified on or after July 1, 1990, under Chapter 3115, or section 2151.23, 2151.231, 2151.33, 2151.36, 2151.49, 3105.18, 3105.21, 3109.05, 3109.19, 3111.13, 3113.04, 3113.07, 3113.216, or 3113.31 of the Revised Code, the court, in addition to any requirements in those sections and in lieu of an order issued under division (C) of this section, may issue a separate order requiring both;~~

~~(4) A requirement that both the obligor and the obligee ~~to~~ obtain health~~

~~insurance coverage for the children who are the subject of the child support order, if health insurance coverage is available for the children and if the court determines that the coverage is available at a reasonable cost to both the obligor and the obligee and that the dual coverage by both parents would provide for coordination of medical benefits without unnecessary duplication of coverage. If the court issues an order under this division, it shall include in the order any of the requirements, notices, and information set forth in divisions (C)(1) to (13) of this section that are applicable.~~

~~(E) Any~~

(C) A child support order issued or modified pursuant to section 2151.23, 2151.231, 2151.232, 2151.33, 2151.36, 2151.49, 3105.21, 3109.05, 3109.19, 3111.13, 3113.04, 3113.07, 3113.216, 3113.31, or 3115.30 of the Revised Code shall contain all of the following:

(1) If the obligor is required under division (B)(1) of this section, the obligee is required under division (B)(2) of this section, or both the obligor and obligee are required under division (B)(4) of this section, to provide health insurance coverage for the children, a requirement that the obligor or obligee, whoever is required to obtain health insurance coverage, provide the other parent with information regarding the benefits, limitations, and exclusions of the health insurance coverage, copies of any insurance forms necessary to receive reimbursement, payment, or other benefits under the health insurance coverage, and a copy of any necessary insurance cards, a requirement that the obligor or obligee, whoever is required to obtain health insurance coverage submit a copy of the court order issued pursuant to division (B)(1), (2), or (4) of this section to the insurer at the time that the obligor or obligee, whoever is required to obtain health insurance coverage makes application to enroll the children in the health insurance or health care policy, contract, or plan, and a requirement that the obligor or obligee, whoever is required to obtain health insurance coverage, furnish written proof to the child support enforcement agency that division (C)(1) of this section has been complied with;

(2) A list of the group health insurance and health care policies, contracts, and plans that the court determines are available at a reasonable cost to the obligor or to the obligee and the name of the insurer that issues each policy, contract, or plan;

(3) A statement setting forth the name, address, and telephone number of the individual who is to be reimbursed for out-of-pocket medical, optical, hospital, dental, or prescription expenses paid for each child who is the subject of the support order and a statement that the insurer that provides the health insurance coverage for the children may continue making payment

for medical, optical, hospital, dental, or prescription services directly to any health care provider in accordance with the applicable health insurance or health care policy, contract, or plan;

(4) A requirement that the obligor and the obligee designate the children as covered dependents under any health insurance or health care policy, contract, or plan for which they contract;

(5) A requirement that the obligor, the obligee, or both of them under a formula established by the court pay co-payment or deductible costs required under the health insurance or health care policy, contract, or plan that covers the children;

(6) A notice that the employer of the obligor or obligee required to obtain health insurance coverage is required to release to the other parent or the child support enforcement agency upon written request any necessary information on the health insurance coverage, including, but not limited to, the name and address of the insurer and any policy, contract, or plan number, and to otherwise comply with this section and any court order issued under this section;

(7) A statement setting forth the full name and date of birth of each child who is the subject of the child support order;

(8) A requirement that the obligor and the obligee comply with any requirement described in division (B)(1), (2), and (4), and (C)(1) and (4) of this section that is contained in the order issued under this section no later than thirty days after the issuance of the order.

(9) A notice that, if the obligor or obligee is required to obtain health insurance coverage pursuant to the child support order for the children and if the obligor or obligee fails to obtain the health insurance coverage, the child support enforcement agency shall comply with division (D) of this section to obtain a court order requiring the obligor or obligee to obtain the health insurance coverage;

(10) A notice that states the following: "If the person required to obtain health care insurance coverage for the children subject to this child support order obtains new employment and the health insurance coverage for the children is provided through the previous employer, the agency shall comply with the requirements of division (E) of section 3113.217 of the Revised Code which may result in the issuance of a notice requiring the new employer to take whatever action is necessary to enroll the children in health care insurance coverage provided by the new employer."

(D) If an obligor or obligee required to obtain health insurance coverage pursuant to a child support order issued in accordance with this section does not obtain the required health insurance coverage within thirty days after the

child support order is issued, the child support enforcement agency shall notify the court in writing of the failure of the obligor to comply with the child support order. On receipt of the notice from the agency, the court shall issue an order to the employer of the obligor or obligee required to obtain health insurance coverage requiring the employer to take whatever action is necessary to make application to enroll the obligor or obligee required to obtain health insurance coverage in any available group health insurance or health care policy, contract, or plan with coverage for the children, to submit a copy of the child support order to the insurer at the time that the employer makes application to enroll the children in the health insurance or health care policy, contract, or plan, and, if the application is accepted, to deduct from the wages or other income of the obligor or obligee required to obtain health insurance coverage the cost of the coverage for the children. Upon receipt of any order under this division, the employer shall take whatever action is necessary to comply with the order.

(E)(1) If an obligor or obligee is required to obtain health insurance coverage pursuant to a child support order issued in accordance with this section and the obligor or obligee obtains health insurance coverage for the children through an employer and subsequently obtains new employment, the child support enforcement agency shall investigate whether the new employer offers health insurance coverage that would cover the children. If the agency determines that the new employer provides health insurance coverage that would cover the children, the agency shall send a notice described in division (E)(2) of this section and a copy of the child support order to the new employer and shall send a copy of the notice to the obligor or obligee required to obtain health insurance coverage under the child support order. On receipt of the notice, the new employer shall comply with its provisions.

(2) The notice required by division (E)(1) shall contain the following:

(a) A requirement that the new employer take whatever action is necessary to make application to enroll the obligor or obligee required to obtain health insurance coverage in any available group health insurance or health care policy, contract, or plan with coverage for the children;

(b) A requirement that the new employer submit a copy of the child support order requiring the obligor or obligee to obtain health care insurance for the children to the insurer at the time that the employer makes application to enroll the children in the health insurance or health care policy, contract, or plan;

(c) A requirement that, if the application is accepted, the new employer deduct from the wages or other income of the obligor or obligee required to

obtain the health insurance coverage the cost of the coverage for the children.

(d) A statement that the provisions of the notice are final and enforceable by a court and are incorporated into the child support order unless the obligor or obligee required to obtain health insurance coverage, within ten days after the date on which the notice is sent, files a written request with the agency requesting modification of the child support order pursuant to section 3113.216 of the Revised Code.

(E) A child support order issued under in accordance with, or any order issued under division (D) of, this section shall be binding upon the obligor and the obligee, their employers, and any insurer that provides health insurance coverage for either of them or their children. The court shall send a copy of any the child support or other order issued under this section that contains any requirement or notice described in division (C)(1), (2), (3), (4), (7), (8), or (10) of this section by ordinary mail to the obligor, the obligee, and any employer that is subject to the order. The court shall send a copy of any order issued under this section that contains any requirement contained in division (C)(9) of this section by ordinary mail to the obligor and obligee.

(F) If an obligor does not comply with any order issued under this section that contains any requirement or notice described in division (C)(1), (2), (4), (7), (8), or (10) of this section within thirty days after the order is issued, the child support enforcement agency shall notify the court in writing of the failure of the obligor to comply with the order. Upon receipt of the notice from the agency, the court shall issue an order to the employer of the obligor requiring the employer to take whatever action is necessary to make application to enroll the obligor in any available group health insurance or health care policy, contract, or plan with coverage for the children who are the subject of the child support order, to submit a copy of the court order issued pursuant to division (C) of this section to the insurer at the time that the employer makes application to enroll the children in the health insurance or health care policy, contract, or plan, and, if the obligor's application is accepted, to deduct from the wages or other income of the obligor the cost of the coverage for the children. Upon receipt of any order under this division, the employer shall take whatever action is necessary to comply with the order.

(G)(1) During the time that any child support order issued under in accordance with, or order issued under division (D) of, this section is in effect and after the employer has received a copy of the order, the employer of the obligor who is the subject of or obligee required to comply with the order shall comply with the order and, upon request from the obligee other

parent or the agency, shall release to ~~the obligee~~ that parent and the child support enforcement agency all information about the obligor's health insurance coverage that is necessary to ensure compliance with this section or ~~any~~ the order ~~issued under this section~~, including, but not limited to, the name and address of the insurer and any policy, contract, or plan number. Any information provided by an employer pursuant to this division shall be used only for the purpose of the enforcement of ~~an~~ the order ~~issued under this section~~.

(2) Any employer who receives a copy of an order ~~issued under described in division (G)(1) of~~ this section shall notify the ~~child support enforcement~~ agency of any change in or the termination of the ~~obligor's~~ health insurance coverage that is maintained pursuant to ~~an~~ the order ~~issued under this section~~.

~~(G)~~(3) Any insurer that receives a copy of an order ~~issued under described in division (G)(1) of~~ this section shall comply with this section ~~and any order issued under this section~~, regardless of the residence of the children. If an insurer provides health insurance coverage for the children who are the subject of a child support order in accordance with ~~an~~ the child support order or an order issued under division (D) of this section, the insurer shall reimburse the parent, who is designated to receive reimbursement in the child support order issued under this section, for covered out-of-pocket medical, optical, hospital, dental, or prescription expenses incurred on behalf of the children ~~subject to the order~~.

(H) If an obligee under a child support order issued in accordance with section 2151.23, 2151.231, 2151.232, 2151.33, 2151.36, 2151.49, 3105.21, 3109.05, 3109.19, 3111.13, 3113.04, 3113.07, 3113.216, 3113.31, or 3115.30 is eligible for medical assistance under Chapter 5111. or 5115. of the Revised Code and the obligor has obtained health insurance coverage ~~pursuant to an order issued under division (C) of this section~~, the obligee shall notify any physician, hospital, or other provider of medical services for which medical assistance is available of the name and address of the obligor's insurer and of the number of the obligor's health insurance or health care policy, contract, or plan. Any physician, hospital, or other provider of medical services for which medical assistance is available under Chapter 5111. or 5115. of the Revised Code who is notified under this division of the existence of a health insurance or health care policy, contract, or plan with coverage for children who are eligible for medical assistance first shall bill the insurer for any services provided for those children. If the insurer fails to pay all or any part of a claim filed under this division by the physician, hospital, or other medical services provider and the services for

which the claim is filed are covered by Chapter 5111. or 5115. of the Revised Code, the physician, hospital, or other medical services provider shall bill the remaining unpaid costs of the services in accordance with Chapter 5111. or 5115. of the Revised Code.

(I) Any obligor who fails to comply with ~~an~~ a child support order issued under in accordance with, or an order issued under division (D) of, this section is liable to the obligee for any medical expenses incurred as a result of the failure to comply with the order. An obligee who fails to comply with a child support order issued in accordance with, or an order issued under division (D) of, this section is liable to the obligor for any medical expenses incurred as a result of the failure to comply with the order.

(J) Whoever violates ~~an~~ a child support order issued under in accordance with, or an order issued under division (D) of, this section may be punished as for contempt under Chapter 2705. of the Revised Code. If an obligor is found in contempt under that chapter for failing to comply with ~~an~~ a child support order issued under in accordance with, or an order issued under division (D) of, this section and if the obligor previously has been found in contempt under that chapter, the court shall consider the obligor's failure to comply with the ~~court's~~ order as a change in circumstances for the purpose of modification of the amount of support due under the child support order that is the basis of the order issued under this section.

(K) Nothing in this section shall be construed to require an insurer to accept for enrollment any child who does not meet the underwriting standards of the health insurance or health care policy, contract, or plan for which application is made.

(L) ~~Notwithstanding section 3109.01 of the Revised Code, if a court issues an order under this section requiring a parent to obtain health insurance coverage for the children who are the subject of a child support order, the order shall remain in effect beyond the child's eighteenth birthday as long as the child continuously attends on a full-time basis any recognized and accredited high school. Any parent ordered to obtain health insurance coverage for the children who are the subject of a child support order shall continue to obtain the coverage for the children under the order, including during seasonal vacation periods, until the order terminates~~ An order issued pursuant to this section prior to the effective date of this amendment to provide for the health care needs of children subject to a child support order issued pursuant to section 2151.23, 2151.231, 2151.232, 2151.33, 2151.36, 2151.49, 3105.21, 3109.05, 3109.19, 3111.13, 3113.04, 3113.07, 3113.216, 3113.31, or 3115.30 of the Revised Code, shall remain in full force and effect and shall be considered a requirement included as part of the child

support order. The child support order shall be subject to the provisions of this section on and after the effective date of this amendment.

Sec. 3113.218. (A) As used in this section, "child support order" has the same meaning as in section 3113.215 of the Revised Code.

(B) In any action or proceeding in which a child support order is issued or modified on or after July 1, 1990, under Chapter 3115. or section 2151.23, ~~2151.231, 2151.232~~, 2151.33, 2151.36, 2151.49, 3105.18, 3105.21, 3109.05, 3109.19, 3111.13, 3113.04, 3113.07, 3113.216, or 3113.31 of the Revised Code, the court that issues or modifies the order shall include in the order, in addition to any provision required by any of those sections or by any other section of the Revised Code, all of the following:

(1) A requirement that, regardless of the frequency or amount of child support payments to be made under the order, the child support enforcement agency that is required to administer the order shall administer it on a monthly basis, in accordance with this section;

(2) A specification of the monthly amount due under the child support order for purposes of its monthly administration, as determined under division (D) of this section;

(3) A statement that payments under the order are to be made in the manner ordered by the court, and that if the payments are to be made other than on a monthly basis, the required monthly administration by the agency does not affect the frequency or the amount of the child support payments to be made under the order.

(C) If a child support enforcement agency is required by statute or court order to administer a child support order that was issued or modified on or after July 1, 1990, the agency shall administer the order on a monthly basis, in accordance with the provisions of the order that contain the information described in division (B) of this section.

(D) If a court issues or modifies a child support order on or after July 1, 1990, and if the child support payments due under the order are to be made other than on a monthly basis, the court shall calculate a monthly amount due under the child support order, for purposes of its monthly administration, in the following manner:

(1) If the child support order is to be paid weekly, multiply the weekly amount of child support due under the order by fifty-two and divide the resulting product by twelve;

(2) If the child support order is to be paid biweekly, multiply the biweekly amount of child support due under the order by twenty-six and divide the resulting product by twelve;

(3) If the child support order is to be paid periodically but is not to be

paid weekly, biweekly, or monthly, multiply the periodic amount of child support due by an appropriate number to obtain the annual amount of child support due under the order and divide the annual amount of child support due by twelve.

(E) If the payments under a child support order are to be made other than on a monthly basis, the required monthly administration of the order by a child support enforcement agency pursuant to this section shall not affect the frequency or the amount of the child support payments to be made under the order.

(F) The provisions of this section do not apply in relation to a child support order unless the order was issued or modified on or after July 1, 1990.

Sec. 3113.219. (A) On or after July 1, 1992, when a court issues or modifies a support order under Chapter 3115. or section 2151.23, 2151.231, 2151.232, 2151.33, 2151.36, 2151.49, 3105.18, 3105.21, 3109.05, 3109.19, 3111.13, 3113.04, 3113.07, 3113.216, or 3113.31 of the Revised Code or in any proceeding in which a court determines the amount of support to be paid pursuant to a support order, the court shall determine the date the obligor failed to pay the support required under the support order and the amount of support the obligor failed to pay. If the court determines the obligor has failed at any time to comply with a support order, the court shall issue a new order requiring the obligor to pay support. If the court determines that the failure to pay was willful, the court shall assess interest on the amount of support the obligor failed to pay from the date the court specifies as the original date the obligor failed to comply with the order requiring the payment of support to the date the court issues the new order requiring the payment of support and shall compute the interest at the rate specified in division (A) of section 1343.03 of the Revised Code. The court shall specify in the support order the amount of interest the court assessed against the obligor and incorporate the amount of interest into the new monthly payment plan.

(B) On or after July 1, 1992, when a court issues or modifies a support order under Chapter 3115. or section 2151.23, 2151.231, 2151.33, 2151.36, 2151.49, 3105.18, 3105.21, 3109.05, 3109.19, 3111.13, 3113.04, 3113.07, 3113.216, or 3113.31 of the Revised Code or in any proceeding in which a court determines the amount of support to be paid pursuant to a support order, the court may include in the support order a statement ordering either party to pay the costs of the action, including, but not limited to, attorney's fees, fees for genetic tests in contested actions under sections 3111.01 to 3111.19 of the Revised Code, and court costs.

Sec. 3113.31. (A) As used in this section:

(1) "Domestic violence" means the occurrence of one or more of the following acts against a family or household member:

(a) Attempting to cause or recklessly causing bodily injury;

(b) Placing another person by the threat of force in fear of imminent serious physical harm or committing a violation of section 2903.211 or 2911.211 of the Revised Code;

(c) Committing any act with respect to a child that would result in the child being an abused child, as defined in section 2151.031 of the Revised Code.

(2) "Court" means the domestic relations division of the court of common pleas in counties that have a domestic relations division, and the court of common pleas in counties that do not have a domestic relations division.

(3) "Family or household member" means any of the following:

(a) Any of the following who is residing with or has resided with the respondent:

(i) A spouse, a person living as a spouse, or a former spouse of the respondent;

(ii) A parent or a child of the respondent, or another person related by consanguinity or affinity to the respondent;

(iii) A parent or a child of a spouse, person living as a spouse, or former spouse of the respondent, or another person related by consanguinity or affinity to a spouse, person living as a spouse, or former spouse of the respondent.

(b) The natural parent of any child of whom the respondent is the other natural parent or is the putative other natural parent.

(4) "Person living as a spouse" means a person who is living or has lived with the respondent in a common law marital relationship, who otherwise is cohabiting with the respondent, or who otherwise has cohabited with the respondent within five years prior to the date of the alleged occurrence of the act in question.

(5) "Victim advocate" means a person who provides support and assistance for a person who files a petition under this section.

(B) The court has jurisdiction over all proceedings under this section. The petitioner's right to relief under this section is not affected by the petitioner's leaving the residence or household to avoid further domestic violence.

(C) A person may seek relief under this section on the person's own behalf, or any parent or adult household member may seek relief under this

section on behalf of any other family or household member, by filing a petition with the court. The petition shall contain or state:

(1) An allegation that the respondent engaged in domestic violence against a family or household member of the respondent, including a description of the nature and extent of the domestic violence;

(2) The relationship of the respondent to the petitioner, and to the victim if other than the petitioner;

(3) A request for relief under this section.

(D)(1) If a person who files a petition pursuant to this section requests an ex parte order, the court shall hold an ex parte hearing on the same day that the petition is filed. The court, for good cause shown at the ex parte hearing, may enter any temporary orders, with or without bond, including, but not limited to, an order described in division (E)(1)(a), (b), or (c) of this section, that the court finds necessary to protect the family or household member from domestic violence. Immediate and present danger of domestic violence to the family or household member constitutes good cause for purposes of this section. Immediate and present danger includes, but is not limited to, situations in which the respondent has threatened the family or household member with bodily harm or in which the respondent previously has been convicted of or pleaded guilty to an offense that constitutes domestic violence against the family or household member.

(2)(a) If the court, after an ex parte hearing, issues an order described in division (E)(1)(b) or (c) of this section, the court shall schedule a full hearing for a date that is within seven court days after the ex parte hearing. If any other type of protection order that is authorized under division (E) of this section is issued by the court after an ex parte hearing, the court shall schedule a full hearing for a date that is within ten court days after the ex parte hearing. The court shall give the respondent notice of, and an opportunity to be heard at, the full hearing. The court shall hold the full hearing on the date scheduled under this division unless the court grants a continuance of the hearing in accordance with this division. Under any of the following circumstances or for any of the following reasons, the court may grant a continuance of the full hearing to a reasonable time determined by the court:

(i) Prior to the date scheduled for the full hearing under this division, the respondent has not been served with the petition filed pursuant to this section and notice of the full hearing.

(ii) The parties consent to the continuance.

(iii) The continuance is needed to allow a party to obtain counsel.

(iv) The continuance is needed for other good cause.

(b) An ex parte order issued under this section does not expire because of a failure to serve notice of the full hearing upon the respondent before the date set for the full hearing under division (D)(2)(a) of this section or because the court grants a continuance under that division.

(3) If a person who files a petition pursuant to this section does not request an ex parte order, or if a person requests an ex parte order but the court does not issue an ex parte order after an ex parte hearing, the court shall proceed as in a normal civil action and grant a full hearing on the matter.

(E)(1) After an ex parte or full hearing, the court may grant any protection order, with or without bond, or approve any consent agreement to bring about a cessation of domestic violence against the family or household members. The order or agreement may:

(a) Direct the respondent to refrain from abusing the family or household members;

(b) Grant possession of the residence or household to the petitioner or other family or household member, to the exclusion of the respondent, by evicting the respondent, when the residence or household is owned or leased solely by the petitioner or other family or household member, or by ordering the respondent to vacate the premises, when the residence or household is jointly owned or leased by the respondent, and the petitioner or other family or household member;

(c) When the respondent has a duty to support the petitioner or other family or household member living in the residence or household and the respondent is the sole owner or lessee of the residence or household, grant possession of the residence or household to the petitioner or other family or household member, to the exclusion of the respondent, by ordering the respondent to vacate the premises, or, in the case of a consent agreement, allow the respondent to provide suitable, alternative housing;

(d) Temporarily allocate parental rights and responsibilities for the care of, or establish temporary visitation rights with regard to, minor children, if no other court has determined, or is determining, the allocation of parental rights and responsibilities for the minor children or visitation rights;

(e) Require the respondent to maintain support, if the respondent customarily provides for or contributes to the support of the family or household member, or if the respondent has a duty to support the petitioner or family or household member;

(f) Require the respondent, petitioner, victim of domestic violence, or any combination of those persons, to seek counseling;

(g) Require the respondent to refrain from entering the residence,

school, business, or place of employment of the petitioner or family or household member;

(h) Grant other relief that the court considers equitable and fair, including, but not limited to, ordering the respondent to permit the use of a motor vehicle by the petitioner or other family or household member and the apportionment of household and family personal property.

(2) If a protection order has been issued pursuant to this section in a prior action involving the respondent and the petitioner or one or more of the family or household members, the court may include in a protection order that it issues a prohibition against the respondent returning to the residence or household. If it includes a prohibition against the respondent returning to the residence or household in the order, it also shall include in the order provisions of the type described in division (E)(7) of this section. This division does not preclude the court from including in a protection order or consent agreement, in circumstances other than those described in this division, a requirement that the respondent be evicted from or vacate the residence or household or refrain from entering the residence, school, business, or place of employment of the petitioner or a family or household member, and, if the court includes any requirement of that type in an order or agreement, the court also shall include in the order provisions of the type described in division (E)(7) of this section.

(3)(a) Any protection order issued or consent agreement approved under this section shall be valid until a date certain, but not later than five years from the date of its issuance or approval.

(b) Subject to the limitation on the duration of an order or agreement set forth in division (E)(3)(a) of this section, any order under division (E)(1)(d) of this section shall terminate on the date that a court in an action for divorce, dissolution of marriage, or legal separation brought by the petitioner or respondent issues an order allocating parental rights and responsibilities for the care of children or on the date that a juvenile court in an action brought by the petitioner or respondent issues an order awarding legal custody of minor children. Subject to the limitation on the duration of an order or agreement set forth in division (E)(3)(a) of this section, any order under division (E)(1)(e) of this section shall terminate on the date that a court in an action for divorce, dissolution of marriage, or legal separation brought by the petitioner or respondent issues a support order or on the date that a juvenile court in an action brought by the petitioner or respondent issues a support order.

(c) Any protection order issued or consent agreement approved pursuant to this section may be renewed in the same manner as the original order or

agreement was issued or approved.

(4) A court may not issue a protection order that requires a petitioner to do or to refrain from doing an act that the court may require a respondent to do or to refrain from doing under division (E)(1)(a), (b), (c), (d), (e), (g), or (h) of this section unless all of the following apply:

(a) The respondent files a separate petition for a protection order in accordance with this section.

(b) The petitioner is served notice of the respondent's petition at least forty-eight hours before the court holds a hearing with respect to the respondent's petition, or the petitioner waives the right to receive this notice.

(c) If the petitioner has requested an ex parte order pursuant to division (D) of this section, the court does not delay any hearing required by that division beyond the time specified in that division in order to consolidate the hearing with a hearing on the petition filed by the respondent.

(d) After a full hearing at which the respondent presents evidence in support of the request for a protection order and the petitioner is afforded an opportunity to defend against that evidence, the court determines that the petitioner has committed an act of domestic violence or has violated a temporary protection order issued pursuant to section 2919.26 of the Revised Code, that both the petitioner and the respondent acted primarily as aggressors, and that neither the petitioner nor the respondent acted primarily in self-defense.

(5) No protection order issued or consent agreement approved under this section shall in any manner affect title to any real property.

(6)(a) If a petitioner, or the child of a petitioner, who obtains a protection order or consent agreement pursuant to division (E)(1) of this section or a temporary protection order pursuant to section 2919.26 of the Revised Code and is the subject of a visitation or companionship order issued pursuant to section 3109.051, 3109.11, or 3109.12 of the Revised Code or division (E)(1)(d) of this section granting visitation or companionship rights to the respondent, the court may require the public children services agency of the county in which the court is located to provide supervision of the respondent's exercise of visitation or companionship rights with respect to the child for a period not to exceed nine months, if the court makes the following findings of fact:

(i) The child is in danger from the respondent;

(ii) No other person or agency is available to provide the supervision ~~or other services.~~

(b) A court that requires an agency to provide supervision ~~or other services~~ pursuant to division (E)(6)(a) of this section shall order the

respondent to reimburse the agency for the cost of providing the supervision ~~or other services~~, if it determines that the respondent has sufficient income or resources to pay that cost.

(7)(a) If a protection order issued or consent agreement approved under this section includes a requirement that the respondent be evicted from or vacate the residence or household or refrain from entering the residence, school, business, or place of employment of the petitioner or a family or household member, the order or agreement shall state clearly that the order or agreement cannot be waived or nullified by an invitation to the respondent from the petitioner or other family or household member to enter the residence, school, business, or place of employment or by the respondent's entry into one of those places otherwise upon the consent of the petitioner or other family or household member.

(b) Division (E)(7)(a) of this section does not limit any discretion of a court to determine that a respondent charged with a violation of section 2919.27 of the Revised Code, with a violation of a municipal ordinance substantially equivalent to that section, or with contempt of court, which charge is based on an alleged violation of a protection order issued or consent ~~agreement~~ agreement approved under this section, did not commit the violation or was not in contempt of court.

(F)(1) A copy of any protection order, or consent agreement, that is issued or approved under this section shall be issued by the court to the petitioner, to the respondent, and to all law enforcement agencies that have jurisdiction to enforce the order or agreement. The court shall direct that a copy of an order be delivered to the respondent on the same day that the order is entered.

(2) All law enforcement agencies shall establish and maintain an index for the protection orders and the approved consent agreements delivered to the agencies pursuant to division (F)(1) of this section. With respect to each order and consent agreement delivered, each agency shall note on the index; the date and time that it received the order or consent agreement.

(3) Regardless of whether the petitioner has registered the order or agreement in the county in which the officer's agency has jurisdiction pursuant to division (N) of this section, any officer of a law enforcement agency shall enforce a protection order issued or consent agreement approved by any court in this state in accordance with the provisions of the order or agreement, including removing the respondent from the premises, if appropriate.

(G) Any proceeding under this section shall be conducted in accordance with the Rules of Civil Procedure, except that an order under this section

may be obtained with or without bond. An order issued under this section, other than an ex parte order, that grants a protection order or approves a consent agreement, or that refuses to grant a protection order or approve a consent agreement, is a final, appealable order. The remedies and procedures provided in this section are in addition to, and not in lieu of, any other available civil or criminal remedies.

(H) The filing of proceedings under this section does not excuse a person from filing any report or giving any notice required by section 2151.421 of the Revised Code or by any other law. When a petition under this section alleges domestic violence against minor children, the court shall report the fact, or cause reports to be made, to a county, township, or municipal peace officer under section 2151.421 of the Revised Code.

(I) Any law enforcement agency that investigates a domestic dispute shall provide information to the family or household members involved regarding the relief available under this section and section 2919.26 of the Revised Code.

(J) Notwithstanding any provision of law to the contrary, no court shall charge a fee for the filing of a petition pursuant to this section.

(K)(1) Each order for support made or modified under this section ~~on or after December 31, 1993,~~ shall include as part of the order a general provision, as described in division (A)(1) of section 3113.21 of the Revised Code, requiring the withholding or deduction of ~~wages~~ income or assets of the obligor under the order as described in division (D) of section 3113.21 of the Revised Code or another type of appropriate requirement as described in division (D)~~(6)(3)~~, (D)~~(7)(4)~~, or (H) of that section, to ensure that withholding or deduction from the ~~wages~~ income or assets of the obligor is available from the commencement of the support order for collection of the support and of any arrearages that occur; a statement requiring all parties to the order to notify the child support enforcement agency in writing of their current mailing address, ~~their~~ current residence address, current residence telephone number, current driver's license number, and any changes ~~in either address to that information;~~ and a notice that the requirement to notify the agency of all changes ~~in either address to that information~~ continues until further notice from the court. The court shall comply with sections 3113.21 to 3113.219 of the Revised Code when it makes or modifies an order for child support under this section ~~on or after April 12, 1990.~~

If any person required to pay child support under an order made under this section on or after April 15, 1985, or modified under this section on or after December 31, 1986, is found in contempt of court for failure to make support payments under the order, the court that makes the finding, in

addition to any other penalty or remedy imposed, shall assess all court costs arising out of the contempt proceeding against the person and require the person to pay any reasonable attorney's fees of any adverse party, as determined by the court, that arose in relation to the act of contempt.

(2) Notwithstanding section 3109.01 of the Revised Code, if a court issues a child support order under this section, the order shall remain in effect beyond the child's eighteenth birthday as long as the child continuously attends on a full-time basis any recognized and accredited high school or the order provides that the duty of support of the child continues beyond the child's eighteenth birthday. Except in cases in which the order provides that the duty of support continues for any period after the child reaches nineteen years of age, the order shall not remain in effect after the child reaches nineteen years of age. Any parent ordered to pay support under a child support order issued under this section shall continue to pay support under the order, including during seasonal vacation periods, until the order terminates.

(L)(1) A person who violates a protection order issued or a consent agreement approved under this section is subject to the following sanctions:

(a) Criminal prosecution for a violation of section 2919.27 of the Revised Code, if the violation of the protection order or consent agreement constitutes a violation of that section;

(b) Punishment for contempt of court.

(2) The punishment of a person for contempt of court for violation of a protection order issued or a consent agreement approved under this section does not bar criminal prosecution of the person for a violation of section 2919.27 of the Revised Code. However, a person punished for contempt of court is entitled to credit for the punishment imposed upon conviction of a violation of that section, and a person convicted of a violation of that section shall not subsequently be punished for contempt of court arising out of the same activity.

(M) In all stages of a proceeding under this section, a petitioner may be accompanied by a victim advocate.

(N)(1) A petitioner who obtains a protection order or consent agreement under this section or a temporary protection order under section 2919.26 of the Revised Code may provide notice of the issuance or approval of the order or agreement to the judicial and law enforcement officials in any county other than the county in which the order is issued or the agreement is approved by registering that order or agreement in the other county pursuant to division (N)(2) of this section and filing a copy of the registered order or registered agreement with a law enforcement agency in the other county in

accordance with that division. A person who obtains a protection order issued by a court of another state may provide notice of the issuance of the order to the judicial and law enforcement officials in any county of this state by registering the order in that county pursuant to section 2919.272 of the Revised Code and filing a copy of the registered order with a law enforcement agency in that county.

(2) A petitioner may register a temporary protection order, protection order, or consent agreement in a county other than the county in which the court that issued the order or approved the agreement is located in the following manner:

(a) The petitioner shall obtain a certified copy of the order or agreement from the clerk of the court that issued the order or approved the agreement and present that certified copy to the clerk of the court of common pleas or the clerk of a municipal court or county court in the county in which the order or agreement is to be registered.

(b) Upon accepting the certified copy of the order or agreement for registration, the clerk of the court of common pleas, municipal court, or county court shall place an endorsement of registration on the order or agreement and give the petitioner a copy of the order or agreement that bears that proof of registration.

(3) The clerk of each court of common pleas, the clerk of each municipal court, and the clerk of each county court shall maintain a registry of certified copies of temporary protection orders, protection orders, or consent agreements that have been issued or approved by courts in other counties and that have been registered with the clerk.

(4) If a petitioner who obtains a protection order or consent agreement under this section or a temporary protection order under section 2919.26 of the Revised Code wishes to register the order or agreement in any county other than the county in which the order was issued or the agreement was approved, pursuant to divisions (N)(1) to (3) of this section, and if the petitioner is indigent, both of the following apply:

(a) If the petitioner submits to the clerk of the court that issued the order or approved the agreement satisfactory proof that the petitioner is indigent, the clerk may waive any fee that otherwise would be required for providing the petitioner with a certified copy of the order or agreement to be used for purposes of divisions (N)(1) to (3) of this section;

(b) If the petitioner submits to the clerk of the court of common pleas or the clerk of a municipal court or county court in the county in which the order or agreement is to be registered satisfactory proof that the petitioner is indigent, the clerk may waive any fee that otherwise would be required for

accepting for registration a certified copy of the order or agreement, for placing an endorsement of registration on the order or agreement, or for giving the petitioner a copy of the order or agreement that bears the proof of registration.

Sec. 3113.99. (A) For purposes of this section:

(1) "Child support order" means an order for support issued or modified under Chapter 3115. or section 2151.23, 2151.231, 2151.232, 2151.36, 2151.49, 3105.18, 3105.21, 3109.05, 3111.13, 3113.04, 3113.07, 3113.216, or 3113.31 of the Revised Code.

(2) "Obligor" means a person who is required to pay support under a child support order.

(B) Whoever violates section 3113.06 of the Revised Code is guilty of a misdemeanor of the first degree. If the offender previously has been convicted of or pleaded guilty to a violation of section 3113.06 of the Revised Code or if the court finds that the offender has failed to pay the cost of child maintenance under section 3113.06 of the Revised Code for a total accumulated period of twenty-six weeks out of one hundred four consecutive weeks, whether or not the twenty-six weeks were consecutive, a violation of section 3113.06 of the Revised Code is a felony of the fifth degree.

(C) An obligor who violates division (D)(1)(c) of section 3113.21 of the Revised Code shall be fined not more than fifty dollars for a first offense, not more than one hundred dollars for a second offense, and not more than five hundred dollars for each subsequent offense.

(D) An obligor who violates division (G)(2) of section 3113.21 of the Revised Code shall be fined not more than fifty dollars for a first offense, not more than one hundred dollars for a second offense, and not more than five hundred dollars for each subsequent offense.

(E) A fine amount imposed pursuant to division (C) or (D) of this section shall be paid to the division of child support enforcement agency administering the obligor's child support order in the department of human services OR, PURSUANT TO DIVISION (H)(4) OF SECTION 2301.35 OF THE REVISED CODE, THE CHILD SUPPORT ENFORCEMENT AGENCY. The amount of the fine that does not exceed the amount of arrearage under the child support order shall be disbursed in accordance with the child support order. The amount of the fine that exceeds the amount of the arrearage order shall be used by the agency for the administration of its program for child support enforcement called program income and collected in accordance with section 5101.325 Of the Revised Code.

Sec. 3115.01. As used in sections 3115.01 to 3115.59 Of the Revised

Code:

(A) "Child" means an individual under the age of majority, who is or is alleged to be owed a duty of support by the individual's parent or who is or is alleged to be the beneficiary of a support order directed to the parent.

(B) "Child support order" means an order for the support of a child that provides for monetary support, whether current or in arrears, health care, or reimbursements, and may include related costs and fees, interest, income withholding requirements, attorney fees, and other relief. "Child support order" includes orders under which the child has attained the age of majority under the law of the issuing state and arrearages are owed under the order.

(C) "Duty of support" means an obligation imposed or that may be imposed under law to provide support for a child, spouse, or former spouse, including an unsatisfied obligation to provide support.

(D) "Home state" means the state in which a child lived with a parent or a person acting as a parent for at least six consecutive months immediately preceding the time of filing of a complaint or comparable pleading for support and, if a child is less than six months old, the state in which the child lived from birth with any of them. A period of temporary absence of any of them is counted as part of the six-month or other period.

(E) "Income" includes earnings or other periodic entitlements to money from any source and any other property subject to withholding for support under the law of this State.

(F) "Income withholding order" means an order or other legal process DIRECTED TO AN OBLIGOR'S PAYOR, AS DEFINED IN SECTIONS 3111.20 AND 3113.21 OF THE REVISED CODE, TO WITHHOLD SUPPORT FROM THE INCOME OF THE OBLIGOR.

(G) "Initiating state" means a state from which a proceeding is forwarded or in which a proceeding is filed for forwarding to a responding state under sections 3115.01 to 3115.59 Of the Revised Code or a law or procedure substantially similar to those sections, the uniform reciprocal enforcement of support act, or the revised uniform reciprocal enforcement of support act.

(H) "Initiating tribunal" means the authorized tribunal in an initiating state.

(I) "Issuing state" means the state in which a tribunal issues a support order or renders a judgment determining parentage.

(J) "Issuing tribunal" means the tribunal that issues a support order or renders a judgment determining the existence or nonexistence of a parent and child relationship.

(K) "Law" includes decisional and statutory law and rules and

regulations having the force of law.

(L) "Obligee" means any of the following:

(1) An individual to whom a duty of support is or is alleged to be owed or in whose favor a support order has been issued or a judgment determining parentage has been rendered;

(2) A state or political subdivision to which the rights under a duty of support or support order have been assigned or which has independent claims based on financial assistance provided to an individual obligee;

(3) An individual seeking a judgment determining parentage of the individual's child.

(M) "Obligor" means an individual, or the estate of a decedent to which any of the following applies:

(1) The individual or estate owes or is alleged to owe a duty of support;

(2) The individual is alleged but has not been adjudicated to be a parent of a child;

(3) The individual or estate is liable under a support order.

(N) "Register" means to file a support order or judgment determining the existence or nonexistence of a parent and child relationship in a registering tribunal.

(O) "Registering tribunal" means a tribunal in which a support order is registered.

(P) "Responding state" means a state in which a proceeding is filed or to which a proceeding is forwarded for filing from an initiating state under sections 3115.01 to 3115.59 Of the Revised Code or a law or procedure substantially similar to those sections, the uniform reciprocal enforcement of support act, or the revised uniform reciprocal enforcement of support act.

(Q) "Responding tribunal" means the authorized tribunal in a responding state.

(R) "Revised uniform reciprocal enforcement of support act" means the act addressing interstate enforcement of support orders adopted in 1968 by the national conference of commissioners on uniform state laws or any law substantially similar to the act adopted by another state.

(S) "Spousal support order" means an order for the support of a spouse or former spouse that provides for monetary support, whether current or in arrears, health care, or reimbursements, and may include related costs and fees, interest, income withholding requirements, attorney fees, and other relief.

(T) "State" has the same meaning as in section 1.59 Of the Revised Code, except that it also includes both of the following:

(1) An Indian tribe;

(2) A foreign jurisdiction that has enacted a law or established procedures for issuance and enforcement of support orders that are substantially similar to the procedures under sections 3115.01 to 3115.59 Of the Revised Code, the uniform reciprocal enforcement of support act, or the revised uniform reciprocal enforcement of support act.

(U) "Support enforcement agency" means a public official or agency authorized to do any of the following:

(1) Seek enforcement of support orders or laws relating to the duty of support;

(2) Seek establishment or modification of child support;

(3) Seek determination of the existence or nonexistence of a parent and child relationship;

(4) Locate obligors or their assets.

(V) "Support order" means a spousal support order or child support order.

(W) "Tribunal" means any trial court of record of this state and when the context requires, a court, administrative agency, or quasi-judicial entity of any other state authorized to establish, enforce, or modify support orders or to determine parentage.

(X) "Uniform reciprocal enforcement of support act" means the act addressing interstate enforcement of support orders adopted in 1950 and amended in 1952 and 1958 by the national conference of commissioners on uniform state laws or any law substantially similar to the act adopted by another state.

Sec. 3115.02. Remedies provided by sections 3115.01 to 3115.59 Of the Revised Code are in addition to, not in substitution for, any other remedies.

Sec. 3115.03. In a proceeding to establish, enforce, or modify a support order or to determine the existence or nonexistence of a parent and child relationship, a tribunal of this state may exercise personal jurisdiction over a nonresident individual if any of the following is the case:

(A) The individual is personally served with summons within this state;

(B) The individual submits to the jurisdiction of this state by consent, by entering a general appearance, or by filing a responsive pleading or other document having the effect of waiving any contest to personal jurisdiction;

(C) The individual resided with the child in this State;

(D) The individual resided in this State and provided prenatal expenses or support for the child;

(E) The child resides in this State as a result of the acts or directives of the individual;

(F) The individual engaged in sexual intercourse in this State and the

child may have been conceived by that act of intercourse:

(G) The individual registered in the putative father registry maintained pursuant to section 3107.062 Of the Revised Code;

(H) There is any other basis for the state to exercise personal jurisdiction over the individual.

Sec. 3115.04. A tribunal of this state exercising personal jurisdiction over a nonresident under section 3115.03 Of the Revised Code may apply section 3115.27 Of the Revised Code to obtain evidence from another state and section 3115.29 Of the Revised Code to obtain discovery through a tribunal of another state. In all other respects, sections 3115.12 to 3115.52 Of the Revised Code are not applicable and the tribunal shall apply the procedural and substantive law of this State, including the rules on choice of law other than those established by sections 3115.01 to 3115.59 Of the Revised Code.

Sec. 3115.05. Under sections 3115.01 to 3115.59 Of the Revised Code, a tribunal of this State may serve as an initiating tribunal to forward proceedings to another state and as a responding tribunal for proceedings initiated in another state.

Sec. 3115.06. (A) A tribunal of this state may exercise jurisdiction to issue a support order if the complaint or comparable pleading is filed in this state after a complaint or comparable pleading requesting the issuance of a support order is filed in another state only if all of the following apply:

(1) The complaint or comparable pleading is filed in this state before the expiration of the time allowed in the other state for filing a responsive pleading challenging the exercise of jurisdiction by the other state;

(2) The contesting party timely challenges the exercise of jurisdiction in the other state;

(3) With respect to actions to issue child support orders, this state is the home state of the child.

(B) A tribunal of this state may not exercise jurisdiction to issue a support order if the complaint or comparable pleading is filed in this state before a complaint or comparable pleading requesting the issuance of a support order is filed in another state if any of the following is the case:

(1) The complaint or comparable pleading is filed in the other state before the expiration of the time allowed in this state for filing a responsive pleading challenging the exercise of jurisdiction by this state.

(2) The contesting party timely challenges the exercise of jurisdiction in this state.

(3) With respect to actions to issue child support orders, the other state is the home state of the child.

Sec. 3115.07. (A) A tribunal of this state has continuing, exclusive jurisdiction over a child support order it issues as long as the obligor, individual obligee, or child subject to the child support order is a resident of this state, unless all of the parties who are individuals have filed written consents with the tribunal of this state for a tribunal of another state to modify the order and assume continuing, exclusive jurisdiction.

(B) A tribunal of this state may not exercise continuing jurisdiction to modify a child support order it issues if the order is modified by a tribunal of another state pursuant to a law adopted by the other state that is substantially similar to sections 3115.01 to 3115.59 Of the Revised Code.

(C) If a child support order issued by a tribunal of this state is modified by a tribunal of another state pursuant to a law adopted by the other state that is substantially similar to sections 3115.01 to 3115.59 Of the Revised Code, the tribunal of this state loses its continuing, exclusive jurisdiction with regard to prospective enforcement of the order, and may do only the following:

(1) Order collection of support amounts accruing before the modification of the order;

(2) Enforce nonmodifiable aspects of that order;

(3) Provide other appropriate relief for violations of the order that occurred before the effective date of the modification.

(D) A tribunal of this state shall recognize the continuing, exclusive jurisdiction of a tribunal of another state that has issued a child support order pursuant to a law adopted by the other state that is substantially similar to sections 3115.01 to 3115.59 Of the Revised Code.

(E) A temporary support order issued ex parte or pending resolution of a jurisdictional conflict does not create continuing, exclusive jurisdiction in the issuing tribunal.

(F) A tribunal of this state has continuing, exclusive jurisdiction over a spousal support order it issues throughout the existence of the support obligation. A tribunal of this State may not modify a spousal support order issued by a tribunal of another state having continuing, exclusive jurisdiction over that order under the law of that state.

Sec. 3115.08. (A) A tribunal of this State may serve as an initiating tribunal to request a tribunal of another state to enforce or modify a support order issued in that state.

(B) A tribunal of this State having continuing, exclusive jurisdiction over a support order may act as a responding tribunal to enforce or modify the order. If a party subject to the continuing, exclusive jurisdiction of the tribunal no longer resides in the issuing state, in subsequent proceedings the

tribunal may apply section 3115.27 Of the Revised Code to obtain evidence from another state and section 3115.29 Of the Revised Code to obtain discovery through a tribunal of another state.

(C) A tribunal of this State that lacks continuing, exclusive jurisdiction over a spousal support order may not serve as a responding tribunal to modify a spousal support order of another state.

Sec. 3115.09. (A) If a proceeding is brought under sections 3115.01 to 3115.59 Of the Revised Code, and only one tribunal has issued a child support order, the order of that tribunal shall be recognized as controlling.

(B) If a proceeding is brought under sections 3115.01 to 3115.59 Of the Revised Code, and two or more child support orders have been issued by tribunals of this State or another state with regard to the same obligor and child, a tribunal of this State shall do the following:

(1) If only one of the tribunals would have continuing, exclusive jurisdiction, recognize the child support order of that tribunal as controlling.

(2) If more than one of the tribunals would have continuing, exclusive jurisdiction, recognize the child support order issued by the tribunal in the current home state of the child as controlling, but if a child support order has not been issued in the current home state of the child, recognize the child support order most recently issued as controlling.

(3) If none of the tribunals would have continuing, exclusive jurisdiction, the tribunal of this state having jurisdiction over the parties shall issue its own child support order which shall be controlling.

(C) If two or more child support orders have been issued for the same obligor and child and the obligor or the individual obligee resides in this state, a party may request a tribunal of this state to determine which order to recognize as controlling pursuant to division (B) of this section. The request must be accompanied by a certified copy of every support order in effect. The requesting party shall give notice of the request to each party whose rights may be affected by the determination.

(D) The tribunal that issued the controlling child support order under division (A), (B), or (C) of this section is the tribunal that has continuing, exclusive jurisdiction under section 3115.07 Of the Revised Code.

(E) A tribunal of this State that determines by order the identity of the controlling child support order under division (B)(1) or (2) of this section or that issues a new controlling child support order under division (B)(3) of this section shall state in the order or child support order the basis upon which the tribunal made its determination.

(F) Within thirty days after issuance of an order recognizing the controlling child support order or a new controlling child support order, the

party obtaining the order shall file a certified copy of it with each tribunal that issued or registered an earlier child support order. A party who obtains the order and fails to file a certified copy is subject to appropriate sanctions by a tribunal in which the issue of failure to file arises. The failure to file does not affect the validity or enforceability of the controlling order.

Sec. 3115.10. In responding to multiple registrations or complaints for enforcement of two or more child support orders in effect at the same time with regard to the same obligor and different individual obligees, at least one of which was issued by a tribunal of another state, a tribunal of this State shall enforce those orders in the same manner as if the multiple orders had been issued by a tribunal of this state.

Sec. 3115.11. Amounts collected and credited for a particular period pursuant to a support order issued by a tribunal of another state must be credited against the amounts accruing or accrued for the same period under a support order covering the same parties for the same duty of support issued by the tribunal of this state.

Sec. 3115.12. An individual or a support enforcement agency may commence a proceeding authorized under sections 3115.01 to 3115.59 Of the Revised Code by filing a complaint in an initiating tribunal for forwarding to a responding tribunal or by filing a complaint or a comparable pleading directly in a tribunal of another state that has or can obtain personal jurisdiction over the defendant.

Sec. 3115.13. A minor parent, or a guardian or other legal representative of a minor parent, may maintain a proceeding on behalf of or for the benefit of the minor's child.

Sec. 3115.14. Except as otherwise provided by sections 3115.01 to 3115.59 Of the Revised Code, a responding tribunal of this state shall apply the procedural and substantive law, including the rules on choice of law, generally applicable to similar proceedings originating in this State and may exercise all powers and provide all remedies available in those proceedings and shall determine the duty of support and the amount of support payable in accordance with sections 3113.21 to 3113.219 and sections 3115.01 to 3115.59 Of the Revised Code.

Sec. 3115.15. (A) On the filing of a complaint pursuant to section 3115.12 Of the Revised Code, an initiating tribunal of this state shall forward three copies of the complaint and its accompanying documents to either of the following:

- (1) The responding tribunal or appropriate support enforcement agency in the responding state;
- (2) The state information agency of the responding state with a request

that they be forwarded to the appropriate tribunal, if the identity of the responding tribunal is unknown, and that receipt be acknowledged.

(B) If a responding state has not enacted a law or procedure substantially similar to sections 3115.01 to 3115.59 Of the Revised Code, a tribunal of this State may issue a certificate or other document and make findings required by the law of the responding State. If the responding State is a foreign jurisdiction, the tribunal may specify the amount of support sought and provide other documents necessary to satisfy the requirements of the responding State.

Sec. 3115.16. (A) When a responding tribunal of this state receives a complaint or comparable pleading from an initiating tribunal or directly pursuant to section 3115.12 Of the Revised Code, it shall cause the complaint or pleading to be filed and notify the plaintiff where and when it was filed.

(B) A responding tribunal of this state, to the extent otherwise authorized by law, may do one or more of the following consistent with applicable sections of Chapters 3105., 3109., 3111., and 3113. Of the Revised Code:

(1) Issue or enforce a support order, modify a child support order, or determine the existence or nonexistence of a parent and child relationship;

(2) Order an obligor to comply with a support order, specifying the amount and the manner of compliance;

(3) Order income withholding;

(4) Determine the amount of any arrearages, and specify a method of payment;

(5) Enforce orders by civil or criminal contempt, or both;

(6) Set aside property for satisfaction of the support order;

(7) Place liens and order execution on the obligor's property;

(8) Order an obligor to keep the tribunal informed of the obligor's current residential address, telephone number, employer, address of employment, and telephone number at the place of employment;

(9) Issue a bench warrant for an obligor who has failed after proper notice to appear at a hearing ordered by the tribunal and enter the bench warrant in any local and state computer systems for criminal warrants;

(10) Order the obligor to seek appropriate employment by specified methods;

(11) Award reasonable attorney's fees and other fees and costs;

(12) Grant any other available remedy.

(C) A responding tribunal of this state shall include in a support order issued under sections 3115.01 to 3115.59 Of the Revised Code, or in the

documents accompanying the order, the calculations on which the support order is based.

(D) A responding tribunal of this state may not condition the payment of a support order issued under sections 3115.01 to 3115.59 Of the Revised Code upon compliance by a party with provisions for visitation.

(E) If a responding tribunal of this state issues an order under sections 3115.01 to 3115.59 Of the Revised Code, the tribunal shall send a copy of the order to the plaintiff and the defendant and to the initiating tribunal, if any.

Sec. 3115.17. If a complaint or comparable pleading is received by an inappropriate tribunal of this state, the tribunal shall forward the pleading and accompanying documents to an appropriate tribunal in this state or another state and notify the plaintiff where and when the pleading was sent.

Sec. 3115.18. (A) A support enforcement agency of this state, upon request, shall provide services to a plaintiff in a proceeding under sections 3115.01 to 3115.59 Of the Revised Code.

(B) A support enforcement agency that is providing services to the plaintiff, as appropriate, shall do all of the following:

(1) Take all steps necessary to enable an appropriate tribunal in this state or another state to obtain jurisdiction over the defendant;

(2) Request an appropriate tribunal to set a date, time, and place for a hearing;

(3) Make a reasonable effort to obtain all relevant information, including information as to income and property of the parties;

(4) Within two days, not including Saturdays, Sundays, and legal holidays, after receipt of a written notice from a tribunal pursuant to sections 3115.01 to 3115.59 Of the Revised Code, send a copy of the notice to the plaintiff;

(5) Within two days, not including Saturdays, Sundays, and legal holidays, after receipt of a written communication from the defendant or the defendant's attorney, send a copy of the communication to the plaintiff;

(6) Notify the plaintiff if jurisdiction over the defendant cannot be obtained.

(C) Sections 3115.01 to 3115.59 Of the Revised Code do not create or negate a relationship of attorney and client or other fiduciary relationship between a support enforcement agency or the attorney for the agency and the individual being assisted by the agency.

Sec. 3115.19. If the attorney general determines that the support enforcement agency is neglecting or refusing to provide services to an individual, the attorney general may order the agency to perform its duties

pursuant to sections 3115.01 to 3115.59 Of the Revised Code or may provide those services directly to the individual.

Sec. 3115.20. An individual may employ private counsel to represent the individual in proceedings authorized by sections 3115.01 to 3115.59 Of the Revised Code.

Sec. 3115.21. (A) The state department of human services is the state information agency under sections 3115.01 to 3115.59 Of the Revised Code.

(B) The state information agency shall do all of the following:

(1) Compile a list, including addresses, of the tribunals in this state and each support enforcement agency in this state and transmit a copy to the state information agency of every other state that has adopted an act substantially similar to sections 3115.01 to 3115.59 Of the Revised Code;

(2) Maintain a register of tribunals and support enforcement agencies received from other states;

(3) Forward to the appropriate tribunal in this state that has jurisdiction over the individual obligee or the obligor or the obligor's property, all documents concerning a proceeding under sections 3115.01 to 3115.59 Of the Revised Code received from an initiating tribunal or the state information agency of the initiating state;

(4) Obtain information concerning the location of the obligor and the obligor's property within this state not exempt from execution, by such means as postal verification and federal or state parent locator services, examination of telephone directories, requests for the obligor's address from employers, and examination of governmental records, including, to the extent not prohibited by other law, those relating to real property, vital statistics, law enforcement, taxation, motor vehicles, drivers' licenses, and social security benefits.

Sec. 3115.22. (A) A plaintiff seeking issuance or modification of a support order or a determination of the existence or nonexistence of a parent and child relationship under sections 3115.01 to 3115.59 Of the Revised Code must verify the complaint. Unless otherwise ordered under section 3115.23 Of the Revised Code, the complaint or accompanying documents must provide, so far as known, the name, residential address, and social security numbers of the obligor and the obligee, and the name, sex, residential address, social security number, and date of birth of each child for whom support is sought. The complaint must be accompanied by a certified copy of any support order in effect. The complaint may include any other information that may assist in locating or identifying the defendant.

(B) The complaint must specify the relief sought. The complaint and accompanying documents must conform substantially with the requirements

imposed by the forms mandated by federal law for use in cases filed by a support enforcement agency.

Sec. 3115.23. A tribunal shall order that the address of a child or party or other identifying information not be disclosed in a pleading or other document filed in a proceeding under sections 3115.01 to 3115.59 Of the Revised Code if a tribunal has made a finding, that may be made ex parte, that the health, safety, or liberty of a party or child would be unreasonably put at risk by the disclosure of identifying information.

Sec. 3115.24. (A) The plaintiff under an action filed pursuant to sections 3115.01 to 3115.59 Of the Revised Code may not be required to pay a filing fee or other costs.

(B) If an obligee prevails, a responding tribunal may assess against an obligor filing fees, reasonable attorney's fees, other costs, and necessary travel and other reasonable expenses incurred by the obligee and the obligee's witnesses. The tribunal may not assess fees, costs, or expenses against the obligee or the support enforcement agency of either the initiating or the responding state, except as provided by other law. Attorney's fees may be taxed as costs, and may be ordered paid directly to the attorney, who may enforce the order in the attorney's own name. Payment of support owed to the obligee has priority over fees, costs and expenses.

(C) The tribunal shall order the payment of costs and reasonable attorney's fees if it determines that a hearing was requested primarily for delay.

Sec. 3115.25. (A) Participation by a plaintiff in a proceeding before a responding tribunal pursuant to sections 3115.01 to 3115.59 Of the Revised Code, whether in person, by private attorney, or through services provided by the support enforcement agency, does not confer personal jurisdiction over the plaintiff in another proceeding.

(B) A plaintiff is not amenable to service of civil process while physically present in this State to participate in a proceeding under sections 3115.01 to 3115.59 Of the Revised Code.

(C) The immunity granted by this section does not extend to civil litigation based on acts unrelated to a proceeding under sections 3115.01 to 3115.59 Of the Revised Code committed by a party while present in this State to participate in the proceeding.

Sec. 3115.26. A party who has been previously determined pursuant to law to be the parent of a child may not plead that the party is not the parent of the child as a defense to a proceeding under sections 3115.01 to 3115.59 Of the Revised Code.

Sec. 3115.27. Except as provided in sections 3115.04 and 3115.50 Of

the Revised Code, in a proceeding under sections 3115.01 to 3115.59 Of the Revised Code all the following apply:

(A) The physical presence of the plaintiff in a responding tribunal of this state is not required for the issuance, enforcement, or modification of a support order or the determination of the existence or nonexistence of a parent and child relationship.

(B) A verified complaint, affidavit, document substantially complying with federally mandated forms, and a document incorporated by reference in any of them, not excluded under the hearsay rule if given in person, is admissible in evidence if given under oath by a party or witness residing in another state.

(C) A copy of the record of child support payments certified as a true copy of the original by the custodian of the record may be forwarded to a responding tribunal. The copy is evidence of facts asserted in it, and is admissible to show whether payments were made.

(D) Copies of bills for testing for parentage, and for prenatal and postnatal health care of the mother and child, furnished to the adverse party at least ten days before trial, are admissible in evidence to prove the amount of the charges billed and that the charges were reasonable, necessary, and customary.

(E) Documentary evidence transmitted from another state to a tribunal of this state by telephone, telecopier, or other means that do not provide an original writing may not be excluded from evidence on an objection based on the means of transmission.

(F) A tribunal of this state may permit a party or witness residing in another state to be deposed or to testify by telephone, audiovisual means, or other electronic means at a designated tribunal or other location in that state. A tribunal of this state shall cooperate with tribunals of other states in designating an appropriate location for the deposition or testimony.

(G) If a party called to testify at a civil hearing refuses to answer a question, the trier of fact may draw an adverse inference from the person's silence.

(H) A privilege against disclosure of communications between spouses does not apply.

(I) The defense of immunity based on the relationship of husband and wife or parent and child does not apply.

Sec. 3115.28. A tribunal of this state may communicate with a tribunal of another state in writing, or by telephone or other means, to obtain information concerning the laws of that state, the legal effect of a judgment, decree, or order of that tribunal, and the status of a proceeding in the other

state. A tribunal of this state may furnish similar information by similar means to a tribunal of another state.

Sec. 3115.29. A tribunal of this state may request a tribunal of another state to assist in obtaining discovery and may, on the request of a tribunal of another state, compel a person over whom it has jurisdiction to respond to a discovery order issued by the requesting tribunal.

Sec. 3115.30. A support enforcement agency or tribunal of this state shall disburse promptly any amounts received pursuant to a support order, as directed in the order. The agency or tribunal shall furnish to a requesting party or tribunal of another state a certified statement by the custodian of the record of the amounts and dates of all payments received.

Sec. 3115.31. (A) If a support order entitled to recognition under sections 3115.01 to 3115.59 Of the Revised Code has not been issued, a responding tribunal of this state may issue a support order if either of the following apply:

- (1) The individual seeking the order resides in another state;
- (2) The support enforcement agency seeking the order is located in another state.

(B) The tribunal may issue a temporary child support order if any of the following apply:

- (1) The defendant has signed a verified statement acknowledging that the defendant is the parent of the child;
- (2) The defendant has been determined by or pursuant to law to be the parent;
- (3) There is other clear and convincing evidence that the defendant is the child's parent.

(C)(1) If the responding tribunal finds, after giving notice and an opportunity to be heard to the obligor, that the obligor owes a duty of support, it shall issue a support order directed to the obligor and may issue any other order under section 3115.16 Of the Revised Code. Support orders made pursuant to sections 3115.01 to 3115.59 Of the Revised Code shall require that payments be made to the division of child support in the department of human services.

(2) The responding tribunal shall transmit to the initiating tribunal a copy of all orders of support or for reimbursement of support.

(3) Each order for support made or modified under section 3115.16 Of the Revised Code, this section, and under former section 3115.22 Of the Revised Code on or after December 31, 1993, shall include as part of the order a general provision, as described in division (A)(1) of section 3113.21 Of the Revised Code, requiring the withholding or deduction of income or

assets of the obligor under the order as described in division (D) of section 3113.21 Of the Revised Code or another type of appropriate requirement as described in division (D)(3), (D)(4), or (H) of that section, to ensure that withholding or deduction from the income or assets of the obligor is available from the commencement of the support order for collection of the support and of any arrearages that occur; a statement requiring all parties to the order to notify the support enforcement agency in writing of their current mailing address, current residence address, current residence telephone number, current driver's license number, and any changes to that information; and a notice that the requirement to notify the agency of all changes to that information continues until further notice from the tribunal. Any tribunal that makes or modifies an order for support under this section or former section 3115.22 Of the Revised Code on or after April 12, 1990, shall comply with sections 3113.21 to 3113.219 Of the Revised Code. If any person required to pay child support under an order made under this section or former section 3115.22 Of the Revised Code on or after April 15, 1985, or any person required to pay support under an order made or modified under this section or former section 3115.22 Of the Revised Code on or after December 31, 1986, is found in contempt of court for failure to make support payments under the order, the tribunal that makes the finding, in addition to any other penalty or remedy imposed, shall assess all court costs arising out of the contempt proceeding against the person and require the person to pay any reasonable attorney's fees of any adverse party, as determined by the tribunal, that arose in relation to the act of contempt.

Sec. 3115.32. An income withholding order issued in another state may be sent to the individual or entity DEFINED AS THE OBLIGOR'S PAYOR UNDER SECTIONS 3111.20 AND 3113.21 OF THE REVISED CODE without first filing a complaint or comparable pleading or registering the order with a tribunal of this state.

Sec. 3115.33. (A) Upon receipt of an income withholding order, the obligor's employer shall immediately provide a copy of the order to the obligor.

(B) The employer shall treat an income withholding order issued in another state which appears regular on its face as if it had been issued by a tribunal of this state.

(C) Except as otherwise provided in division (D) of this section and section 3115.34 Of the Revised Code, the employer shall withhold and distribute the funds as directed in the withholding order by complying with terms of the order that specify:

(1) The duration and amount of periodic payments of support, stated as

a sum certain:

(2) The person or agency designated to receive payments and the address to which the payments are to be forwarded;

(3) Medical support, whether in the form of periodic cash payment, stated as a sum certain, or ordering the obligor to provide health insurance coverage under a policy available through the obligor's employment;

(4) The amount of periodic payments of fees and costs for a support enforcement agency, the issuing tribunal, and the obligee's attorney, stated as a sum certain;

(5) The amount of periodic payments of arrearages and interest on arrearages, stated as a sum certain.

(D) An employer shall comply with the law of the state of the obligor's principal place of employment for withholding from income with respect to all of the following:

(1) The employer's fee for processing an income withholding order;

(2) The maximum amount permitted to be withheld from the obligor's income;

(3) The times within which the employer must implement the withholding order and forward the support payment.

Sec. 3115.34. If an obligor's employer receives multiple income withholding orders with respect to the earnings of the same obligor, the employer satisfies the terms of the multiple orders if the employer complies with the law of the state of the obligor's principal place of employment to establish the priorities for withholding and allocating income withheld for multiple support obligees.

Sec. 3115.35. An employer who complies with an income withholding order issued in another state in accordance with sections 3115.32 to 3115.37 Of the Revised Code is not subject to civil liability to an individual or agency with regard to the employer's withholding of support from the obligor's income pursuant to the support order.

Sec. 3115.36. An employer who willfully fails to comply with an income withholding order issued by another state and received for enforcement is subject to the same penalties that may be imposed for noncompliance with an order issued by a tribunal of this state.

Sec. 3115.37. (A) If a person designated as an obligor under an income withholding order issued in another state and received directly by an employer in this state believes that the person is not subject to a support order or does not have a duty of support under any order issued by any tribunal pursuant to which the income withholding order was issued, the person may contest the validity or enforcement of the income withholding

order by filing an action for declaratory judgment pursuant to Chapter 2721. Of the Revised Code in the court of common pleas in the county in which is located the employer's principal place of business requesting that the court determine whether the person is the obligor subject to a support order or has a duty of support under a support order pursuant to which the income withholding order was issued.

(B) The obligor shall give notice of the action initiated pursuant to Chapter 2721. Of the Revised Code to all of the following:

(1) A support enforcement agency providing services to the obligee;

(2) Each employer that has directly received an income withholding order;

(3) The person or agency designated to receive payments in the income withholding order or, if no person or agency is designated, the obligee.

(C) Notwithstanding sections 3115.32 to 3115.36 Of the Revised Code, if the court issues an order determining that the person is not an obligor subject to a support order or does not have a duty of support under a support order pursuant to which the income withholding order was issued, the employer shall not enforce the income withholding order against the person.

Sec. 3115.38. A party seeking to enforce a support order or an income withholding order, or both, issued by a tribunal of another state may send the documents required for registering the order pursuant to sections 3115.39 to 3115.51 Of the Revised Code to a support enforcement agency of this state. On receipt of the documents, the support enforcement agency, without initially seeking to register the order, shall consider and, if appropriate, use any administrative procedure authorized by the law of this state to enforce a support order or an income withholding order, or both. If the obligor does not contest administrative enforcement, the order need not be registered. If the obligor contests the validity or administrative enforcement of the order, the support enforcement agency shall register the order pursuant to sections 3115.39 to 3115.51 Of the Revised Code.

Sec. 3115.39. (A) A support order or income withholding order of another state may be registered in this state by sending all of the following documents and information to the appropriate tribunal in this state:

(1) A letter of transmittal to the tribunal requesting registration and enforcement;

(2) Two copies, including one certified copy, of all orders to be registered, including any modification of an order;

(3) A sworn statement by the party seeking registration or a certified statement by the custodian of the records showing the amount of any arrearage;

(4) The name of the obligor and all of the following, if known:

(a) The obligor's address and social security number;

(b) The name and address of the obligor's employer and any other source of income of the obligor;

(c) A description and the location of property of the obligor in this state not exempt from execution.

(5) The name and address of the obligee and, if applicable, the agency or person to whom support payments are to be remitted.

(B) On receipt of a request for registration, the registering tribunal shall cause the order to be filed, together with one copy of the documents and information, regardless of their form.

(C) A complaint or comparable pleading seeking a remedy that must be affirmatively sought under other law of this state may be filed at the same time as the request for registration or at a later time. The pleading must specify the grounds for the remedy sought.

Sec. 3115.40. A support order or income withholding order issued in another state is registered when the order is filed in the registering tribunal of this state pursuant to section 3115.39 Of the Revised Code. A registered order issued in another state that is confirmed pursuant to section 3115.43 or 3115.44 Of the Revised Code is enforceable in the same manner and is subject to the same procedures as an order issued by a tribunal of this state. Except as provided in sections 3115.39 to 3115.51 Of the Revised Code, a tribunal of this state shall recognize and enforce, but may not modify, a registered order that has been confirmed if the issuing tribunal had jurisdiction.

Sec. 3115.41. The law of the issuing state governs the nature, extent, amount, and duration of current payments and other obligations of support and the payment of arrearages under the order. In a proceeding for arrearages, the statute of limitation under the laws of this state or of the issuing state, whichever is longer, applies.

Sec. 3115.42. (A) When a support order or income withholding order issued in another state is registered, immediately on registration the registering tribunal shall send notice to the nonregistering party of the registration. The notice must be accompanied by a copy of the registered order and the documents and relevant information described in division (A) of section 3115.39 Of the Revised Code.

(B) The notice must inform the nonregistering party of all of the following:

(1) That a registered order that is confirmed pursuant to section 3115.43 or 3115.44 Of the Revised Code is enforceable as of the date of registration

n the same manner as an order issued by a tribunal of this state:

(2) That a hearing to contest the validity or enforcement of the registered order must be requested pursuant to section 3115.43 Of the Revised Code no later than twenty days after the date of mailing or personal service of the notice;

(3) That failure to contest the validity or enforcement of the registered order in a timely manner will result in confirmation of the order and enforcement of the order and the alleged arrearages and precludes further contest of that order with respect to any matter that could have been asserted;

(4) The amount of any alleged arrearages under the support order.

(C) On registration of an income withholding order for enforcement, the registering tribunal shall issue a withholding notice to the obligor's employer pursuant to sections 3113.21 to 3113.219 Of the Revised Code.

Sec. 3115.43. (A) A nonregistering party seeking to contest the validity or enforcement of a registered order in this state shall request a hearing no later than twenty days after the date of mailing or personal service of the notice of the registration by filing a motion with the registering tribunal. The nonregistering party may seek to vacate the registration, to assert any defense to an allegation of noncompliance with the registered order, or to contest the remedies being sought or the amount of any alleged arrearages pursuant to section 3115.44 Of the Revised Code.

(B) If the nonregistering party fails to make the request pursuant to division (A) of this section in a timely manner, the order is confirmed by operation of law.

(C) If a nonregistering party makes a request pursuant to division (A) of this section in a timely manner, the registering tribunal shall schedule the matter for hearing and give notice to the parties of the date, time, and place of the hearing. At the hearing, the registering tribunal shall determine whether the registered order is to be confirmed.

Sec. 3115.44. (A) A party contesting the validity or enforcement of a registered order or seeking to vacate the registration has the burden of proving one or more of the following defenses:

(1) The issuing tribunal lacked personal jurisdiction over the contesting party;

(2) The order was obtained by fraud;

(3) The order has been vacated, suspended, or modified by a later order;

(4) The issuing tribunal has stayed the order pending appeal;

(5) There is a defense under the law of this state to the remedy sought;

(6) Full or partial payment has been made;

(7) The applicable statute of limitation under section 3115.41 Of the Revised Code precludes enforcement of some or all of the arrearages.

(B) If a party presents evidence establishing a full or partial defense under division (A) of this section, a tribunal may stay enforcement of the registered order, continue the proceeding to permit production of additional relevant evidence, and issue other appropriate orders. An uncontested portion of the registered order may be enforced by all remedies available under the law of this state.

(C) If the contesting party does not establish a defense under division (A) of this section to the validity or enforcement of the order, the registering tribunal shall issue an order confirming the order.

Sec. 3115.45. Confirmation of a registered order, whether by operation of law under section 3115.43 Of the Revised Code or after notice and hearing pursuant to section 3115.44 Of the Revised Code, precludes further contest of the order with respect to any matter that could have been asserted at the time of registration.

Sec. 3115.46. A party or support enforcement agency seeking to modify, or to modify and enforce, a child support order issued in another state shall register that order in this state pursuant to section 3115.39 Of the Revised Code. A motion for modification may be filed at the same time as a request for registration, or at a later time. The motion must specify the grounds for modification.

Sec. 3115.47. A tribunal of this state may enforce a child support order of another state registered for purposes of modification, in the same manner as if the order had been issued by a tribunal of this state, but the registered order may be modified only if the requirements of section 3115.48 Of the Revised Code have been met.

Sec. 3115.48. (A) After a child support order issued in another state has been registered in this state, the responding tribunal of this state may modify that order only if section 3115.50 Of the Revised Code does not apply and after notice and hearing it finds either of the following applicable:

(1) The child, the individual obligee, and the obligor subject to the support order do not reside in the issuing state, a petitioner who is a nonresident of this state seeks modification, and the respondent is subject to the personal jurisdiction of the tribunal of this state.

(2) The child, or a party who is an individual, is subject to the personal jurisdiction of the tribunal of this State and all of the parties who are individuals have filed written consents in the issuing tribunal for a tribunal of this State to modify the support order and assume continuing, exclusive jurisdiction over the order. However, if the issuing state is a foreign

risdiction that has not enacted a law or established procedures substantially similar to the procedures under sections 3115.01 to 3115.59 Of the Revised Code, the consent otherwise required of an individual residing in this State is not required for the tribunal to assume jurisdiction to modify the child support order.

(B) Modification of a registered child support order is subject to the same requirements, procedures, and defenses that apply to the modification of an order issued by a tribunal of this state and the order may be enforced and satisfied in the same manner.

(C) A tribunal of this state may not modify any aspect of a child support order that may not be modified under the law of the issuing state. If two or more tribunals have issued child support orders for the same obligor and child, the order that must be recognized as controlling under section 3115.09 Of the Revised Code establishes the aspects of the child support order that are nonmodifiable.

(D) On issuance of an order modifying a child support order issued in another state, a tribunal of this state becomes the tribunal having continuing, exclusive jurisdiction.

Sec. 3115.49. A tribunal of this state shall recognize a modification of its earlier child support order by a tribunal of another state that assumed jurisdiction pursuant to a law adopted by the other state that is substantially similar to sections 3115.01 to 3115.59 Of the Revised Code and, upon request, except as otherwise provided in sections 3115.01 to 3115.59 Of the Revised Code, shall do all of the following:

(A) Enforce collection of support amounts accruing before the modification of the order;

(B) Enforce only nonmodifiable aspects of that order;

(C) Provide other appropriate relief only for violations of that order that occurred before the effective date of the modification;

(D) Recognize the modifying order of the other state, upon registration, for the purpose of enforcement.

Sec. 3115.50. If all of the parties who are individuals reside in this state and the child does not reside in the issuing state, a tribunal of this state has jurisdiction to enforce and to modify the issuing state's child support order in a proceeding to register that order. Sections 3115.01 to 3115.11 and 3115.39 to 3115.51 Of the Revised Code and the procedural and substantive laws of this state are applicable, and sections 3115.12 to 3115.38, 3115.52 to 3115.54, 3115.58, and 3115.59 Of the Revised Code are not applicable, to a proceeding conducted by a tribunal of this state exercising jurisdiction under this section.

Sec. 3115.51. No later than thirty days after issuance of a modified child support order, the party obtaining the modification shall file a certified copy of the order with the issuing tribunal that had continuing, exclusive jurisdiction over the earlier order, and in each tribunal in which the party knows the earlier order has been registered. A party who obtains the order and fails to file a certified copy is subject to appropriate sanctions by a tribunal in which the issue of failure to file arises. The failure to file does not affect the validity or enforceability of the modified order of the new tribunal having continuing, exclusive jurisdiction.

Sec. 3115.52. (A) A tribunal of this state may serve as an initiating or responding tribunal in a proceeding brought under sections 3115.01 to 3115.59 Of the Revised Code or a law or procedure substantially similar to those sections, the uniform reciprocal enforcement of support act, or the revised uniform reciprocal enforcement of support act to determine the existence or nonexistence of a parent and child relationship with respect to the parties.

(B) In a proceeding pursuant to division (A) of this section, a responding tribunal of this state shall comply with sections 3111.01 to 3111.19 Of the Revised Code and the rules of this state on choice of law.

Sec. 3115.53. (A) For purposes of this article, "governor" includes an individual performing the functions of the executive authority of a state.

(B) The governor of this state may do either of the following:

(1) Demand that the governor of another state surrender an individual found in the other state who is charged criminally in this state with having failed to pay support under a support order;

(2) On the demand by the governor of another state, surrender an individual found in this state who is charged criminally in the other state with having failed to pay support under a support order.

(C) Notwithstanding section 2963.03 Of the Revised Code, sections 2963.01 to 2963.29 and 107.04 Of the Revised Code apply to the demand even if the individual whose surrender is demanded was not in the demanding state when the crime was allegedly committed and has not fled therefrom.

Sec. 3115.54. (A) Before making a demand that the governor of another state surrender an individual pursuant to division (B)(1) of section 3115.53 Of the Revised Code, the governor of this state may require a prosecutor of this state to demonstrate that at least sixty days previously the obligee had initiated proceedings for support pursuant to sections 3115.01 to 3115.59 Of the Revised Code or that such proceedings would not be effective in enforcing the support order.

(B) If, under a law adopted by another state that is substantially similar to sections 3115.01 to 3115.59 Of the Revised Code, the uniform reciprocal enforcement of support act, or the revised uniform reciprocal enforcement of support act, the governor of the other state makes a demand pursuant to division (B)(2) of section 3115.53 Of the Revised Code, the governor of this state may require a prosecutor of this state to investigate the demand and report whether a proceeding for support has been initiated or would be effective in enforcing the support order. If it appears that a proceeding would be effective but has not been initiated, the governor of this state may delay honoring the demand for a reasonable time to permit the initiation of a proceeding.

(C) If a proceeding for support has been initiated and the individual whose surrender is demanded prevails, the governor of this state may decline to honor the demand. If the petitioner prevails and the individual whose surrender is demanded is subject to a support order, the governor of this state may decline to honor the demand if the individual is complying with the support order.

Sec. 3115.55. (A) Any action or proceeding brought pursuant to sections 3115.01 to 3115.59 of the Revised Code is a civil action and shall be governed by the rules of civil procedure unless a different procedure is specifically provided by those sections.

(B) An action under section 3115.31 of the Revised Code to establish a support order, section 3115.37 of the Revised Code to contest direct withholding of support, sections 3115.43 and 3115.44 of the Revised Code to register a support order, section 3115.46 of the Revised Code to register an order for modification, or section 3115.52 of the Revised Code to determine parentage is an original action and shall be governed by the rules of civil procedure. On filing the complaint with the responding TRIBUNAL, the clerk of court shall comply with the service of process requirements of the Rules of Civil Procedure.

(C) in any proceeding in which the plaintiff seeks to invoke the continuing jurisdiction of a RESPONDING tribunal of this state in order to modify or enforce a support order, notice of the complaint shall be served in the manner provided for service of process under the Rules of Civil Procedure.

(D) If the manner of notice is not specified in this section, or otherwise in this chapter or the Rules of Civil Procedure, notice shall be by first class mail.

Sec. 3115.56. (A) If this state is the responding state, a complaint seeking enforcement, collection, or modification of an EXISTING support

order originally issued in this state shall be filed with the tribunal or child support enforcement agency that issued the original order.

(B) An original action under this chapter shall be filed with the appropriate tribunal of the county pursuant to sections 2151.23 and 2301.03 of the Revised Code in which the respondent resides or is found.

(C) if an obligor contesting the direct withholding of income under section 3115.37 of the Revised Code is not a resident of this state, the complaint shall be filed with the appropriate tribunal located in either of the following:

(1) The county in WHICH the obligor's employer is located, if the order attaches to the income of the obligor paid by the employer;

(2) The county in which an account is located IN A financial institution, if the income withholding order attaches the funds in that account.

If venue cannot be determined under division (C)(1) or (2) of this section, the nonresident obligor shall file the complaint with a tribunal located in a county of this state that borders the obligor's county of residence or in franklin county.

Sec. 3115.57. An order issued prior to the effective date of this section pursuant to former Chapter 3115. of the Revised Code shall remain in full force and effect as issued, but may be modified or terminated pursuant to Chapter 3115. of the Revised Code as that chapter exists on and after the effective date of this section. The provisions of section 3115.41 of the Revised Code shall not REVIVE any action that could not be filed prior to the effective date of this section under provisions of former section 3115.06 of the Revised Code.

Sec. 3115.58. Sections 3115.01 to 3115.59 Of the Revised Code shall be applied and construed to effectuate its general purpose to make uniform the law of those states that enact a uniform interstate family support act.

Sec. 3115.59. If any provision of sections 3115.01 to 3115.59 Of the Revised Code or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of those sections which can be given effect without the invalid provision or application, and to this end the provisions of those sections are severable.

Sec. 3317.02. As used in sections 3317.02 to 3317.023 and section 3317.16 of the Revised Code:

(A) Except as used in division (B) of section 3317.023 of the Revised Code, "ADM" means the average daily membership determined pursuant to section 3317.03 of the Revised Code, including the average daily membership certified under division (A)(4) of section 3317.03 of the Revised Code but not including the average daily membership of pupils

ending a joint vocational school or counted in a unit funded under division (M) or (N) of section 3317.024 of the Revised Code; minus one-half of the kindergarten average daily membership in the case of any school district other than an urban or big eight district; minus one-fourth of the extended kindergarten average daily membership and one-half of the traditional kindergarten average daily membership in the case of any big eight district; minus one-fourth of the all-day and extended kindergarten average daily membership and one-half of the traditional kindergarten average daily membership in the case of any urban district; plus one-fourth of the average daily membership of pupils enrolled in the district and attending a joint vocational school, or a vocational school, or a compact or contract vocational school. Except for purposes of divisions (C), (D), and (E) of section 3317.023 of the Revised Code, if the average of the average daily membership of a district for the current year and the two immediately preceding years is larger than the sum for the current year, such average shall be used as the ADM for that district for the current year after: deducting the number of pupils attending a joint vocational school or counted in division (M) or (N) of section 3317.024 of the Revised Code; and, in the case of any school district other than an urban or big eight district, deducting one-half of the kindergarten average daily membership, and, in the case of any big eight district, deducting one-fourth of the extended kindergarten average daily membership and one-half of the traditional kindergarten average daily membership, and in the case of any urban district, deducting one-fourth of the all-day and extended kindergarten average daily membership and one-half of the traditional kindergarten average daily membership; and adding one-fourth of the pupils residing in the district and attending a joint vocational school.

(B) "Per pupil" means the amount to which the term refers divided by the district's ADM for the fiscal year for which the amount was computed.

(C) "Taxes charged and payable" means the taxes charged and payable against real and public utility property after making the reduction required by section 319.301 of the Revised Code, plus the taxes levied against tangible personal property.

(D) Except as provided in division (B)(2) of section 3317.022 of the Revised Code, "total taxable value" means the sum of the amounts certified for a city, local, exempted village, or joint vocational school district under divisions (A)(1) and (2) of section 3317.021 of the Revised Code.

(E)(1) "Cost-of-doing-business factor" means the amount indicated in this division for the county in which the district is located, adjusted in accordance with division (E)(2) of this section. If the district is located in

more than one county, the factor is the amount indicated for the county to which the district is assigned by the state department of education.

COUNTY	COST-OF-DOING-BUSINESS FACTOR AMOUNT
Adams	1.0100
Allen	1.0272
Ashland	1.0362
Ashtabula	1.0540
Athens	1.0040
Auglaize	1.0300
Belmont	1.0101
Brown	1.0218
Butler	1.0662
Carroll	1.0180
Champaign	1.0432
Clark	1.0489
Clermont	1.0498
Clinton	1.0287
Columbiana	1.0320
Coshocton	1.0224
Crawford	1.0174
Cuyahoga	1.0725
Darke	1.0360
Defiance	1.0214
Delaware	1.0512
Erie	1.0414
Fairfield	1.0383
Fayette	1.0281
Franklin	1.0548
Fulton	1.0382
Gallia	1.0000
Geauga	1.0608
Greene	1.0418
Guernsey	1.0091
Hamilton	1.0750
Hancock	1.0270
Hardin	1.0384
Harrison	1.0111
Henry	1.0389
Highland	1.0177

Hocking	1.0164
Holmes	1.0275
Huron	1.0348
Jackson	1.0176
Jefferson	1.0090
Knox	1.0276
Lake	1.0627
Lawrence	1.0154
Licking	1.0418
Logan	1.0376
Lorain	1.0573
Lucas	1.0449
Madison	1.0475
Mahoning	1.0465
Marion	1.0289
Medina	1.0656
Meigs	1.0016
Mercer	1.0209
Miami	1.0456
Monroe	1.0152
Montgomery	1.0484
Morgan	1.0168
Morrow	1.0293
Muskingum	1.0194
Noble	1.0150
Ottawa	1.0529
Paulding	1.0216
Perry	1.0185
Pickaway	1.0350
Pike	1.0146
Portage	1.0595
Preble	1.0523
Putnam	1.0308
Richland	1.0232
Ross	1.0111
Sandusky	1.0361
Scioto	1.0082
Seneca	1.0265
Shelby	1.0274
Stark	1.0330

Summit	1.0642
Trumbull	1.0465
Tuscarawas	1.0109
Union	1.0488
Van Wert	1.0181
Vinton	1.0065
Warren	1.0678
Washington	1.0124
Wayne	1.0446
Williams	1.0316
Wood	1.0431
Wyandot	1.0227

(2) As used in this division, "multiplier" means the number for the corresponding fiscal year as follows:

FISCAL YEAR OF THE COMPUTATION	MULTIPLIER
1998	9.6/7.5
1999	10.3/7.5
2000	11.0/7.5
2001	11.7/7.5
2002	12.4/7.5
2003	13.1/7.5
2004	13.8/7.5
2005	14.5/7.5
2006	15.2/7.5
2007	15.9/7.5
2008	16.6/7.5
2009	17.3/7.5
2010 and thereafter	18.0/7.5

Beginning in fiscal year 1998, the department shall annually adjust the cost-of-doing-business factor for each county in accordance with the following formula:

[(The cost-of-doing-business factor specified under division (E)(1) of this section - 1) X (the multiplier for the fiscal year of the calculation) ] + 1

The result of such formula shall be the adjusted cost-of-doing-business factor for that fiscal year.

(F) "Tax exempt value" of a school district means the amount certified for a school district under division (A)(4) of section 3317.021 of the Revised Code.

(G) "Potential value" of a school district means the adjusted total

e value of a school district plus the tax exempt value of the district.

(H) "District median income" means the median Ohio adjusted gross income certified for a school district. On or before the first day of July of each year, the tax commissioner shall certify to the department of education for each city, exempted village, and local school district the median Ohio adjusted gross income of the residents of the school district determined on the basis of tax returns filed for the second preceding tax year by the residents of the district.

(I) "Statewide median income" means the median district median income of all city, exempted village, and local school districts in the state.

(J) "Income factor" for a city, exempted village, or local school district means the quotient obtained by dividing that district's median income by the statewide median income.

(K) "Valuation per pupil" for a city, exempted village, or local school district means the district's recognized valuation divided by the district's ADM.

(L) "Adjusted valuation per pupil" means the amount calculated in accordance with the following formula:

$$\text{District valuation per pupil} - [\$60,000 \times (1 - \text{district income factor})]$$

If the result of such formula is negative, the adjusted valuation per pupil shall be zero.

(M) "Adjusted total taxable value" means one of the following:

(1) In any fiscal year that a district's income factor is less than or equal to one, the product obtained by multiplying the district's adjusted valuation per pupil by the district's ADM except that the adjusted total taxable value for such a district in fiscal years 1998 through 2009 shall be recalculated in accordance with the following formula:

$$(\text{Adjusted total taxable value} \times \text{multiple}) + [\text{recognized valuation} \times (1 - \text{multiple})]$$

(2) In any fiscal year that a district's income factor is greater than one, the product obtained by multiplying the district's adjusted valuation per pupil by the district's ADM, except that the adjusted total taxable value for such a district in that fiscal year shall be recalculated in accordance with the following formula:

$$(\text{Adjusted total taxable value} \times 2/15) + (\text{recognized valuation} \times 13/15)$$

(N) "Multiple" means the number for the corresponding fiscal year as follows:

FISCAL YEAR OF THE COMPUTATION	MULTIPLE
1998	1/5

1999	4/15
2000	1/3
2001	2/5
2002	7/15
2003	8/15
2004	3/5
2005	2/3
2006	11/15
2007	4/5
2008	13/15
2009	14/15

(O) "Urban school district" means a school district that in fiscal year 1997 met either of the following conditions:

(1) Had a percentage of children residing in the district and ~~receiving aid to dependent children~~ participating in Ohio works first greater than fifteen and one-half per cent, as reported pursuant to section 3317.10 of the Revised Code, and had an average daily membership greater than five thousand five hundred, as reported pursuant to division (A) of section 3317.03 of the Revised Code;

(2) Had a percentage of children residing in the district and ~~receiving aid to dependent children~~ participating in Ohio works first greater than five per cent, as reported pursuant to section 3317.10 of the Revised Code, and had an average daily membership greater than twelve thousand, as reported pursuant to division (A) of section 3317.03 of the Revised Code.

(P) "Big eight school district" means a school district that for fiscal year 1997 had a percentage of children residing in the district and ~~receiving aid to dependent children~~ participating in Ohio works first greater than thirty per cent, as reported pursuant to section 3317.10 of the Revised Code, and had an average daily membership greater than twelve thousand, as reported pursuant to division (A) of section 3317.03 of the Revised Code.

(Q) "All-day kindergarten" means a kindergarten class that is in session five days per week for not less than the same number of clock hours each day as for pupils in grades one through six.

(R) "Extended kindergarten" means a kindergarten class that is in session five days per week for not less than one hour longer each day than the number of clock hours required for kindergarten by the minimum standards adopted under section 3301.07 of the Revised Code.

(S) "Traditional kindergarten" means kindergarten that is neither all-day kindergarten nor extended kindergarten.

(T) "Recognized valuation" means the amount calculated for a school

district pursuant to section 3317.015 of the Revised Code.

Sec. 3705.07. (A) The local registrar of vital statistics shall number consecutively the birth, fetal death, and death certificates in three separate series, beginning with "number one" for the first birth, the first fetal death, and the first death registered in each calendar year. Such local registrar shall sign ~~his~~ the local registrar's name in attest to the date of filing in the local office. The local registrar shall make a complete and accurate copy of each birth, fetal death, and death certificate registered. Each copy shall be filed and permanently preserved as the local record of such birth, fetal death, or death except as provided in sections 3705.09 and 3705.12 of the Revised Code. The local record may be a typewritten, photographic, electronic, or other reproduction. On or before the tenth day of each month, the local registrar shall transmit to the state office of vital statistics all original birth, fetal death, death, and military service certificates received, and all social security numbers obtained under section 3705.09 ~~or~~ 3705.10, or 3705.16 of the Revised Code, during the preceding month. The local registrar shall immediately notify the health commissioner with jurisdiction in the registration district of the receipt of a death certificate attesting that death resulted from a communicable disease.

The office of vital statistics shall carefully examine the records and certificates received from local registrars of vital statistics and shall secure any further information that may be necessary to make each record and certificate complete and satisfactory. It shall arrange and preserve the records and certificates, or reproductions of them produced pursuant to section 3705.03 of the Revised Code, in a systematic manner and shall maintain a permanent index of all births, fetal deaths, and deaths registered, which shall show the name of the child or deceased person, place and date of birth or death, number of the record or certificate, and the volume in which it is contained.

(B)(1) The office of vital statistics shall make available to the bureau of child support in the department of human services all social security numbers that were furnished to a local registrar of vital statistics under division (I) of section 3705.09 or under section 3705.10 or 3705.16 of the Revised Code and that were transmitted to the office under division (A) of this section.

(2) The office of vital statistics also shall make available to the bureau of child support in the department of human services any other information recorded in the birth record that may enable the bureau to use the social security numbers provided under division (B)(1) of this section to obtain the location of the father of the child whose birth certificate was accompanied

y the social security number or to otherwise enforce a child support order pertaining to that child or any other child.

Sec. 3705.09. (A) A birth certificate for each live birth in this state shall be filed in the registration district in which it occurs within ten days after such birth and shall be registered if it has been completed and filed in accordance with this section.

(B) When a birth occurs in or en route to an institution, the person in charge of the institution or his a designated representative shall obtain the personal data, prepare the certificate, secure the signatures required, and file the certificate within ten days with the local registrar of vital statistics. The physician in attendance shall provide the medical information required by the certificate and certify to the facts of birth within seventy-two hours after the birth.

(C) When a birth occurs outside an institution, the birth certificate shall be prepared and filed by one of the following in the indicated order of priority:

- (1) The physician in attendance at or immediately after the birth;
- (2) Any other person in attendance at or immediately after the birth;
- (3) The father;
- (4) The mother;
- (5) The person in charge of the premises where the birth occurred.

(D) Either of the parents of the child or other informant shall attest to the accuracy of the personal data entered on the birth certificate in time to permit the filing of the certificate within the ten days prescribed in this section.

(E) When a birth occurs in a moving conveyance within the United States and the child is first removed from the conveyance in this state, the birth shall be registered in this state and the place where it is first removed shall be considered the place of birth. When a birth occurs on a moving conveyance while in international waters or air space or in a foreign country or its air space and the child is first removed from the conveyance in this state, the birth shall be registered in this state but the record shall show the actual place of birth insofar as can be determined.

(F)(1) If the mother of a child was married at the time of either conception or birth or between conception and birth, the child shall be registered in the surname designated by the mother, and the name of the husband shall be entered on the certificate as the father of the child. The presumption of paternity shall be in accordance with section 3111.03 of the Revised Code.

(2) If the mother was not married at the time of conception or birth or

between conception and birth, the child shall be registered by the surname ~~of~~ designated by the mother. The name of the father of such child shall also be inserted on the birth certificate if both the mother and the father sign ~~the birth certificate as informants~~ an acknowledgement of paternity affidavit before the birth record ~~is accepted for filing by~~ has been sent to the local registrar ~~and in such a case the child may be registered by the surname of the father if the mother and father so designate.~~ If the father is not named on the birth certificate pursuant to division (F)(1) or (2) of this section, no other information about the father shall be entered on the record.

(G) When a man is presumed or found to be the father of a child, according to sections 3111.01 to 3111.19, former section 3111.21, or section 3111.22 of the Revised Code, or the father has acknowledged the child as his child in ~~accordance with~~ an acknowledgment of paternity, and the acknowledgment has become final pursuant to section 2105.18 2151.232, 3111.211, or 5101.314 of the Revised Code, and documentary evidence of such fact is submitted to the department of health in such form as the director may require, a new birth record shall be issued by the department which shall have the same overall appearance as the record which would have been issued under this section if a marriage had occurred before the birth of such child. Where handwriting is required to effect such appearance, the department shall supply it. Upon the issuance of such new birth record, the original birth record shall cease to be a public record. ~~Such~~ Except as provided in division (C) of section 3705.091 Of the Revised Code, the original record and any documentary evidence supporting the new registration of birth shall be placed in an envelope which shall be sealed by the department and shall not be open to inspection or copy unless so ordered by a court of competent jurisdiction.

The department shall then promptly forward a copy of the new birth record to the local registrar of vital statistics of the district in which the birth occurred, and such local registrar shall file a copy of such new birth record along with and in the same manner as the other copies of birth records in such local registrar's possession. All copies of the original birth record in the possession of the local registrar or the probate court, as well as any and all index references to it, shall be destroyed. Such new birth record, as well as any certified or exact copy of it, when properly authenticated by a duly authorized person shall be prima-facie evidence in all courts and places of the facts stated in it.

(H) When a woman who is a legal resident of this state has given birth to a child in a foreign country that does not have a system of registration of vital statistics, a birth record may be filed in the office of vital statistics on

evidence satisfactory to the director of health.

(I) Every birth certificate filed under this section on or after July 1, 1990, shall be accompanied by all social security numbers that have been issued to the parents of the child, unless the bureau of child support in the department of human services, acting in accordance with regulations prescribed under the "Family Support Act of 1988," 102 Stat. 2353, 42 U.S.C.A. 405, as amended, finds good cause for not requiring that the numbers be furnished with the certificate. The parents' social security numbers shall not be recorded on the certificate. The local registrar of vital statistics shall transmit the social security numbers to the state office of vital statistics in accordance with section 3705.07 of the Revised Code. No social security number obtained under this division shall be used for any purpose other than child support enforcement.

Sec. 3705.091. (A) If the natural mother and alleged father of a child sign an acknowledgment of paternity affidavit prepared pursuant to section 5101.324 of the Revised Code with respect to that child at the office of the local registrar, the local registrar shall provide a notary public to notarize the acknowledgment. The local registrar shall send a signed and notarized acknowledgment of paternity to the division of child support in the department of human services pursuant to section 5101.314 of the Revised Code. THE LOCAL REGISTRAR SHALL SEND THE ACKNOWLEDGMENT NO LATER THAN TEN DAYS AFTER IT HAS BEEN SIGNED AND NOTARIZED. IF THE LOCAL REGISTRAR KNOWS A MAN IS PRESUMED UNDER SECTION 3111.03 OF THE REVISED CODE TO BE THE FATHER OF THE CHILD, THE LOCAL REGISTRAR SHALL NOT NOTARIZE OR SEND AN ACKNOWLEDGMENT WITH RESPECT TO THE CHILD PURSUANT TO THIS SECTION.

(B) The local registrar of vital statistics shall provide an acknowledgment of paternity affidavit described in division (A) of this section to any person that requests it.

(C) The department of health shall store all acknowledgments of paternity affidavits it receives pursuant to section 5101.314 Of the Revised Code. The department of health shall send to the division any acknowledgment the department is storing that the division requests. The department of health shall adopt rules pursuant to Chapter 119. Of the Revised Code to govern the method of storage of the acknowledgments and to implement this section.

(D) The department of health and the department of human services shall enter into an agreement regarding expenses incurred by the department

of health in comparing acknowledgment of paternity affidavits to birth records and storage of acknowledgment of paternity affidavits.

Sec. 3705.16. Each death or fetal death that occurs in this state shall be registered with the local registrar of vital statistics of the district in which the death or fetal death occurred by the funeral director or other person in charge of the final disposition of the remains. The personal and statistical information in the death or fetal death certificate shall be obtained from the best qualified persons or sources available by the funeral director or other person in charge of the final disposition of the remains. The statement of facts relating to the disposition of the body and information relative to the armed services referred to in section 3705.19 of the Revised Code shall be signed by the funeral director or other person in charge of the final disposition of the remains. The funeral director or other person in charge of the final disposition of the remains shall then present the death certificate to the physician or coroner for certification of the cause of death. The medical certificate of death shall be completed and signed by the physician who attended the deceased or by the coroner within forty-eight hours after death. The coroner may satisfy the requirement of signing a death certificate showing the cause of death as pending either by stamping it with a stamp of ~~his~~ the coroner's signature or by signing it in ~~his~~ the coroner's own hand, but ~~he~~ the coroner shall sign a death certificate or supplementary medical certification in ~~his~~ the coroner's own hand. Any death certificate registered pursuant to this section shall contain the social security number of the decedent, if available. A social security number obtained under this section is a public record under section 149.43 of the Revised Code.

Sec. 3727.17. Each hospital shall provide a staff person to do all of the following:

(A) Meet with each unmarried mother who gave birth in or en route to the hospital within twenty-four hours after the birth or before the mother is released from the hospital;

(B) Attempt to meet with the father of the unmarried mother's child if possible;

(C) Explain to the unmarried mother and the father, if the father is present, the benefit to the child of establishing a parent and child relationship between the father and the child and the various proper procedures for establishing a parent and child relationship;

(D) Present to the unmarried mother and, if possible, the father, a the pamphlet or statement regarding the rights and responsibilities of a natural parent prepared by the department of human services pursuant to section 5101.324 Of the Revised Code;

(E) Provide the unmarried mother, and if possible the father, all forms, ~~and statements, or agreements~~ necessary to voluntarily establish a parent and child relationship, including the acknowledgment of paternity form ~~prescribed~~ prepared by the department of human services pursuant to section ~~5101.324~~ ~~Of the Revised Code and required under section 2105.18~~ ~~5101.314~~ of the Revised Code ~~and the voluntary agreement to be bound by the results of genetic testing set forth in section 3111.21 of the Revised Code;~~

(F) Upon both the mother's and father's request, help the mother and father complete any specific form, ~~or statement, or agreement~~ necessary to establish a parent and child relationship;

(G) Present to an unmarried mother who is not a recipient of medicaid or a participant in Ohio works first an application for Title IV-D services;

(H) ~~Upon both the mother's and father's request, mail~~ Mail the voluntary acknowledgment of paternity, ~~no later than ten days after it is completed, to the probate court in the county in which the father, the mother, or the child resides~~ division of child support in the department of human services.

Each hospital shall provide a notary public to notarize an acknowledgment of paternity signed by the mother and father. IF A HOSPITAL KNOWS OR DETERMINES THAT A MAN IS PRESUMED UNDER SECTION 3111.03 OF THE REVISED CODE TO BE THE FATHER OF THE CHILD DESCRIBED IN THIS SECTION, THE HOSPITAL SHALL TAKE NO FURTHER ACTION WITH REGARD TO AN ACKNOWLEDGMENT AND SHALL NOT MAIL AN ACKNOWLEDGMENT WITH RESPECT TO THE CHILD PURSUANT TO THIS SECTION.

A hospital may contract with a person or government entity to fulfill its responsibilities under this section and section 2301.357 of the Revised Code. Services provided by a hospital under this section or pursuant to a contract under section 2301.357 of the Revised Code do not constitute the practice of law. A hospital shall not be subject to criminal or civil liability for any damage or injury alleged to result from services provided pursuant to this section or section 2301.357 of the Revised Code unless the hospital acted with malicious purpose, in bad faith, or in a wanton or reckless manner.

Sec. 3770.071. (A) If the amount of the prize money or the cost of goods or services awarded as a lottery prize award is six hundred dollars or more, the director of the state lottery commission, or the director's designee, shall require the person entitled to the prize award to affirm in writing, under oath, whether or not the person is in default under a support order. The director or the director's designee also may take any additional

appropriate steps to determine if the person entitled to the prize award is in default under a support order. If the person entitled to the prize award affirms that the person is in default under a support order, or if the director or the director's designee determines that the person is in default under a support order, the director or the director's designee shall temporarily withhold payment of the prize award and inform the court that issued the support order that the person is entitled to a prize award, of the amount of the prize award, and, if the prize award is to be paid in annual installments, of the number of installments.

After receipt of the notice from the director or the director's designee, the court shall give the person notice of the director's notice, schedule a hearing to determine if the person is in default and the amount of the default, and give the person notice of the date, time, and location of the hearing. If the court at the hearing determines that the person is in default, it shall issue an order to the director at lottery commission headquarters requiring the director or the director's designee to deduct from any unpaid prize award or any annual installment payment of the prize award, a specified amount for child support or spousal support in satisfaction of the support order under which the person is in default. To the extent possible, the amount specified to be deducted under the order issued under this section shall satisfy the amount ordered for support or spousal support in the support order under which the person is in default. Within thirty days after the date on which the court issues the order under this section to the director, the director shall pay the amount specified in that order to the division of child support enforcement agency that is administering the support order, the person entitled to the support payments under the support order, or any other person or entity specified in the court order issued under this section in the department of human services. If the prize award is to be paid in annual installments, the director or the director's designee, on the date the installment payment is due, shall pay the amount specified in the court order issued under this section from that installment and, if necessary, any subsequent annual installments, at the time such installments become due and owing to the prize winner, to the division of child support enforcement agency that is administering the support order, the person entitled to the support payments under the support order, or any other person or entity specified in the court order issued under this section.

(B) As used in this section, "support order" and "default" have the same meanings as in section 2301.34 of the Revised Code.

(C) No person shall knowingly make a false affirmation or oath required by division (A) of this section.

Sec. 3924.48. (A) If a parent of a child is required by a court or administrative order to provide health care coverage for the child, and if the parent is eligible for family health care coverage provided by a health insurer, the health insurer shall do both of the following:

(1) If the child is otherwise eligible for the coverage, permit the parent to enroll the child under the family coverage without regard to any enrollment period restrictions;

(2) If the parent is enrolled under the coverage but fails to make application to obtain coverage for the child, enroll the child under the family coverage upon application of the child's other parent or pursuant to ~~an~~ a child support order issued containing provisions in accordance compliance with sections section 3111.241 and or 3113.217 of the Revised Code.

(B) The health insurer shall not terminate the child's coverage unless the health insurer is provided satisfactory written evidence of either of the following:

(1) The court or administrative order is no longer in effect.

(2) The child is or will be enrolled under comparable health care coverage provided by another health insurer, which coverage will take effect not later than the effective date of the termination of the current coverage.

(C) As used in this section, "child support order" has the same meaning as in section 2301.373 of the Revised Code.

Sec. 3924.49. (A) If a parent of a child is required by a court or administrative order to provide health care coverage for the child, which coverage is available through an employer doing business in this state, the employer shall do all of the following:

(1) If the child is otherwise eligible for the family coverage, permit the parent to enroll the child under the coverage without regard to any enrollment period restrictions;

(2) If the parent is enrolled under the coverage but fails to make application to obtain coverage for the child, enroll the child under the family coverage upon application of the child's other parent or pursuant to ~~an~~ a child support order issued containing provisions in accordance compliance with sections section 3111.241 and or 3113.217 of the Revised Code;

(3) Withhold from the employee's compensation the employee's share of premiums for the health care coverage, if any, and pay that amount to the health insurer providing the coverage.

(B) The employer shall not terminate the child's coverage unless the employer has eliminated family coverage for all of its employees or unless the employer is provided satisfactory written evidence of either of the following:

(1) The court or administrative order is no longer in effect.

(2) The child is or will be enrolled under comparable health care coverage that will take effect not later than the effective date of the termination of the current coverage.

(C) As used in this section, "child support order" has the same meaning as in section 2301.373 Of the Revised Code.

Sec. 4141.16. (A) The administrator of the bureau of employment services shall make available, upon request, to the director of human services or to the county directors of human services in the state the name, address, ordinary occupation, and employment status of each recipient of unemployment benefits under this chapter, and a statement of such recipient's rights to further benefits under this chapter.

(B) The administrator shall also furnish, upon request of a public agency administering or supervising the administration of a state plan approved under part A of Title IV of the "Social Security Act," 49 Stat. 627 (1935), 42 U.S.C.A. 601, or of a public agency charged with any duty or responsibility under any program or activity authorized or required under part D of Title IV of such act, information with respect to any individual specified in the request as to:

(1) Whether the individual is receiving, has received, or has made application for unemployment compensation, and the amount of any compensation being received by the individual;

(2) The current or most recent home address of the individual;

(3) Whether the individual has refused an offer of employment and, if so, a description of the employment so offered and the terms, conditions, and rate of pay therefor.

The public agency shall pay to the bureau of employment services the actual costs of furnishing the information described in this division, as provided in the "Unemployment Compensation Amendments of 1976," 90 Stat. 2667, 42 U.S.C. 603a.

(C)(1) The administrator shall disclose, upon request, to officers, agents, or employees of any state or local child support enforcement agency, any wage information contained in the records of the bureau of employment services with respect to an individual identified in the request.

(2) The officer, agent, or employee of the state or local child support enforcement agency shall state in the request that the wage information shall be used only for the ~~purpose~~ purposes of establishing paternity; establishing, modifying, and collecting enforcing child support obligations ~~from, and locating, individuals owing these obligations which are being enforced administered~~ pursuant to a plan described in section 454 of the "Social

Security Act," 88 Stat. 2354 (1975), 42 U.S.C.A. 654, which has been approved by the United States secretary of health and human services under part D of Title IV of the "Social Security Act," 88 Stat. 2351 (1975), 42 U.S.C.A. 651.

(3) State and local child support enforcement agencies, pursuant to section 303(d) of the "Social Security Act," 94 Stat. 441 (1980), 42 U.S.C.A. 503, as set forth in the "Social Security Disability Amendments of 1980," section 408(B) of P.L. 96-265, shall pay to the bureau the actual costs of furnishing the information described in this division.

(4) Requirements with respect to the confidentiality of information obtained in the administration of this chapter and any sanctions imposed on improper disclosure of information obtained therein shall apply to the redisclosure of information disclosed under this section.

(D) The administrator also shall furnish, as required by section 303(h) of the "Social Security Act," to the United States secretary of health and human services, and on a reimbursable basis, prompt access to wage and claims information, including any information useful in locating an absent parent or such parent's employer for use by the "Parent Locator Service," section 453, part D of Title IV of the "Social Security Act" and as required under section 303(h) of such act.

(E)(1) If the director of human services determines that direct, on-line access to the automated information system maintained by the bureau of employment services is an effective and efficient means of obtaining necessary information to aid in the enforcement or collection of child support obligations, the director shall make a written request to the administrator of the bureau of employment services to permit the following to have direct, on-line access to the information system:

(a) The department of human services;

(b) Officers, agents, or employees of a state or local child support enforcement agency of this state or of another state as designated by the director;

(c) Officers, agents, or employees of any private agency designated by the director that is operating pursuant to a contract entered into with a state or local child support enforcement agency of this state for the exchange of information related to the enforcement and collection of child support obligations.

(2) The director of human services shall not designate pursuant to division (E)(1) of this section a state or local child support enforcement agency of this state or of another state or any private agency to have access to the automated information system maintained by the bureau unless the

director also determines that on-line direct access to the bureau's automated information system by that agency is necessary for the implementation of a child support enforcement program operating pursuant to a plan described in section 454 of the "Social Security Act," 88 Stat. 2354 (1975), 42 U.S.C.A. 654, that has been approved by the secretary of health and human services under part D of Title IV of the "Social Security Act," 88 Stat. 2351 (1975), 42 U.S.C.A. 651.

(3) Upon receipt of a request made under division (E)(1) of this section, the administrator of the bureau shall comply with the request and shall adopt rules pursuant to this section and section 111.15 of the Revised Code to regulate access to the bureau's automated information system. The rules shall include a confidentiality requirement that conforms to division (E)(5) of this section.

(4)(a) State and local child support enforcement agencies, pursuant to section 303(d) of the "Social Security Act," 94 Stat. 441 (1980), 42 U.S.C.A. 503, as set forth in the "Social Security Disability Amendments of 1980," section 408(B) of P.L. 96-265, shall pay to the bureau the actual costs to the bureau of accessing its automated information system.

(b) Any private agency designated by the director of human services pursuant to division (E)(1) of this section that is operating pursuant to a contract entered into with a state or local child support enforcement agency of this state for the exchange of information related to the enforcement and collection of child support obligations shall pay or provide contractually for the payment of the actual costs to the bureau of accessing its automated information system.

(5) The requirements with respect to the confidentiality of information obtained in the administration of this chapter and any sanctions imposed on improper disclosure of information obtained in the administration of this chapter shall apply to any information obtained pursuant to division (E) of this section through on-line access to the bureau's automated information system.

(F) The director of human services, ~~his~~ the director's employees, and other individuals to whom information is made available pursuant to this section are subject to section 4141.22 of the Revised Code and the penalty for violation of that section as specified in section 4141.99 of the Revised Code.

(G) As used in this section, "state or local child support enforcement agency" means either of the following:

(1) In this state, the department of human services, the division of child support created pursuant to section 5101.31 of the Revised Code, or a child

support enforcement agency;

(2) In a state other than this state, any agency of a state or of a political subdivision of a state operating pursuant to a plan described in section 454 of the "Social Security Act," which has been approved by the secretary of health and human services under part D of Title IV of the "Social Security Act."

Sec. 4141.28. (A) Applications for determination of benefit rights and claims for benefits shall be filed with a deputy of the administrator of the bureau of employment services designated for the purpose. Such applications and claims may also be filed with an employee of another state or federal agency or with an employee of the unemployment insurance commission of Canada, charged with the duty of accepting applications and claims for unemployment benefits.

When a former employee of a state agency, board, or commission that has terminated its operations files an application under this division, the former employee shall give notice that the agency, board, or commission has terminated its operations. All notices or information required to be sent under this chapter to or furnished by the applicant's employer shall be sent to or furnished by the director of administrative services.

(B)(1) When an unemployed individual files an application for determination of benefit rights, the administrator shall furnish the individual with the information specified in division (A) of section 4141.321 of the Revised Code and with a pamphlet giving instructions for the steps an applicant may take if the applicant's claim for benefits is disallowed. The pamphlet shall state the applicant's right of appeal, clearly describe the different levels of appeal, and explain where and when each appeal must be filed. In filing an application, the individual shall, for the individual's most recent employment, furnish the administrator with either:

(a) The information furnished by the employer as provided for in division (B)(2) of this section;

(b) The name and address of the employer for whom the individual performed services and the individual's written statement of the reason for separation from the employer.

Where the claimant has furnished information in accordance with division (B)(1)(b) of this section, the administrator shall promptly send a notice in writing that such filing has been made to the individual's most recent employer, which notice shall request from the employer the reason for the individual's unemployment. The notice shall inform such employer of the employer's right, upon request, to be present at a fact-finding interview conducted prior to the making of any determination under that

division. Upon receipt of any request, the claimant and the employer making the request shall have at least three days' prior notice of the time and place of the fact-finding interview. In the conduct of the interview, the administrator is not bound by rules of evidence or of procedure for the conduct of hearings. The administrator may request from any base period employer information necessary for the determination of the applicant's rights to benefits. Information as to the reason for unemployment preceding an additional claim shall be obtained in the same manner. Requests for such information shall be stamped by the administrator with the date on which they are mailed. If the employer fails to mail or deliver such information within ten working days from the date the administrator mailed and date stamped such request, and if necessary to assure prompt payment of benefits when due, the administrator shall make the determination, and shall base the determination on such information as is available to the administrator, which shall include the applicant's statement made under division (B)(1)(b) of this section. The determination, as it relates to the claimant's determination of benefit rights, shall be amended upon receipt of correct remuneration information at any time within the benefit year and any benefits paid and charged to an employer's account prior to the receipt of such information shall be adjusted, effective as of the beginning of the claimant's benefit year.

(2) An employer who separates within any seven-day period fifty or more individuals because of lack of work, and these individuals upon separation will be unemployed as defined in division (R) of section 4141.01 of the Revised Code, shall furnish notice to the administrator of the dates of separation and the approximate number of individuals being separated. The notice shall be furnished at least three working days prior to the date of the first day of such separations. In addition, at the time of separation the employer shall furnish to the individual being separated or to the administrator separation information necessary to determine the individual's eligibility, on forms and in a manner approved by the administrator.

An employer who operates multiple business establishments at which both the effective authority for hiring and separation of employees and payroll information is located and who, because of lack of work, separates a total of fifty or more individuals at two or more business establishments is exempt from the first paragraph of division (B)(2) of this section. This paragraph shall not be construed to relieve an employer who operates multiple business establishments from complying with division (B)(2) of this section where the employer separates fifty or more individuals at any business establishment within a seven-day period.

An employer of individuals engaged in connection with the commercial

canning or commercial freezing of fruits and vegetables is exempt from the provision of division (B)(2) of this section that requires an employer to furnish notice of separation at least three working days prior to the date of the first day of such separations.

(3) Where an individual at the time of filing an application for determination of benefit rights furnishes separation information provided by the employer or where the employer has provided the administrator with the information in accordance with division (B)(2) of this section, the administrator shall make a determination of eligibility on the basis of the information furnished. The administrator shall promptly notify all interested parties under division (D)(1) of this section of the determination.

(4) Where an employer has furnished separation information under division (B)(2) of this section which is insufficient to enable the administrator to make a determination of a claim for benefits of an individual, or where the individual fails at the time of filing an application for determination of benefit rights to produce the separation information furnished by an employer, the administrator shall follow the provisions specified in division (B)(1) of this section.

(C) The administrator or the administrator's deputy shall promptly examine any application for determination of benefit rights filed, and on the basis of any facts found by the administrator or deputy shall determine whether or not the application is valid, and if valid, the date on which the benefit year shall commence and the weekly benefit amount. The claimant, the most recent employer, and any other employer in the claimant's base period shall promptly be notified of the determination and the reasons therefor. In addition, the determination issued to the claimant shall include the total amount of benefits payable, and the determination issued to each chargeable base period employer shall include the total amount of benefits which may be charged to the employer's account.

(D)(1) The administrator or the administrator's deputy shall examine the first claim for benefits filed in any benefit year, and any additional claim, and on the basis of any facts found by the administrator or deputy shall determine whether division (D) of section 4141.29 of the Revised Code is applicable to the claimant's most recent separation and, to the extent necessary, prior separations from work, and whether the separation reason is qualifying or disqualifying for the ensuing period of unemployment. Notice of such determination shall be mailed to the claimant, the claimant's most recent employer, and any other employer involved in the determination.

(a) Whenever the administrator has reason to believe that the unemployment of twenty-five or more individuals relates to a labor dispute,

the administrator shall, within five calendar days after their claims are filed, schedule a hearing concerning the reason for unemployment. Notice of the hearing shall be sent to all interested parties, including the duly authorized representative of the parties, as provided in division (D)(1) of this section. The hearing date shall be scheduled so as to provide at least ten days' prior notice of the time and date of the hearing. A similar hearing, in such cases, may be scheduled when there is a dispute as to the duration or ending date of the labor dispute.

(b) The administrator shall appoint a hearing officer to conduct the hearing of the case under division (D)(1)(a) of this section. The hearing officer is not bound by common law or statutory rules of evidence or by technical or formal rules of procedure, but shall take any steps that are reasonable and necessary to obtain the facts and determine whether the claimants are entitled to benefits under the law. The failure of any interested party to appear at the hearing shall not preclude a decision based upon all the facts available to the hearing officer. The proceeding at the hearing shall be recorded by mechanical means or by other means prescribed by the administrator. The record need not be transcribed unless an application for appeal is filed on the decision and the chairperson of the unemployment compensation review commission requests a transcript of the hearing within fourteen days after the application for appeal is received by the commission. The administrator shall prescribe rules concerning the conduct of the hearings and all related matters and appoint an attorney to direct the operation of this function.

(c) The administrator shall issue the hearing officer's decisions and reasons therefor on the case within ten calendar days after the hearing. The hearing officer's decision issued by the administrator is final unless an application for appeal is filed with the review commission within twenty-one days after the decision was mailed to all interested parties. The administrator may, within the twenty-one-day appeal period, remove and vacate the decision and issue a revised determination and appeal date.

(d) Upon receipt of the application for appeal, the full review commission shall review the administrator's decision and either schedule a further hearing on the case or disallow the application. The review commission shall review the administrator's decision within fourteen days after receipt of the decision or the receipt of a transcript requested under division (D)(1)(b) of this section, whichever is later.

(i) When a further hearing is granted, the commission shall make the administrator's decision and record of the case, as certified by the administrator, a part of the record and shall consider the administrator's

decision and record in arriving at a decision on the case. The commission's decision affirming, modifying, or reversing the administrator's decision, following the further appeal, shall be mailed to all interested parties within fourteen days after the hearing.

(ii) A decision of the disallowance of a further appeal shall be mailed to all interested parties within fourteen days after the commission makes the decision to disallow. The disallowance is deemed an affirmation of the administrator's decision.

(iii) The time limits specified in divisions (D)(1)(a), (b), (c), and (d) of this section may be extended by agreement of all interested parties or for cause beyond the control of the administrator or the commission.

(e) An appeal of the commission's decision issued under division (D)(1)(d) of this section may be taken to the court of common pleas as provided in division (O) of this section.

(f) A labor dispute decision involving fewer than twenty-five individuals shall be determined under division (D)(1) of this section and the review commission shall determine any appeal from the decision pursuant to division (M) of this section and within the time limits provided in division (D)(1)(d) of this section.

(2) The administrator or the administrator's deputy shall also examine each continued claim for benefits filed, and on the basis of any facts found by the administrator or the administrator's deputy shall determine whether such claim shall be allowed.

(a) The determination of a first or additional claim, including the reasons therefor, shall be mailed to the claimant, the claimant's most recent employer, and any other employer involved in the determination.

(b) When the determination of a continued claim results in a disallowed claim, the administrator shall notify the claimant of such disallowance and the reasons therefor.

(3) Where the claim for benefits is directly attributable to unemployment caused by a major disaster, as declared by the president of the United States pursuant to the "Disaster Relief Act of 1970," 84 Stat. 1745, 42 U.S.C.A. 4402, and the individual filing the claim would otherwise have been eligible for disaster unemployment assistance under that act, then upon application by the employer any benefits paid on the claim shall not be charged to the account of the employer who would have been charged on such claim but instead shall be charged to the mutualized account described in section 4141.25 of the Revised Code, provided that this division is not applicable to an employer electing reimbursing status under section 4141.241 of the Revised Code, except reimbursing employers for whom

benefit charges are charged to the mutualized account pursuant to division (C) of section 4141.33 of the Revised Code.

(4)(a) An individual filing a new claim for unemployment compensation shall disclose, at the time of filing, whether or not the individual owes child support obligations. In such a case, the administrator shall notify the state or local child support enforcement agency enforcing the obligation only if the claimant has been determined to be eligible for unemployment compensation.

(b) The administrator shall deduct and withhold from unemployment compensation payable to an individual who owes child support obligations:

(i) Any amount required to be deducted and withheld from the unemployment compensation pursuant to legal process, as that term is defined in section ~~462(e)~~ 459(i)(5) of the "Social Security Act," ~~88 Stat. 2351, 42 U.S.C. 654,~~ as amended BY THE "PERSONAL RESPONSIBILITY AND WORK OPPORTUNITY RECONCILIATION ACT OF 1996," 100 STAT. 2105, 42 U.S.C. 659, and properly served upon the administrator, as described in division (D)(4)(c) of this section; or

(ii) Where division (D)(4)(b)(i) of this section is inapplicable, in the amount determined pursuant to an agreement submitted to the administrator under section 454(20)(B)(i) of the "Social Security Act," 88 Stat. 2351, 42 U.S.C. 654, as amended, by the state or local child support enforcement agency; or

(iii) If neither division (D)(4)(b)(i) nor (ii) of this section is applicable, then in the amount specified by the individual.

(c) ~~The state department of human~~ bureau of employment services shall ~~be designated to~~ receive all legal process described in division (D)(4)(b)(i) of this section from each local child support enforcement agency, which legal process was ~~received~~ issued by the agency under section 2301.371 of the Revised Code or otherwise was ~~received~~ issued by the agency. The processing of cases under part D of Title IV of the "Social Security Act," 88 Stat. 2351 (1975), 42 U.S.C.A. 651, as amended, shall be determined pursuant to agreement between the administrator and the state department of human services. The department shall pay, pursuant to that agreement, all of the costs of the bureau of employment services that are associated with a deduction and withholding under division (D)(4)(b)(i) of this section.

(d) The amount of unemployment compensation subject to being withheld pursuant to division (D)(4)(b) of this section is that amount which remains payable to the individual after application of any recoupment provisions for recovery of overpayments and after deductions which have been made under this chapter for deductible income received by the

idual. Effective for applications to establish unemployment compensation benefit rights filed after December 27, 1997, the amount withheld with respect to a week of unemployment benefits shall not exceed fifty per cent of the individual's weekly benefit amount as determined by the administrator.

(e) Any amount deducted and withheld under division (D)(4)(b) of this section shall be paid to the appropriate state or local child support enforcement agency in the following manner:

(i) The administrator shall determine the amounts that are to be deducted and withheld on a per county basis.

(ii) For each county, the administrator shall forward to the local child support enforcement agency of the county, at intervals to be determined pursuant to the agreement referred to in division (D)(4)(c) of this section, the amount determined for that county under division (D)(4)(e)(i) of this section for disbursement to the obligees or assignees of such support obligations.

(f) Any amount deducted and withheld under division (D)(4)(b) of this section shall for all purposes be treated as if it were paid to the individual as unemployment compensation and paid by the individual to the state or local child support agency in satisfaction of the individual's child support obligations.

(g) Division (D)(4) of this section applies only if appropriate arrangements have been made for reimbursement by the state or local child support enforcement agency for the administrative costs incurred by the administrator under this section which are associated with or attributable to child support obligations being enforced by the state or local child support enforcement agency.

(h) As used in division (D)(4) of this section:

(i) "Child support obligations" means only obligations which are being enforced pursuant to a plan described in section 454 of the "Social Security Act," 88 Stat. 2351, 42 U.S.C. 654, as amended, which has been approved by the United States secretary of health and human services under part D of Title IV of the "Social Security Act," 88 Stat. 2351, 42 U.S.C. 651, as amended.

(ii) "State child support enforcement agency" means the department of human services, bureau of child support, designated as the single state agency for the administration of the program of child support enforcement pursuant to part D of Title IV of the "Social Security Act," 88 Stat. 2351, 42 U.S.C. 651, as amended.

(iii) "Local child support enforcement agency" means a child support

enforcement agency or any other agency of a political subdivision of the state operating pursuant to a plan mentioned in division (D)(4)(h)(i) of this section.

(iv) "Unemployment compensation" means any compensation payable under this chapter including amounts payable by the administrator pursuant to an agreement under any federal law providing for compensation, assistance, or allowances with respect to unemployment.

(E)(1) Any base period or subsequent employer of a claimant who has knowledge of specific facts affecting such claimant's right to receive benefits for any week may notify the administrator in writing of such facts. The administrator shall prescribe a form to be used for such eligibility notice, but failure to use the prescribed form shall not preclude the administrator's examination of any notice.

(2) An eligibility notice is timely filed if received by the administrator or the administrator's deputy or postmarked prior to or within forty-five calendar days after the end of the week with respect to which a claim for benefits is filed by the claimant. An employer who does not timely file an eligibility notice shall not be an interested party with respect to the claim for benefits which is the subject of the notice.

(3) The administrator or the administrator's deputy shall consider the information contained in the eligibility notice, together with other facts found by the administrator or the administrator's deputy and, after giving notice to the notifying employer, if the employer timely filed the eligibility notice, and to the claimant, and other interested parties and informing them of their right to be present at a predetermination fact-finding interview, shall determine, unless a prior determination on the same eligibility issue has become final, whether such claim shall be allowed, and shall mail notice of such determination to the notifying employer who timely filed the eligibility notice, to the claimant, and to other interested parties. If the determination disallows benefits for any week in question, the payment of benefits with respect to that week shall be withheld pending further appeal, or an overpayment order shall be issued by the administrator as prescribed in section 4141.35 of the Revised Code, if applicable.

(F) In making determinations on applications for determination of benefit rights and claims for benefits, the administrator and the administrator's deputy shall follow decisions of the unemployment compensation review commission which have become final with respect to claimants similarly situated.

(G)(1) Any interested party notified of a determination of an application for determination of benefit rights or a claim for benefits may, within

twenty-one calendar days after the notice was mailed to the party's last known post-office address, apply in writing for a reconsideration of the administrator's or deputy's determination.

(2) Unless an application for reconsideration is filed within the twenty-one-day period, or within an extended period pursuant to division (R) of this section, such determination of the administrator or deputy is final, except that upon discovery, within the benefit year, of an error in an employer's report other than a report to correct remuneration information as provided in division (B) of this section or any typographical or clerical error in the administrator's determination or a decision on reconsideration, the administrator or the administrator's deputy shall issue a corrected determination or decision to all interested parties, which determination or decision shall take precedence over and void the prior determination or decision of the administrator or the administrator's deputy, provided no appeal has been filed with the commission. If a request for reconsideration is filed within the twenty-one-day period, the administrator shall promptly consider such request and, after giving notice to the interested parties and informing them of their right to be present at a predetermination fact-finding interview, conducted as described in division (B) of this section, shall issue the decision to the interested parties; except that, if in the administrator's judgment the issues are such as to require a hearing, the administrator may refer any request for reconsideration to the commission as an appeal.

(3) If benefits are allowed by the administrator in the initial determination or the decision on reconsideration, or in a decision by a referee, the review commission, or a court, the benefits shall be paid promptly, notwithstanding any further appeal, provided that if benefits are denied upon reconsideration or appeal, of which the parties have notice and an opportunity to be heard, the payment of benefits shall be withheld pending a decision on any further appeal.

(4) Any benefits paid to a claimant under this section prior to a final determination of the claimant's right to the benefits shall be charged to the employer's account as provided in division (D) of section 4141.24 of the Revised Code, provided that if there is no final determination of the claim by the subsequent thirtieth day of June, the employer's account will be credited with the total amount of benefits which has been paid prior to that date, based on the determination which has not become final. The total amount credited to the employer's account shall be charged to a suspense account which shall be maintained as a separate bookkeeping account and administered as a part of section 4141.24 of the Revised Code, and shall not be used in determining the account balance of the employer for the purpose

of computing the employer's contribution rate under section 4141.25 of the Revised Code. If it is finally determined that the claimant is entitled to all or a part of the benefits in dispute, the suspense account shall be credited and the appropriate employer's account charged with the benefits. If it is finally determined that the claimant is not entitled to all or any portion of the benefits in dispute, the benefits shall be credited to the suspense account and a corresponding charge made to the mutualized account established in division (D) of section 4141.25 of the Revised Code, provided that, except as otherwise provided in this division, if benefits are chargeable to an employer or group of employers who is required or elects to make payments to the fund in lieu of contributions under section 4141.241 of the Revised Code, the benefits shall be charged to the employer's account in the manner provided in division (D) of section 4141.24 and division (B) of section 4141.241 of the Revised Code, and no part of the benefits may be charged to the suspense account provided in this division. To the extent that benefits which have been paid to a claimant and charged to the employer's account are found not to be due the claimant and are recovered by the administrator as provided in section 4141.35 of the Revised Code, they shall be credited to the employer's account.

(H) Any interested party may appeal the administrator's decision on reconsideration to the commission and unless an appeal is filed from such decision on reconsideration with the commission within twenty-one calendar days after such decision was mailed to the last known post-office address of the appellant, or within an extended period pursuant to division (R) of this section, such decision on reconsideration is final and benefits shall be paid or denied in accordance therewith.

(I) Requests for reconsideration, appeals, or applications for further appeals may be filed with the commission, with the administrator or one of the administrator's deputies, with an employee of another state or federal agency, or with an employee of the unemployment insurance commission of Canada charged with the duty of accepting claims.

(1) Any timely written notice stating that the interested party desires a review of the previous determination or decision and the reasons therefor, shall be accepted.

(2) The administrator, commission, or authorized agent must receive the request, appeal, or application within the specified appeal period in order for the request, appeal, or application to be deemed timely filed, except that:

(a) If the United States postal service is used as the means of delivery, the enclosing envelope must have a postmark date, as governed by United States postal regulations, that is on or before the last day of the specified

appeal period; and

(b) Where the postmark date is illegible or missing, the request, appeal, or application is timely filed if received no later than the end of the third calendar day following the last day of the specified appeal period.

(J) When an appeal from a decision on reconsideration of the administrator or deputy is taken, all interested parties shall be notified and the commission or a referee shall, after affording such parties reasonable opportunity for a fair hearing, affirm, modify, or reverse the findings of fact and the decision of the administrator or deputy in the manner which appears just and proper. In the conduct of such hearing or any other hearing on appeal to the commission which is provided in this section, the commission and the referees are not bound by common law or statutory rules of evidence or by technical or formal rules of procedure. The commission and the referees shall take any steps in the hearings, consistent with the impartial discharge of their duties, which appear reasonable and necessary to ascertain the facts and determine whether the claimant is entitled to benefits under the law. For the purpose of any hearing on appeal which is provided in this section, the file of the administrator pertaining to the case shall be certified by the administrator and shall automatically become a part of the record in the appeal hearing. All information in the file which pertains to the claim, including statements made to the administrator or the administrator's deputy by the individual claiming benefits or other interested parties, shall be considered by the commission and the referees in arriving at a decision, together with any other information which is produced at the hearing. The commission and referees may conduct any such hearing in person or by telephone. The commission shall adopt rules which designate the circumstances under which the commission or referees may conduct a hearing by telephone, grant a party to the hearing the opportunity to object to a hearing by telephone, and govern the conduct of hearings by telephone. An interested party whose hearing would be by telephone pursuant to the commission rules may elect to have an in-person hearing, provided that the party electing the in-person hearing agrees to have the hearing at the time and place the commission determines pursuant to rule.

(1) The failure of the claimant or other interested party to appear at a hearing, unless the claimant or interested party is the appealing party, shall not preclude a decision in the claimant's or interested party's favor, if on the basis of all the information in the record, including that contained in the file of the administrator, the claimant or interested party is entitled to the decision.

(2) If the party appealing fails to appear at the hearing, the referee or the

commission shall dismiss the appeal, provided that the referee or commission shall vacate the dismissal upon a showing that due notice of the hearing was not mailed to such party's last known address or good cause for the failure to appear is shown to the referee or the commission within fourteen days after the hearing date. No further appeal from the decision may thereafter be instituted by such party. If the other party fails to appear at the hearing, the referee or the commission shall proceed with the hearing and shall issue a decision without further hearing, provided that the referee or commission shall vacate the decision upon a showing that due notice of the hearing was not mailed to such party's last known address or good cause for such party's failure to appear is shown to the referee or the commission within fourteen days after the hearing date.

(3) Where a party requests that a hearing be scheduled in the evening because the party is employed during the day, the commission or referee shall schedule the hearing during such hours as the party is not employed.

(K) The proceedings at the hearing before the referee, or the commission, shall be recorded by mechanical means or otherwise as may be prescribed by the commission. Unless the claim is further appealed, such record of proceedings need not be transcribed.

(L) All interested parties shall be notified of the referee's decision, which shall include the reasons therefor. The referee's decision shall become final unless, within twenty-one days after the decision was mailed to the last known post-office address of such parties, or within an extended period pursuant to division (R) of this section, the commission on its own motion removes or transfers such claim to itself or an application to institute a further appeal before the commission is filed by any interested party and such appeal is allowed by the commission.

(M) When any claim is removed or transferred to the commission on its own motion, or when an application to institute a further appeal is allowed by the commission, the commission shall review the decision of the referee and shall either affirm, modify, or reverse such decision. Before rendering its decision, the commission may remand the case to the referee for further proceedings. When the commission disallows an application to institute a further appeal, or renders its decision affirming, modifying, or reversing the decision of the referee, all interested parties shall be notified of such decision or order by mail addressed to the last known post-office address of such parties. A disallowance by the commission of an application for further appeal shall be deemed an affirmation by the commission of the referee's decision under appeal.

(N) Whenever the administrator and the chairperson of the review

commission determine in writing and certify jointly that a controversy exists with respect to the proper application of this chapter to more than five hundred claimants similarly situated whose claims are pending before the administrator or the review commission or both on reconsideration or appeal applied for or filed by three or more employers or by such claimants, the chairperson of the review commission shall select one such claim which is representative of all such claims and assign it for a fair hearing and decision. Any other claimant or employer in the group who makes a timely request to participate in the hearing and decision shall be given a reasonable opportunity to participate as a party to the proceeding.

Such joint certification by the administrator and the chairperson of the commission shall constitute a stay of further proceedings in the claims of all claimants similarly situated until the issue or issues in controversy are adjudicated by the supreme court of Ohio. At the time the decision of the commission is issued, the chairperson shall certify the commission's decision directly to the supreme court of Ohio and the chairperson shall file with the clerk of the supreme court a certified copy of the transcript of the proceedings before the commission pertaining to such decision. Hearings on such issues shall take precedence over all other civil cases. If upon hearing and consideration of such record the court decides that the decision of the commission is unlawful, the court shall reverse and vacate the decision or modify it and enter final judgment in accordance with such modification; otherwise such court shall affirm such decision. The notice of the decision of the commission to the interested parties shall contain a certification by the chairperson of the commission that the decision is of great public interest and that a certified transcript of the record of the proceedings before the commission has been filed with the clerk of the supreme court as an appeal to the court. Promptly upon the final judgment of the court, the administrator and the commission shall decide those claims pending before them where the facts are similar and shall notify all interested parties of such decision and the reason therefor in the manner provided for in this section. Nothing in this division shall be construed so as to deny the right of any such claimant, whose claim is pending before the administrator on reconsideration or before the commission, to apply for and be granted an opportunity for a fair hearing to show that the facts in the claimant's case are different from the facts in the claim selected as the representative claim as provided in this division, nor shall any such claimant be denied the right to appeal the decision of the administrator or the commission which is made as a result of the decision of the court in the representative case.

(O)(1) Any interested party as defined in division (I) of section 4141.01

of the Revised Code, within thirty days after notice of the decision of the commission was mailed to the last known post-office address of all interested parties, may appeal from the decision of the commission to the court of common pleas of the county where the appellant, if an employee, is resident or was last employed or of the county where the appellant, if an employer, is resident or has the principal place of business in this state. The commission shall provide on its decision the names and addresses of all interested parties. Such appeal shall be taken within such thirty days by the appellant by filing a notice of appeal with the clerk of the court of common pleas. Such filing shall be the only act required to perfect the appeal and vest jurisdiction in the court. Failure of an appellant to take any step other than timely filing of a notice of appeal does not affect the validity of the appeal, but is grounds only for such action as the court deems appropriate, which may include dismissal of the appeal. Such notice of appeal shall set forth the decision appealed from. The appellant shall mail a copy of the notice of appeal to the commission and to all interested parties by certified mail to their last known post-office address and proof of the mailing of the notice shall be filed with the clerk within thirty days of filing the notice of appeal. All interested parties shall be made appellees. The commission upon receipt of the notice of appeal shall within thirty days file with the clerk a certified transcript of the record of the proceedings before the commission pertaining to the decision complained of, and mail a copy of the transcript to the appellant's attorney or to the appellant, if not represented by counsel. The appellant shall file a statement of the assignments of error presented for review within sixty days of the filing of the notice of appeal with the court. The appeal shall be heard upon such record certified by the commission. After an appeal has been filed in the court, the commission may, by petition, be made a party to such appeal. If the court finds that the decision was unlawful, unreasonable, or against the manifest weight of the evidence, it shall reverse and vacate such decision or it may modify such decision and enter final judgment in accordance with such modification; otherwise such court shall affirm such decision. Any interested party shall have the right to appeal from the decision of the court as in civil cases.

(2) If an appeal is filed after the thirty-day appeal period established in division (O)(1) of this section, the court of common pleas shall conduct a hearing to determine whether the appeal was timely filed pursuant to division (R) of this section. At the hearing, additional evidence may be introduced and oral arguments may be presented regarding the timeliness of the filing of the appeal. If the court of common pleas determines that the time for filing the appeal is extended as provided in division (R) of this

section and that the appeal was filed within the extended time provided in that division, the court shall thereafter make its decision on the merits of the appeal. If the court of common pleas determines that the time for filing the appeal may not be extended as provided in division (R) of this section, the court shall dismiss the appeal accordingly. The determination on timeliness by the court of common pleas may be appealed to the court of appeals as in civil cases, and such appeal shall be consolidated with any appeal from the decision by the court of common pleas on the merits of the appeal.

(P) Any application for reconsideration, any appeal from a decision on reconsideration of the determination of the administrator, application to institute a further appeal, and any notice of intention to appeal the decision or order of the commission to a court of common pleas may be executed in behalf of any party or any group of claimants by an agent.

(Q)(1) The administrator, the administrator's deputy, the referee, the review commission, or the court that has the authority or jurisdiction pursuant to this section to hear an application for reconsideration or an appeal that is timely filed shall render a decision on the application for reconsideration or the appeal and upon any further application for reconsideration or appeal that is timely filed, whether or not the claimant meets the able to work, available for suitable work, or the actively seeking work requirements of division (A)(4)(a) of section 4141.29 of the Revised Code, if all of the following apply:

(a) The claimant's claim for benefits is allowed or denied upon initial determination by the administrator or the administrator's deputy or upon reconsideration, review, or appeal by a decision of the administrator, the administrator's deputy, a referee, the review commission, or a court.

(b) After the claim is allowed or disallowed, the claimant is subjected to criminally injurious conduct, as defined in section 2743.51 of the Revised Code.

(c) Pursuant to this section, any interested party timely applies for reconsideration, or timely files an appeal, of the determination or decision.

(d) The claimant files an application for an award of reparations pursuant to sections 2743.51 to 2743.72 of the Revised Code, for the loss of unemployment benefits.

(2) Any decision that is rendered pursuant to division (Q)(1) of this section when a claimant fails to meet the able to work, available for suitable work, or the actively seeking work requirements of division (A)(4)(a) of section 4141.29 of the Revised Code shall apply only for the purposes of any claim for an award of reparations filed pursuant to sections 2743.51 to 2743.72 of the Revised Code and shall not enable a claimant who does not

meet the able to work, available for suitable work, or the actively seeking work requirements of division (A)(4)(a) of section 4141.29 of the Revised Code to obtain any benefits pursuant to this chapter.

(R) The time for filing a request for reconsideration, an appeal, an application to institute further appeal, or a court appeal, under division (G), (H), (L), or (O) of this section shall be extended as follows:

(1) When the last day of an appeal period is a Saturday, Sunday, or legal holiday, the appeal period is extended to the next work day after the Saturday, Sunday, or legal holiday; or

(2) When an interested party provides certified medical evidence stating that the interested party's physical condition or mental capacity prevented the interested party from filing a request for reconsideration, an appeal, or an application to institute further appeal pursuant to division (G), (H), or (L) of this section within the appropriate twenty-one-day period, the appeal period is extended to twenty-one days after the end of the physical or mental condition and the request, appeal, or application is considered timely filed if filed within that extended period;

(3) When an interested party provides evidence, which evidence may consist of testimony from the interested party, that is sufficient to establish that the party did not actually receive the determination or decision within the applicable appeal period pursuant to division (G), (H), or (L) of this section, and the administrator or the commission finds that the interested party did not actually receive the determination or decision within the applicable appeal period, then the appeal period is extended to twenty-one days after the interested party actually receives the determination or decision.

(4) When an interested party provides evidence, which evidence may consist of testimony from the interested party, that is sufficient to establish that the party did not actually receive a decision within the thirty-day appeal period provided in division (O)(1) of this section, and a court of common pleas finds that the interested party did not actually receive the decision within that thirty-day appeal period, then the appeal period is extended to thirty days after the interested party actually receives the decision.

(S) No finding of fact or law, decision, or order of the administrator, referee, or the review commission, or a reviewing court pursuant to this section, shall be given collateral estoppel or res judicata effect in any separate or subsequent judicial, administrative, or arbitration proceeding, other than a proceeding arising under this chapter.

Sec. 5101.26. As used in this section and in sections 5101.27 to 5101.30 of the Revised Code:

(A) "County agency" means a county department of human services ~~established under Chapter 329. of the Revised Code~~ or a public children services agency, ~~as defined in section 2151.011 of the Revised Code.~~

(B) "Fugitive felon" means an individual who is fleeing to avoid prosecution, or custody or confinement after conviction, under the laws of the place from which the individual is fleeing, for a crime or an attempt to commit a crime that is a felony under the laws of the place from which the individual is fleeing or, in the case of New Jersey, a high misdemeanor, regardless of whether the individual has departed from the individual's usual place of residence.

(C) "Information" means records as defined in section 149.011 of the Revised Code, any other documents in any format, and data derived from records and documents that are generated, acquired, or maintained by the state department of human services, a county agency, or an entity performing duties on behalf of the state department or a county agency.

(D) "Law enforcement agency" means the state highway patrol, an agency that employs peace officers as defined in section 109.71 of the Revised Code, the adult parole authority, a county department of probation, a prosecuting attorney, the attorney general, similar agencies of other states, federal law enforcement agencies, and postal inspectors. "Law enforcement agency" includes the peace officers and other law enforcement officers employed by the agency.

(E) "Public assistance" means financial assistance, medical assistance, or social services provided under a program administered by the state department or a county agency pursuant to Chapter 329., 5101., 5104., 5107., 5108., 5111., or 5115. of the Revised Code or an executive order issued under section 107.17 of the Revised Code.

(F) "Public assistance recipient" means an applicant for or recipient or former recipient of public assistance ~~or participant or former participant in Ohio works first or the prevention, retention, and contingency program.~~

Sec. 5101.28. (A) The state department of human services shall enter into written agreements with law enforcement agencies to exchange, obtain, or share information regarding public assistance recipients to enable the state department, county agencies, and law enforcement agencies to determine whether a recipient or a member of a recipient's assistance group is either of the following:

- (1) A fugitive felon;
  - (2) Violating a condition of probation, a community control sanction, parole, or a post-release control sanction imposed under state or federal law.
- (B) The state department and county agencies shall provide information

regarding recipients of public assistance under a program administered by the state department or a county agency pursuant to Chapter 5107., 5108., or 5115. of the Revised Code to law enforcement agencies on request for the purposes of investigations, prosecutions, and criminal and civil proceedings that are within the scope of the law enforcement agencies' official duties.

(C) Information about a recipient shall be exchanged, obtained, or shared only if the state department, county agency, or law enforcement agency requesting the information gives sufficient information to specifically identify the recipient. In addition to the recipient's name, identifying information may include the recipient's current or last known address, social security number, other identifying number, age, gender, physical characteristics, any information specified in an agreement entered into under division (A) of this section, or any information considered appropriate by the department or agency.

(D)(1) The state department and its officers and employees are not liable in damages in a civil action for any injury, death, or loss to person or property that allegedly arises from the release of information in accordance with divisions (A), (B), and (C) of this section. This section does not affect any immunity or defense that the state department and its officers and employees may be entitled to under another section of the Revised Code or the common law of this state, including section 9.86 of the Revised Code.

(2) The county agencies and their employees are not liable in damages in a civil action for any injury, death, or loss to person or property that allegedly arises from the release of information in accordance with divisions (A), (B), and (C) of this section. "Employee" has the same meaning as in division (B) of section 2744.01 of the Revised Code. This section does not affect any immunity or defense that the county agencies and their employees may be entitled to under another section of the Revised Code or the common law of this state, including section 2744.02 and division (A)(6) of section 2744.03 of the Revised Code.

(E) To the extent permitted by federal law, the state department and county agencies shall provide access to information to the auditor of state acting pursuant to Chapter 117. or sections 5101.181 and 5101.182 of the Revised Code and to any other government entity authorized by state or federal law to conduct an audit of or similar activity involving a public assistance program.

(F) The auditor of state shall prepare an annual report on the outcome of the agreements required under division (A) of this section. The report shall include the number of fugitive felons and probation and parole violators apprehended during the immediately preceding year as a result of the

exchange of information pursuant to that division. The auditor of state shall file the report with the governor, the president and minority leader of the senate, and the speaker and minority leader of the house of representatives. The state department, county agencies, and law enforcement agencies shall cooperate with the auditor of state's office in gathering the information required under this division.

(G) To the extent permitted by federal law, the state department of human services, county departments of human services, and employees of the departments may report to a public children services agency or other appropriate agency information on known or suspected physical or mental injury, sexual abuse or exploitation, or negligent treatment or maltreatment, of a child receiving public assistance, if circumstances indicate that the child's health or welfare is threatened.

Sec. 5101.31. (A) As used in this section;

(1) "Cable television service" has the same meaning as in section 2913.01 Of the Revised Code.

(2) "Child support order" has the same meaning as in section 2301.373 Of the Revised Code.

(3) "Law enforcement entity" means a public entity that employs a law enforcement officer.

(4) "Obligor" and "obligee" have the same meanings as in section 3113.21 of the Revised Code.

(5) "Public utility" means a person or entity, including an entity owned or operated by a municipal corporation or other government entity, that is described in division (A) of section 4905.03 of the Revised Code as a telephone company, electric light company, gas company, natural gas company, water-works company, heating or cooling company, or sewage disposal system company, or that is providing cable television service.

(6) "Support order" has the same meaning as in section 2301.34 of the Revised Code.

(B) The division of child support is hereby created in the department of human services. The division shall establish and administer a program of child support enforcement, which program shall meet the requirements of Title IV-D of the "Social Security Act," 88 Stat. 2351 (1975), 42 U.S.C. 651, as amended, and any rules adopted under Title IV-D. The program of child support enforcement shall include, but not be limited to, the location of absent parents, the establishment of parentage, the establishment and modification of child support orders and medical support orders, the enforcement of support orders, and the collection of support obligations.

As part of its efforts to establish parentage, the division shall develop a

program to publicize the state procedures for establishing the existence of a parent and child relationship and the advantages of establishing such a relationship. The division may require any board, commission, or agency of the state to participate in the publicity program.

The department shall charge an application fee of up to twenty-five dollars, as determined by rule adopted by the department pursuant to Chapter 119. of the Revised Code, for furnishing services under Title IV-D of the "Social Security Act," 88 Stat. 2351 (1975), 42 U.S.C. 651, as amended, to persons not participating in Ohio works first under Chapter 5107. of the Revised Code. The department shall adopt rules pursuant to Chapter 119. of the Revised Code authorizing counties, at their option, to waive the payment of the fee. The application fee, unless waived pursuant to rules adopted by the department pursuant to this section, shall be paid by those persons.

(C) The division of child support shall establish, by rule adopted pursuant to Chapter 119. of the Revised Code, a program of spousal support enforcement in conjunction with child support enforcement. The program shall conform, to the extent practicable, to the program for child support enforcement established pursuant to division (B) of this section.

(D) The department of human services shall enter into an agreement with the secretary of health and human services, as authorized by the "Parental Kidnapping Prevention Act of 1980," 94 Stat. 3572, 42 U.S.C. 663, as amended, under which the services of the parent locator service established pursuant to Title IV-D of the "Social Security Act," 88 Stat. 2351 (1975), 42 U.S.C. 651, as amended, shall be made available to this state for the purpose of determining the whereabouts of any absent parent or child in order to enforce a law with respect to the unlawful taking or restraint of a child, or to make or enforce a determination as to the allocation, between the parents of a child, of the parental rights and responsibilities for the care of a child and the designation of the residential parent and legal custodian of a child or otherwise as to the custody of a child.

(E) The division of child support shall not use any social security number made available to it under section 3705.07 of the Revised Code for any purpose other than child support enforcement.

(F)(1) Except as provided by the rules adopted pursuant to ~~this~~ division (F)(2) of this section, no person shall ~~disclose~~ do either of the following:

(a) Disclose information concerning applicants for and recipients of Title IV-D support enforcement program services provided by a child support enforcement agency;

(b) Disclose any information collected pursuant to division (G) of this section. The department of human services

(2) The division of child support shall adopt rules governing access to, and use and disclosure of, the information concerning applicants for and recipients of Title IV-D support enforcement program services provided by a child support enforcement agency described in division (F)(1) of this section. The rules shall be consistent with the requirements of Title IV-D of the "Social Security Act," 88 Stat. 2351 (1975), 42 U.S.C. 651, as amended, and any rules adopted under Title IV-D.

(G)(1) Except as provided in division (G)(2)(4) of this section, the department of human services the division of child support shall have access to any all of the following unless release of the information is prohibited by federal or state law:

(a) Any information in the possession of any officer, board, commission, or agency entity of the state or any political subdivision of the state that would aid the department division in locating an absent parent or child pursuant to division (D) of this section, unless release of the information is prohibited by federal law;

(b) Any information concerning the employment, compensation, and benefits of any obligor or obligee subject to a support order in the possession of any person;

(c) The name and address of any obligor or obligee subject to a support order and the obligor's or obligee's employer in the customer records of a public utility.

(2) The department of taxation, the bureau of motor vehicles, and a law enforcement entity shall provide information the division of child support requests from the department, bureau, or entity that will enable the division to locate a parent the division or a child support enforcement agency is seeking pursuant to child support enforcement activities. The department, bureau, person or entity required to provide information pursuant to division (G)(1) of this section, may provide such information to a child support enforcement agency at the agency's request or require the agency to request that the division of child support request the information for the agency. The division shall request the information from the department, bureau, person or entity on the request of a child support enforcement agency.

The only information the department shall provide the division or an agency under this section is the name and address of a parent the division or agency is seeking. The information the bureau or entity shall provide to the division or an agency under this section is the information Title IV-D of the "Social Security Act" requires the division or agency be able to receive.

~~The division or agency shall reimburse the department, bureau, or entity for the cost of providing the information. If the division requests the information for an agency, the agency shall reimburse the division for reimbursing the department, bureau, or entity.~~

(3) An officer or entity of the state or political subdivision of the state or any other person who provides information pursuant to this division shall not be subject to criminal or civil liability for providing the information.

(4)(a) The department of taxation shall not provide any information to the division, except as provided in division (G)(4) of this section. For purposes of the establishment of paternity, the establishment, modification, or enforcement of support orders, and the location of absent parents pursuant to child support enforcement activities, the division of child support is authorized to have access to information concerning the residential address, employer, income, and assets of taxpayers if that information is contained in the state tax records maintained by the department. The division shall reimburse the department for the cost of access to, and obtainment of, the information described in division (G)(4)(a) of this section. The department of taxation shall not provide any information to the division if the provision of the information is prohibited by state or federal law.

(b) The department of taxation or its officers and employees shall not be subject to criminal or civil liability for providing access to the information described in division (G)(4)(a) of this section. The information obtained pursuant to division (G)(4)(a) of this section is subject to the nondisclosure requirements of division (F) of this section.

(5) No person OR ENTITY, OTHER THAN AN OFFICER OR ENTITY OF THE STATE OR A POLITICAL SUBDIVISION OF THE STATE, shall fail to provide information as required by division (G)(1) or (2) of this section. A person or entity that fails to provide the information may be fined five hundred dollars. The department of human services shall file an action in the court of common pleas of Franklin county, requesting that the court impose the fine for failure to provide the information. If the court determines that the person or entity failed to provide the information, it may impose the fine. The court shall direct that the fine be paid to the department of human services.

~~Sec. 5101.311. (A) If the division of child support in the department of human services receives notification of the issuance of a court or administrative support order from a child support enforcement agency or a court pursuant to section 2301.351 of the Revised Code, the division shall enter the notification in an alphabetical index of court and administrative~~

~~support orders it maintains under the last name of the person who is required to make the support payments under the support order. An entry in the index of support orders shall include the name of the person required to make the support payments under the support order, the address and the social security number or other identification number provided for that person, whether a child support enforcement agency is administering the support order, and the county in which the court that issued the support order is located.~~

~~(B)~~ Any consumer reporting agency may contact the division of child support and request information as to whether a specified person is required to pay support under a court or administrative support order. The request shall include the person's name, the person's address and social security or other identification number, if known, and any other identifying information relative to the person that is known by the agency, ~~and shall be accompanied by the fee adopted by the director of human services under division (C) of this section.~~ Upon receipt of the request ~~and the payment of the fee,~~ the division shall review the ~~index of support orders that case registry~~ it maintains pursuant to section 5101.319 Of the Revised Code to determine if an entry has been made in the name of the person is required to pay support under a court or administrative support order.

If the division, upon conducting its review, determines that ~~an entry in the name of~~ the person is included in the ~~index case registry,~~ it shall provide the consumer reporting agency with a report that sets forth the name of the person who is the subject of the request, a statement that the person is required to make support payments under one or more court or administrative support orders, the name of the courts or child support enforcement agencies that issued the support orders, the counties in which those courts or agencies are located, and whether any of the support orders is being administered by a child support enforcement agency.

~~(C)~~ ~~The director of human services, by rule, shall prescribe a reasonable fee that must be paid by a consumer reporting agency upon the making of a request for information under division (A) of this section. The fee prescribed under this division shall not exceed the average actual cost experienced by the division of child support in performing the duties imposed upon it by this section.~~

~~(D)~~(B) As used in this section, "consumer reporting agency" means any person that, for monetary fees, dues, or on a cooperative nonprofit basis, regularly engages in whole or in part in the practice of assembling or evaluating consumer credit information or other information on consumers for the purpose of furnishing consumer reports to third parties and that uses

any means or facility of interstate commerce for the purpose of preparing or furnishing consumer reports.

Sec. 5101.312. (A) As used in this section:

(1) ~~"Child support~~ Support order" has the same meaning as in section ~~2301.373~~ 2301.34 of the Revised Code.

(2) "Employee" does not include an individual performing intelligence or counterintelligence functions for a state agency, if the head of the agency has determined that reporting pursuant to this section could endanger the safety of the employee or compromise an ongoing investigation or intelligence mission.

(3) ~~"Employer" means any employer with twenty five or more employees, except "employer" also means an employer with fewer than twenty five employees if the employer's business is one of the following:~~

- ~~(a) Eating and drinking place;~~
- ~~(b) General building contractor;~~
- ~~(c) Construction—special trade contractor;~~
- ~~(d) Motor freight transportation and warehousing;~~
- ~~(e) Automotive dealer or gasoline service station;~~
- ~~(f) Automotive repair, services, and parking.~~

(3) any person or governmental entity other than the federal government for which an individual performs any service, of whatever nature, as the employee of such person, except that:

(a) if the person for whom the individual performs services does not have control of the payment of compensation for the services, "employer" means the person having control of the payment of the compensation;

(b) in the case of a person paying compensation on behalf of a nonresident alien individual, foreign partnership, or foreign corporation not engaged in trade or business within the United States, "employer" means the person paying the compensation.

(4) "Obligor" means a person required to pay support under a ~~child~~ support order.

(B) ~~Effective January 1, 1996, an~~ (1) Except as provided in division (B)(2) of this section, every employer shall report in writing to the department of human services the hiring, rehiring, or return to work as an employee of a person who resides, works, or will be assigned to work in this state to whom the employer anticipates paying compensation.

(2) An employer that has employees in two or more states and that transmits reports magnetically or electronically may make the report required by this section to another state if the employer does both of the following:

(a) Notifies the Ohio department of human services and the United States secretary of health and human services in writing that the employer has designated another state as the state to which the employer will transmit the report;

(b) transmits the report to that state in compliance with federal law.

(C) An employer shall include all of the following in each report:

(1) The employee's name, address, ~~and date of birth~~, social security number, and date of hire, rehire, or return to work;

(2) The employer's name, address, and identification number.

(D) An employer may make a report by submitting a copy of the United States internal revenue service form W-4 (employee's withholding allowance certificate) for the employee, a form provided by the department, or any other hiring document or data storage device or mechanism the department authorizes. An employer may make the report by mail, fax, magnetic or electronic means, or other means the department authorizes. If an employer makes a report by mail, the date of making the report is the postmark date if the report is mailed in the United States with first class postage and is addressed as the department authorizes. An employer shall make the report not later than ~~thirty~~ twenty days after the date on which the employer hires or rehires an employee or the employee returns to work.

(E)(1) The department shall, within five days of receipt from an employer, enter the information described in division (C) of this section into a directory, which shall be part of or accessible to the automated data processing system required pursuant to section 5101.322 of the Revised Code.

(2) The department shall make comparisons of the social security numbers obtained pursuant to this section and the social security numbers appearing in the registry maintained pursuant to section 5101.319 Of the Revised Code.

(3) Within two business days after information is entered into the directory pursuant to this division, if the comparison conducted by the department pursuant to division (E)(2) of this section results in a match the department shall notify the child support enforcement agency administering the support order. On receipt of the notice the agency shall send a notice to the employer pursuant to division (B) of section 3111.23 or division (D) of section 3113.21 of the Revised Code, unless the employee's income is not subject to withholding, and shall take any other appropriate action under sections 3111.20 to 3111.28 and 3113.21 to 3113.219 of the Revised Code.

(4)(a) Within three business days after information is entered into the directory pursuant to this division, the department shall furnish the

information to the national directory of new hires.

(b) The bureau of employment services shall furnish to the national directory of new hires on a quarterly basis such information contained in the records of the bureau of employment services as is required by state and federal law.

(F) The department shall use the reports it receives pursuant to this section to locate obligors under child individuals for the purposes of establishing paternity; establishing, modifying, and enforcing support orders being administered by child support enforcement agencies in this state; and to detect fraud in any program administered by the department. The department shall adopt rules in accordance with Chapter 119. Of the Revised Code to implement this section.

The reports shall not be considered public records for purposes of section 149.43 of the Revised Code, and the department may adopt rules under section 5101.31 of the Revised Code governing access to, and use and disclosure of, information contained in the reports. The department may disclose information in the reports to any agent of the department or child support enforcement agency that is under contract with the department for the purposes listed in this division. The department may submit to the bureau of workers' compensation or the bureau of employment services a copy of any report it receives from an employer pursuant to this section. The department shall adopt rules in accordance with Chapter 119. of the Revised Code to implement this section. In adopting the rules, the department shall work with the bureau of employment services for the purpose of identifying the industries listed in division (A)(2) of this section by using the Standard Industrial Classification codes established in the standard industrial classification manual, 1987, published by the executive office of the president, office of management and budget.

(F)(G) An employer who fails to make a report required by this section shall be required by the department of human services to pay a fee of less than twenty-five dollars for each failure to make a report.

If the failure to make a report is the result of a conspiracy between the employer and the employee not to supply the report or to supply a false or incomplete report, the department of human services shall require the employer to pay a fee of less than five hundred dollars for each such failure.

Sec. ~~2405.18~~ 5101.314. (A)(1) The natural father, natural mother, or other custodian or guardian of a child, a child support enforcement agency pursuant to section 3111.21 Of the Revised Code, a local registrar of vital statistics pursuant to section 3705.091 Of the Revised Code, or a hospital staff person pursuant to section 3727.17 of the Revised Code, in person or

by mail, may file an acknowledgment of paternity ~~in the probate court of the county in which the natural father, natural mother, or other guardian or eustodian of the child resides, in the county in which the child resides, or the county in which the child was born~~ with the division of child support in the department of human services, acknowledging that the child is the child of the natural father who signed the acknowledgment. The acknowledgment of paternity shall state that the natural father who signs the acknowledgment of paternity acknowledges that he is the natural father of the named child and that he assumes the parental duty of support of that child. The acknowledgment of paternity be made on the affidavit prepared pursuant to section 5101.324 Of the Revised Code, shall be signed by the natural father and the natural mother in the presence of two competent and disinterested witnesses who are eighteen years of age or older and by the two witnesses. If an acknowledgment of paternity is completed and filed in accordance with this section and if the acknowledgment is accompanied by the appropriate fee prescribed in section 2101.16 of the Revised Code, the probate court shall enter the acknowledgment upon its journal. Thereafter, and each signature shall be notarized. The natural father and mother may sign and have the signature notarized outside of each other's presence. An acknowledgment shall be sent to the division no later than ten days after it has been signed and notarized. IF A PERSON KNOWS A MAN IS PRESUMED UNDER SECTION 3111.03 OF THE REVISED CODE TO BE THE FATHER OF THE CHILD DESCRIBED IN THIS SECTION, THE PERSON SHALL NOT NOTARIZE OR FILE AN ACKNOWLEDGMENT WITH RESPECT TO THE CHILD PURSUANT TO THIS SECTION.

(2)(a) On the filing of an acknowledgment pursuant to division (A)(1) of this section, the division SHALL EXAMINE THE ACKNOWLEDGMENT TO DETERMINE whether IT IS completed CORRECTLY. THE DIVISION SHALL MAKE THE EXAMINATION NO LATER THAN FIVE DAYS AFTER THE ACKNOWLEDGMENT IS FILED. IF THE ACKNOWLEDGMENT IS COMPLETED CORRECTLY, THE DIVISION SHALL COMPLY WITH DIVISION (A)(2)(b) OF THIS SECTION. IF THE ACKNOWLEDGMENT IS NOT COMPLETED CORRECTLY, THE DIVISION SHALL RETURN IT TO THE PERSON OR ENTITY THAT FILED IT. THE PERSON OR ENTITY SHALL HAVE TEN DAYS FROM THE DATE THE DIVISION SENDS THE ACKNOWLEDGMENT BACK TO CORRECT IT AND RETURN IT TO THE DIVISION. THE DIVISION SHALL SEND, ALONG WITH THE ACKNOWLEDGMENT, A NOTICE STATING WHAT NEEDS TO BE CORRECTED AND THE

AMOUNT OF TIME THE PERSON OR ENTITY HAS TO MAKE THE CORRECTIONS AND RETURN THE ACKNOWLEDGMENT TO THE DIVISION.

IF THE PERSON OR ENTITY RETURNS THE ACKNOWLEDGMENT IN A TIMELY MANNER, THE DIVISION SHALL EXAMINE THE ACKNOWLEDGMENT AGAIN TO DETERMINE WHETHER IT HAS BEEN CORRECTLY COMPLETED. IF THE ACKNOWLEDGMENT HAS BEEN CORRECTLY COMPLETED, THE DIVISION SHALL COMPLY WITH DIVISION (A)(2)(b) OF THIS SECTION. IF THE ACKNOWLEDGMENT HAS NOT BEEN CORRECTLY COMPLETED THE SECOND TIME OR IF THE ACKNOWLEDGMENT IS NOT RETURNED TO THE DIVISION IN A TIMELY MANNER, THE ACKNOWLEDGMENT IS INVALID AND THE DIVISION SHALL RETURN IT TO THE PERSON OR ENTITY AND SHALL NOT ENTER IT INTO THE BIRTH REGISTRY. IF THE DIVISION RETURNS AN ACKNOWLEDGMENT THE SECOND TIME, IT SHALL SEND A NOTICE TO THE PERSON OR ENTITY STATING THE ERRORS IN THE ACKNOWLEDGMENT AND THAT THE ACKNOWLEDGMENT IS INVALID.

(b) IF THE DIVISION DETERMINES AN ACKNOWLEDGMENT IS CORRECTLY COMPLETED, THE DIVISION shall enter the information on the acknowledgment into the birth registry pursuant to division (D) of this section. After entering the INFORMATION in the registry, the division shall send the acknowledgment to the department of health for storage pursuant to section 3705.091 of the Revised Code. The division may request that the department of health send back to the division any acknowledgment that is being stored by the department of health pursuant to that section.

(3) An acknowledgment of paternity is final and enforceable without ratification by a court when either of the following has occurred:

(a) The acknowledgment has become final pursuant to section 2151.232 or 3111.211 Of the Revised Code.

(b) The acknowledgment has been filed pursuant to division (A)(1) of this section, the information on the acknowledgment has been entered in the birth registry pursuant to division (D) of this section, the acknowledgment has not been rescinded pursuant to division (B) of this section, and more than sixty days have elapsed since the date of the last signature on the acknowledgment.

Thereafter, the child is the child of the man who signed the acknowledgment of paternity, as though born to him in lawful wedlock, and, if the mother is unmarried, the man who signed the acknowledgment of

paternity, the parents of the man who signed the acknowledgment of paternity, any relative of the man who signed the acknowledgment of paternity, the parents of the mother, and any relative of the mother may file a complaint pursuant to section 3109.12 of the Revised Code requesting the granting under that section of reasonable companionship or visitation rights with respect to the child.

~~(B) After a probate court enters an acknowledgment upon its journal pursuant to division (A) of this section, the man who signed the acknowledgment of paternity is the father of the child and assumes the parental duty of support. Notwithstanding section 3109.01 of the Revised Code, the parental duty of support of the father to the child shall continue beyond the age of majority as long as the child attends on a full-time basis any recognized and accredited high school. The duty of support of the father shall continue during seasonal vacation periods. After the probate court enters the acknowledgment upon its journal, the~~

(4) Once the acknowledgment becomes final pursuant to this section or section 2151.232 or 3111.211 Of the Revised Code, all of the following apply:

(a) The man who signed the acknowledgment of paternity assumes the parental duty of support. Notwithstanding section 3109.01 of the Revised Code, the parental duty of support of the father to the child shall continue beyond the age of majority as long as the child attends on a full-time basis any recognized and accredited high school or a child support order PROVIDES THAT the duty of support continueS beyond the age of majority. Except in cases in which a child support order PROVIDES THAT the duty of support continueS for any period after the child reaches nineteen years of age, the order shall not remain in effect after the child reaches nineteen years of age.

(b) The mother or other custodian or guardian of the child may file a complaint pursuant to section 2151.231 of the Revised Code in the court of common pleas of the county in which the child or the guardian or legal custodian of the child resides requesting the court to order the father to pay an amount for the support of the child, may contact the child support enforcement agency for assistance in obtaining the order, or may request an administrative officer of a child support enforcement agency to issue an administrative order for the payment of child support pursuant to division (D) of section 3111.20 of the Revised Code.

(c) The division shall notify the department of health of the acknowledgment. If the original birth record is inconsistent with the acknowledgment that has become final, on receipt of the notice, the

partment of health shall, in accordance with section 3705.09 Of the Revised Code, prepare a new birth record consistent with the acknowledgment that has become final and substitute the new record for the original birth record.

(B)(1) No later than sixty days after the date of the latest signature on an acknowledgment of paternity filed with the division pursuant to division (A) of this section, either person who signed the acknowledgment may rescind it by doing both of the following:

(a) Requesting a determination of the existence or nonexistence of a parent and child relationship pursuant to section 3111.22 of the Revised Code with respect to the child who is the subject of the acknowledgment.

(b) Notifying the division in writing that the party has complied with the requirements of division (B)(1)(a) of this section and the name of the child support enforcement agency conducting the genetic tests.

On the same day that the division receives the notice described in division (B)(1)(b) of this section, it shall contact the agency indicated in the notice to verify that the party sending the notice has complied with the requirements of DIVISION (B)(1)(a) of this section. If the division verifies compliance with division (B)(1)(a) of this section and the notice under division (B)(1)(b) of this section was sent within the time limit required by this division, the RESCISSION of the acknowledgment shall be effective as of the date the division received the notice. If the division is unable to verify that the requirement of division (B)(1)(a) of this section has been met, the acknowledgment shall not be rescinded.

(2) After an acknowledgment becomes final pursuant to this section or section 2151.232 or 3111.211 Of the Revised Code, a man presumed to be the father of the child pursuant to section 3111.03 Of the Revised Code who did not sign the acknowledgment, either person who signed the acknowledgment, or a guardian or legal custodian of the child may bring an action to rescind the acknowledgment on the basis of fraud, duress, or material mistake of fact. The court shall treat the action as an action to determine the existence or nonexistence of a parent and child relationship pursuant to sections 3111.01 to 3111.19 of the Revised Code. An action pursuant to division (B)(2) of this section shall be brought no later than one year after the acknowledgment becomes final. THE ACTION MAY BE BROUGHT IN ONE OF THE FOLLOWING COURTS IN THE COUNTY IN WHICH THE CHILD, THE GUARDIAN OR CUSTODIAN OF THE CHILD, OR EITHER PERSON WHO SIGNED THE ACKNOWLEDGMENT RESIDES:

(a) THE JUVENILE COURT;

(b) THE DOMESTIC RELATIONS DIVISION OF THE COURT OF COMMON PLEAS THAT HAS JURISDICTION PURSUANT TO SECTION 2301.03 OF THE REVISED CODE TO HEAR AND DETERMINE CASES ARISING UNDER CHAPTER 3111. OF THE REVISED CODE.

(C) A court or child support enforcement agency, whichever is applicable, shall file the following with the division:

(1) An order issued pursuant to section 3111.13 of the Revised Code on or after the effective date of this amendment.

(2) An order issued pursuant to section 3111.22 Of the Revised Code on or after the effective date of this amendment that has become final and enforceable.

On the filing of an order pursuant to division (C) of this section, the division shall enter the information on the order in the birth registry pursuant to division (D) of this section.

(D)(1) The division of child support in the department of human services shall establish and maintain a birth registry that shall contain all of the following information contained in orders determining the existence of a parent and child relationship and acknowledgments of paternity required to be filed with the division pursuant to division (A) or (C) of this section:

(a) The names of the parents of the child subject to the order or acknowledgment;

(b) The name of the child;

(c) The resident address of each parent and each parent's social security number.

(2) The registry established pursuant to this section shall be maintained as part of and be accessible through the automated system created pursuant to section 5101.322 of the Revised Code. The division shall make comparisons of the information in the registry with the information maintained by the department of human services pursuant to sections 5101.312 and 5101.313 of the Revised Code. The department shall make the comparisons in the manner and in the time intervals required by the rules adopted pursuant to division (E) of this section.

(E) The department of human services shall adopt rules pursuant to Chapter 119. of the Revised Code to implement the requirements of this section that are consistent with Title IV-D of the "Social Security Act," as amended by the "Personal Responsibility and Work Opportunity Reconciliation Act of 1996," 110 Stat. 2105., 42 U.S.C. 651 et seq.

(E) As used in this section, "birth record" has the same meaning as in section 3705.01 Of the Revised Code.

Sec. 5101.315. (A) As used in this section:

(1) "Financial Institution," "obligor," and "obligee" have the same meanings as in section 3113.21 of the Revised Code.

(2) "Support order" has the same meaning as in section 2301.34 of the Revised Code.

(B) The division of child support in the department of human services shall enter into an agreement with at least one financial institution doing business in this state. The agreement shall provide the division access to account information specified in this section for the purposes of establishing, modifying, or enforcing support orders. The agreement shall specify the manner in which the information is to be provided and shall require that the division be afforded access to the following information each calendar quarter concerning all obligors in default under support orders being administered by child support enforcement agencies in this state who maintain an account with the financial institution:

(1) The obligor's name;

(2) The obligor's address;

(3) The obligor's social security number or taxpayer identification number;

(4) The type of account maintained by the obligor, such as a savings, checking, or money market mutual fund account;

(5) Whether another person has an ownership interest in the account, including a list of all persons having an ownership interest in the account as reflected on the signature card or similar document on file with the financial institution;

(6) Any other information agreed to by the parties.

(C) A financial institution that responds to a request or provides information to the division pursuant to an agreement entered into under this section shall be reimbursed for the actual, reasonable costs incurred in responding to the request or providing the information, including salaries, benefits, equipment, computer software, and any modifications to processing or record-keeping systems made necessary by this section.

(D) Information obtained from a financial institution pursuant to an agreement entered into under division (B) of this section is not a public record for the purposes of section 149.43 of the Revised Code. No person or government entity that obtains information concerning an account holder from a financial institution pursuant to an agreement under division (B) of this section shall disclose the information for purposes other than the establishment, modification, or enforcement of a support order.

(E) Financial institutions or their officers, directors, and employees shall

not be subject to criminal or civil liability for disclosing or releasing information concerning an account holder to the division pursuant to an agreement entered into under division (B) of this section, or for any other action taken in good faith to comply with such an agreement, regardless of whether such action was specifically authorized or described in the agreement.

(F) The department of human services shall adopt rules pursuant to Chapter 119. of the Revised Code that do the following:

(1) Govern the provisions of an agreement required pursuant to this section and the procedure for entering into such an agreement;

(2) Govern reimbursements under division (C) of this section.

Sec. 5101.316. The department of human services may enter into an agreement with a foreign country for the establishment of and enforcement of support orders issued under the laws of that country if that country, as part of the agreement, agrees to enforce support orders issued under the laws of this state. The department must provide services under the program of support enforcement established pursuant to this section to a foreign country with which the department has an agreement under this section and to a foreign country declared to be a foreign reciprocating country under section 459A of the "Social Security Act," as amended by the "Personal Responsibility and Work Opportunity Reconciliation Act of 1996," 110 Stat. 2105, 42 U.S.C. 659A, that requests the services. The department shall provide the services without imposing an application fee or any other cost on the foreign country or the obligee requesting the services. The department may impose the application fee or other costs on the obligor under the support order. The department shall adopt rules pursuant to Chapter 119. of the Revised Code governing the procedure for entering into a contract pursuant to this section, the provisions of the contract, and the provision of support enforcement services, which rules shall be consistent with sections 454 and 459A of the "Social Security Act," as amended by the "Personal Responsibility and Work Opportunity Reconciliation Act of 1996," 110 Stat. 2105, 42 U.S.C. 654 and 659A and regulations adopted under the act.

Sec. 5101.317. (A) The department of human services shall provide annual reviews of and reports to the secretary of health and human services concerning programs operated under Title IV-D of the "Social Security Act," 88 Stat. 2351 (1975), 42 U.S.C. 651, as amended by the "Personal Responsibility and Work Opportunity Reconciliation Act of 1996," 110 Stat. 2105, pursuant to rules adopted by the department under division (B) of this section.

(B) The department of human services shall adopt rules in accordance with Chapter 119. of the Revised Code that establish the following:

(1) procedures for annual reviews of and reports to the secretary of health and human services on the programs operated under Title IV-D of the "Social Security Act," as amended, including information necessary to measure compliance with federal requirements for expedited procedures;

(2) procedures for transmitting data and calculations regarding levels of accomplishment and rates of improvement for paternity establishment and child support enforcement from the automatic data processing system required under section 5101.322 of the Revised Code to the secretary of health and human services.

Sec. 5101.318. The department may request the assistance of other states in enforcing support orders issued by the courts and child support enforcement agencies of this state consistent with section 466(a) of the "Social Security Act," as amended by the "Personal Responsibility and Work Opportunity Reconciliation Act of 1996," 110 Stat. 2105, 42 U.S.C. 666(a). The department, when enforcing, pursuant to Chapters 2301., 3113., 3115., and 5101. Of the Revised Code, support orders issued in other states shall use the forms required pursuant to sections 452(a) and 454(9) of the "Social Security Act," as amended by the "Personal Responsibility and Work Opportunity Reconciliation Act of 1996," 110 Stat. 2105, 42 U.S.C. 652(a) and 654(9).

Sec. 5101.319. (A) As used in this section:

(1) "Child support order" has the same meaning as in section 2301.373 Of the Revised Code.

(2) "Support order," "obligor," and "obligee" have the same meaning as in section 2301.34 of the Revised Code.

(B) The division of child support in the department of human services shall establish and maintain a case registry of all support orders being administered or otherwise handled by a child support enforcement agency. The registry shall include all of the following information:

(1) The name, social security number, driver's license number, other identification number, residence telephone number, and date of birth of each obligor and obligee under a support order;

(2) Payment information including the periodic support amount due, arrearages, penalties for late payment, fees, amounts collected, and amounts distributed under a support order;

(3) Liens imposed on real and personal property to recover arrearages under a support order;

(4) With respect to a child support order, the name and birthdate of each

child subject to the order;

(5) Information obtained pursuant to an agreement under section 5101.315 Of the Revised Code;

(6) Any other information required by the department of human services pursuant to rules adopted under division (F) of this section.

(C) The registry established pursuant to this section shall be maintained as part of the automated system created pursuant to section 5101.322 of the Revised Code and shall be accessed through the system. The division and each child support enforcement agency shall monitor and update the registry, and each agency shall enter the information described in division (B) of this section in the registry in accordance with rules adopted pursuant to division (F) of this section.

(D) The division shall make comparisons of the information in the registry with the information maintained by the department of human services pursuant to sections 5101.312 and 5101.314 of the Revised Code. The division shall make the comparisons in the manner and in the time intervals required by the rules adopted pursuant to division (F) of this section. The division shall make reports of information in the registry to other entities of the state, the federal government, and other states as required by the rules adopted pursuant to division (F) of this section.

(E)(1) each child support enforcement agency shall enter information into the case registry and maintain and update that information consistent with sections 454 and 454A of the "Social Security Act" as amended by the "Personal Responsibility and Work Opportunity Reconciliation Act of 1996," 110 Stat. 2105, 42 U.S.C. 654 and 654A and any federal regulations adopted under the act.

(2) the division and each child support ENFORCEMENT agency shall monitor the registry consistent with sections 454 and 454A of the "Social Security Act" as amended by the "Personal Responsibility and Work Opportunity Reconciliation Act of 1996," and any federal regulations adopted under the act.

(3) the division shall make comparisons of information in the case registry with information maintained by the department pursuant to sections 5101.312 and 5101.314 of the Revised Code and provide information in the case registry to other entities of the state, the federal government, and other states consistent with sections 453A(f), 454(16) and (28), 454A(f), and 466(a)(5)(M) of the "Social Security Act" as amended by the "Personal Responsibility and Work Opportunity Reconciliation Act of 1996," 42 U.S.C. 653A(f), 654(16) and (28), 654A(f), and 666(a)(5)(M) and any federal regulations adopted under the act.

(F) The department of human services shall adopt rules in accordance with Chapter 119. of the Revised Code that do both of the following:

(1) Establish procedures governing actions required by division (E) of this section;

(2) Designate any additional information that must be placed in the case registry consistent with section 454A(e)(3) of the "Social Security Act" as amended by the "Personal Responsibility and Work Opportunity Reconciliation Act of 1996," 42 U.S.C. 654A(e)(3) and any federal regulations adopted under the act.

~~Sec. 5101.322. If the~~ (A) The department of human services develops shall establish and maintain a statewide, automated data processing system that is authorized under in compliance with Title IV-D of the "Social Security Act," 88 Stat. 2351 (1975), 42 U.S.C. 651, as amended by the "Personal Responsibility and Work Opportunity Reconciliation Act of 1996," 110 Stat. 2105, to support the enforcement of child support and if the automated system is operational, the automated system that shall be implemented in every county. When the automated system becomes operational, every Every county shall accept the automated system and, in accordance with the written instructions of the department for the implementation of the automated system, shall convert to the automated system all records that are maintained by any county entity and that are related to any case for which a local agency is enforcing a child support order in accordance with Title IV-D of the "Social Security Act," 88 Stat. 2351 (1975), 42 U.S.C. 651, as amended by the "Personal Responsibility and Work Reconciliation Act of 1996," 110 Stat. 2105.

(B) The department shall adopt rules pursuant to Chapter 119. of the Revised Code concerning access to, and use of, data maintained in the automated system that do the following:

(1) permit access to and use of data only to the extent necessary to carry out programs under Title IV-D of the "Social Security Act," 88 Stat. 2351 (1975), 42 U.S.C. 651, as amended by the "Personal Responsibility and Work Opportunity Reconciliation Act of 1996," 110 Stat. 2105, and specify the data that may be used for particular program purposes, and the personnel permitted access to the data;

(2) require monitoring of access to and use of the automated system to prevent and promptly identify unauthorized use;

(3) establish procedures to ensure that all personnel who may have access to or be required to use data are informed of applicable requirements and penalties and have been trained in security procedures;

(4) establish administrative penalties, up to and including dismissal

m employment, for unauthorized access to, or disclosure or use of, data.

Sec. 5101.323. (A)(1) The division of child support in the department of human services shall establish a program to increase child support collections by publishing and distributing a series of posters displaying child support obligors who are delinquent in their support payments. Each poster shall display photographs of, and information about, ten obligors who are liable for support arrearages and whose whereabouts are unknown to child support enforcement agencies. Each poster shall list a toll-free telephone number for the division of child support that may be called to report information regarding the whereabouts of any of the obligors displayed on a poster. The division may include any other information on the poster that it considers appropriate.

(2) Any child support enforcement agency that chooses to participate in the poster program established under division (A)(1) of this section may submit names of obligors that meet the criteria in division (B) of this section to the division. The division shall select obligors to be displayed on a poster from the names submitted by the agencies.

(3) The division shall send notice to each obligor whose name was submitted to be displayed on the poster. The notice shall be sent by regular mail to the obligor's last known address and shall state that the obligor may avoid being included on the poster by doing all of the following within ninety days after receipt of the notice:

(a) Make a payment to the division of child support or, pursuant to division (H)(4) of section 2301.35 Of the Revised Code, the child support enforcement agency that is at least equal to the amount of support the obligor is required to pay each month under the support order;

(b) Provide the child support enforcement agency with the obligor's current address;

(c) Provide the agency with evidence from each of the obligor's current employers of the obligor's current wages, salary, and other compensation;

(d) Provide the agency with evidence that the obligor has arranged for withholding from the obligor's wages, salary, or other compensation to pay support and for payment of arrearages.

(4) The child support enforcement agency shall determine whether any obligor whose name was submitted to be displayed on a poster has met all the conditions of division (A)(3) of this section. If it determines that an obligor has done so, it shall give the division notice of its determination. On receipt of the notice from the agency, the division shall remove the obligor from the list of obligors submitted by that agency before making the final selection of obligors for the poster.

(5) The division shall publish and distribute the first set of posters throughout the state not later than October 1, 1992. The division shall publish and distribute subsequent sets of posters not less than twice annually.

(B) A child support enforcement agency may submit the name of a delinquent obligor to the division for inclusion on a poster only if all of the following apply:

(1) The obligor is subject to a support order and there has been an attempt to enforce the order through a public notice, a wage withholding order, a lien on property, a financial institution deduction order, or other court-ordered procedures.

(2) The department of human services reviewed the obligor's records and confirms the child support enforcement agency's finding that the obligor's name and photograph may be submitted to be displayed on a poster.

(3) The agency does not know or is unable to verify the obligor's whereabouts.

(4) The obligor is not a participant in Ohio works first or the prevention, retention, and contingency program or a recipient of disability assistance, supplemental security income, or food stamps.

(5) The child support enforcement agency does not have evidence that the obligor has filed for protection under the federal Bankruptcy Code, 11 U.S.C.A. 101, as amended.

(6) The obligee gave written authorization to the agency to display the obligor on a poster.

(7) A legal representative of the agency and a child support enforcement administrator reviewed the case.

(8) The agency is able to submit to the department a description and photograph of the obligor, a statement of the possible locations of the obligor, and any other information required by the department.

(C) When the agency submits the name of an obligor to the division, it also shall submit the photograph and information described in division (B)(8) of this section. It shall not submit to the division the address of the obligee or any other personal information about the obligee.

(D) In accordance with Chapter 119. of the Revised Code, the division shall adopt rules for the operation of the poster program under this section. The rules shall specify the following:

(1) Criteria and procedures for the division to use in reviewing the names of obligors submitted by child support enforcement agencies to be displayed on a poster and selecting the delinquent obligors to be included on

a poster;

(2) Procedures for providing the notice specified in division (A)(3) of this section;

(3) Any other procedures necessary for the operation of the poster program.

(E) The division shall use funds appropriated by the general assembly for child support administration to conduct the poster program under this section.

Sec. 5101.324. (A) The department of human services, in accordance with Chapter 119. of the Revised Code, shall adopt rules governing a child support enforcement agency in establishing a paternity compliance unit and in adopting a paternity compliance plan pursuant to section 2301.357 of the Revised Code. The rules shall include, but shall not be limited to, provisions for the following:

(1) The procedure an agency shall follow to adopt and submit a paternity plan to the department of human services;

(2) The information an agency shall include in its adopted paternity compliance plan, including, but not limited to, the manner in which the agency will service Title IV-D cases in accordance with federally mandated timeframes and the manner in which the agency intends to service more cases in order to meet the federal requirements;

(3) A requirement that all plans adopted by an agency include establishing a paternity compliance unit;

(4) Any other procedures or requirements the department decides are necessary to adopt a paternity compliance plan and to establish a paternity compliance unit.

(B) The department of human services shall report annually to the speaker of the house of representatives and the president of the senate regarding the paternity compliance plans and paternity compliance units and the progress the county agencies have made toward meeting the federal requirements for quickly and efficiently establishing parent and child relationships due to the paternity compliance plans and units. The report shall include statistics on how long a case takes to establish paternity and the result of each request for a determination of the existence or nonexistence of paternity.

(C) The department of human services shall prepare pamphlets that discuss the benefit of establishing a parent and child relationship, the proper procedure for establishing a parent and child relationship between a father and his child, and a toll-free telephone number that interested persons may call for more information regarding the procedures for establishing a parent

and child relationship. The department shall make available the pamphlets and affidavits and statements described in division (D) of this section to the department of health, to each hospital it has a contract with pursuant to section 3727.17 Of the Revised Code, and to any individual who requests a pamphlet.

(D)(1) The department of human services shall prepare an acknowledgment of paternity ~~statement~~ affidavit that includes in boldface type at the top of the ~~statement~~ affidavit the rights and responsibilities of and the due process safeguards afforded to a person who acknowledges that he is the natural father of a child, including that if an alleged father acknowledges a parent and child relationship he assumes the parental duty of support, that both signators waive any right to ~~a jury trial~~ bring an action pursuant to sections 3111.01 to 3111.19 Of the Revised Code or make a request pursuant to section 3111.22 Of the Revised Code, other than for purposes of rescinding the acknowledgment pursuant to division (B) of section 5101.314 Of the Revised Code in order to ensure expediency in resolving the question of the existence of a parent and child relationship, that either parent may rescind the acknowledgment pursuant to division (B) of section 5101.314 Of the Revised Code, and that the natural father has the right to petition a court pursuant to section 3109.12 of the Revised Code for an order granting him reasonable visitation with respect to the child and to petition the court for custody of the child pursuant to section 2151.23 of the Revised Code. The ~~statement~~ affidavit shall include ~~basic~~ all of the following:

(a) Basic instructions for completing the form, including instructions that both the natural father and the mother or other legal guardian or custodian of the child are required to sign the statement before two competent and disinterested witnesses who are eighteen years of age or older. The statement shall include signature, that they may sign the statement without being in each other's presence, and that the signatures must be notarized.

(b) Blank spaces to enter the full name, social security number, date of birth and address of each parent;

(c) Blank spaces to enter the full name, date of BIRTH, and the residence of the child;

(d) A blank space to enter the name of the hospital or department of health code number assigned to the hospital, for use in situations in which the hospital fills out the form pursuant to section 3727.17 of the Revised Code;

(e) An affirmation by the mother that the information she supplied is true to the best of her knowledge and belief and that she is the natural

mother of the child named on the form and assumes the parental duty of support of the child;

(f) An affirmation by the father that the information he supplied is true to the best of his knowledge and belief, that he has received information regarding his legal rights and responsibilities, that he consents to the jurisdiction of the courts of this state, and that he is the natural father of the child named on the form and assumes the parental duty of support of the child;

(g) Signature lines for the mother or other legal guardian or custodian of the child; and the natural father; and each witness;

(h) Signature lines for the notary public;

(i) AN INSTRUCTION TO INCLUDE OR ATTACH any other evidence necessary to complete the new birth record that is required by the department by rule.

~~(2) The department of human services shall prepare an agreement to genetic testing statement that includes a statement that the mother and the alleged natural father agree to be bound by the results of genetic testing, that both signators waive any right to a jury trial in order to ensure expediency in resolving the question of the existence of a parent and child relationship, that if the results of the genetic testing show a ninety-five per cent or greater probability that the alleged father is the natural father of the child, the administrative officer of the child support enforcement agency will issue an administrative order determining the existence of a parent and child relationship, that if the results show a less than ninety-five per cent probability that the alleged father is the natural father of the child but do not exclude him as the father, the administrative officer will issue an administrative order stating that the results are inconclusive as to whether the alleged natural father is the natural father of the child, and, if the results of genetic testing exclude the alleged natural father as the natural father of the child, the agency will issue an order determining the nonexistence of a parent and child relationship, that if the agency determines a parent and child relationship exists between the alleged father and the child, the father assumes the parental duty of support and he may be required to pay child support, and that if a parent and child relationship exists between the alleged father and the child, the father has the right to petition a court pursuant to section 3109.12 of the Revised Code for an order granting him reasonable visitation with respect to the child and to petition the court for custody of the child pursuant to section 2151.23 of the Revised Code. The statement shall include basic instructions for completing the agreement, including that both the mother and the alleged natural father must sign the agreement before~~

~~two competent and disinterested witnesses who are eighteen years of age or older. The statement shall include signature lines for the mother, the alleged natural father, and each witness~~ The department of human services, in consultation with the department of health, shall adopt rules specifying additional evidence necessary to complete a new birth record that is required to be included with an acknowledgment of paternity affidavit.

(3) ~~The department of human services shall make available the statement affidavit acknowledging paternity and the agreement to genetic testing to each county child support enforcement agency, the department of health, and any other person or agency that requests copies.~~

Sec. 5101.325. (A)(1) Except as provided in division (H) of section 2301.35 of the Revised Code, the division of child support in the department of human services shall be the sole agency of the state responsible for the collection of all support payments due under support orders and the disbursement of the payments to obligees. The division shall make collections and disbursements in compliance with rules adopted pursuant to division (F) of this section.

(2) In order to comply with its collection and disbursement responsibilities, the division may require the director of each child support enforcement agency to authorize the division to use that director's facsimile signature if the division determines the signature's use is necessary. An agency director shall not be subject to civil or criminal liability for any damage or injury to persons or property that result from the use of the facsimile signature by the state.

(B)(1) The division shall collect the charge imposed on the obligor under the support order pursuant to division (G)(1) of section 2301.35 of the Revised Code. If an obligor fails to pay the required amount with each current support payment due in increments specified under the support order, the division shall maintain a separate arrearage account of that amount for that obligor. The division shall not deduct the unpaid amount from any support payment due to the obligee in increments specified under the support order. If an obligor pays the required amount, the division is not required to apply that payment toward any arrearages under the support payment.

(2) The division, on receipt of program income from a child support enforcement agency under section 3111.99 or 3113.99 Of the Revised Code, shall place it in the program income fund established pursuant to division (E) of this section.

(3) All charge amounts collected pursuant to division (B)(1) of this section shall be placed in the program income fund established pursuant to

division (E) of this section. On receipt of the charges, the division shall determine the charge amounts collected from obligors under support orders being administered by a child support enforcement agency in each county and shall distribute quarterly to each such agency an amount equal to the charges attributable to the agency. No charge amounts collected pursuant to this division shall be used by the division or an agency for any purpose other than the provision of funds for support enforcement activities.

(C) The division may enter into contracts with public entities or private vendors for the collection of amounts due under support orders or for the performance of other administrative duties of the division. The division may contract with a public or private entity for the collection of arrearages owed under any child support order for which a court or a child support enforcement agency has found the obligor in default pursuant to a final and enforceable order issued pursuant to division (B) of section 3113.21 of the Revised Code. Each contract shall comply with the rules adopted pursuant to division (F) of this section.

(D) The division shall maintain a separate account for the deposit of support payments it receives as trustee for remittance to the persons entitled to receive the support payments. The division shall disburse each support payment received by it to the appropriate persons pursuant to division (C) of section 3113.211 Of the Revised Code. The division shall comply with rules adopted under division (F) of this section to assist in the implementation of this division. The division shall retain and use solely for support enforcement activities, all interest earned on moneys in any account maintained pursuant to this division.

(E) The program income fund is hereby created in the state treasury. The fund shall consist of charge amounts collected under division (B)(1) of this section and program income collected under division (B)(2) of this section, division (E) of section 3111.99 Of the Revised Code, and division (E) of section 3113.99 Of the Revised Code, and any other program income. The funds shall be used by the division of child support and child support enforcement agencies for purposes of providing funds for child support enforcement activities.

(E) The department of human services, pursuant to Chapter 119. of the Revised Code shall adopt rules that do all of the following:

(1) Govern collection and disbursement of child support amounts in compliance with sections 454, 454B, and 466 of the "Social Security Act," as amended by the "Personal Responsibility and Work Opportunity Reconciliation Act of 1996," 110 Stat. 2105, 42 U.S.C. 654, 654B, and 666, and any regulations adopted under the act;

(2) Governing the method of sending processing charge amounts to child support enforcement agencies;

(3) Assist in the implementation of separate accounts for support payments received by the division;

(4) Govern the process of entering into and the provisions of contracts described in division (C) of this section.

Sec. 5101.326. The division of child support in the department of human services may ask the secretary of the treasury for, and may enter into a reciprocal agreement with the secretary to obtain, administrative offsets to collect past due child support amounts in accordance with the "Debt Collection Improvement Act of 1996," 110 Stat. 1321, 31 U.S.C. 3716(a) and (h). The division shall adopt rules in accordance with Chapter 119. Of the Revised Code to establish procedures necessary to receive the administrative offsets.

Sec. 5101.327. (A) As used in this section, "support order" has the same meaning as in section 2301.34 Of the Revised Code. The requirements of this section are effective on the earlier of the date that all support orders have been converted to the automated data processing system under section 5101.322 of the Revised Code and the division of child support in the department of human services authorizes centralized collection and disbursement of support amounts under the support order pursuant to the rules adopted under division (F)(1) of section 5101.325 of the Revised Code or July 1, 1999.

(B) The director of commerce shall provide the division no later than the first day of March of each year, the name, address, social security number, if the social security number is available, and any other identifying information for any individual included in a request sent by the division pursuant to division (C) of this section who has unclaimed funds delivered or reported to the state under Chapter 169. Of the Revised Code.

(C) The division shall, no later than the first day of February of each year, send to the director of commerce a request containing the name, address, and social security number of all obligors in default under a support order being administered by a child support enforcement agency of this state and requests that the director provide information to the division as required in division (B) of this section. If the information the director provides identifies or results in identifying unclaimed funds held by the state for an obligor in default, the division shall file a claim under section 169.08 Of the Revised Code to recover the unclaimed funds. If the director allows the claim, the director shall pay the claim directly to the division. The director shall not disallow a claim made by the division because the division is not

the owner of the unclaimed funds according to the report made pursuant to section 169.03 Of the Revised Code.

(D) The department of human services, in consultation with the department of commerce, may adopt rules in accordance with Chapter 119. Of the Revised Code to aid in implementation of this section.

Sec. 5101.37. (A) The department of human services and each county department of human services and child support enforcement agency may make any investigations that are necessary in the performance of their duties, and to that end they shall have the same power as a judge of a county court to administer oaths and to enforce the attendance and testimony of witnesses and the production of books or papers.

The department and each county department and agency shall keep a record of their investigations stating the time, place, charges or subject, witnesses summoned and examined, and their conclusions.

In matters involving the conduct of an officer, a stenographic report of the evidence shall be taken and a copy of the report, with all documents introduced, kept on file at the office of the department, county department, or agency.

The fees of witnesses for attendance and travel shall be the same as in the court of common pleas, but no officer or employee of the institution under investigation is entitled to such fees.

(B) In conducting hearings pursuant to sections 3113.21 to ~~3113.217~~ 3113.216 or pursuant to division (B) of section 5101.35 of the Revised Code, the department and each child support enforcement agency have the same power as a judge of a county court to administer oaths and to enforce the attendance and testimony of witnesses and the production of books or papers. The department and each agency shall keep a record of those hearings stating the time, place, charges or subject, witnesses summoned and examined, and their conclusions.

The issuance of a subpoena by the department or a child support enforcement agency to enforce attendance and testimony of witnesses and the production of books or papers at a hearing is discretionary and the department or agency is not required to pay the fees of witnesses for attendance and travel.

(C) Any judge of any division of the court of common pleas, upon application of the department or a county department or child support enforcement agency, may compel the attendance of witnesses, the production of books or papers, and the giving of testimony before the department, county department, or agency, by a judgment for contempt or otherwise, in the same manner as in cases before those courts.

Sec. 5101.99. (A) Whoever violates division (A) or (B) of section 5101.61 of the Revised Code shall be fined not more than five hundred dollars.

(B) Whoever violates division (F) of section 5101.31 or division (D) of section 5101.315 of the Revised Code shall be fined not more than five hundred dollars, or imprisoned not more than six months, or both.

(C) Whoever violates division (A) of section 5101.27 of the Revised Code is guilty of a misdemeanor of the first degree.

Sec. 5104.01. As used in this chapter:

(A) "Administrator" means the person responsible for the daily operation of a center or type A home. The administrator and the owner may be the same person.

(B) "Approved child day camp" means a child day camp approved pursuant to section 5104.22 of the Revised Code.

(C) "Authorized provider" means a person authorized by a county director of human services to operate a certified type B family day-care home.

(D) "Caretaker parent" means the father or mother of a child whose presence in the home is needed as the caretaker of the child, a person who has legal custody of a child and whose presence in the home is needed as the caretaker of the child, a guardian of a child whose presence in the home is needed as the caretaker of the child, and any other person who stands in loco parentis with respect to the child and whose presence in the home is needed as the caretaker of the child.

(E) "Certified type B family day-care home" and "certified type B home" mean a type B family day-care home that is certified by the director of the county department of human services pursuant to section 5104.11 of the Revised Code to receive public funds for providing child day-care pursuant to this chapter and any rules adopted under it.

(F) "Chartered nonpublic school" means a school that meets standards for nonpublic schools prescribed by the state board of education for nonpublic schools pursuant to section 3301.07 of the Revised Code.

(G) "Child" includes an infant, toddler, preschool child, or school child.

(H) "Child care block grant act" means the "Child Care and Development Block Grant Act of 1990," established in section 5082 of the "Omnibus Budget Reconciliation Act of 1990," 104 Stat. 1388-236 (1990), 42 9858, as amended.

(I) "Child day camp" means a program in which only school children attend or participate, that operates for no more than seven hours per day, that operates only during one or more public school district's regular vacation

periods or for no more than fifteen weeks during the summer, and that operates outdoor activities for each child who attends or participates in the program for a minimum of fifty per cent of each day that children attend or participate in the program, except for any day when hazardous weather conditions prevent the program from operating outdoor activities for a minimum of fifty per cent of that day. For purposes of this division, the maximum seven hours of operation time does not include transportation time from a child's home to a child day camp and from a child day camp to a child's home.

(J) "Child day-care" means administering to the needs of infants, toddlers, preschool children, and school children outside of school hours by persons other than their parents or guardians, custodians, or relatives by blood, marriage, or adoption for any part of the twenty-four-hour day in a place or residence other than a child's own home.

(K) "Child day-care center" and "center" mean any place in which child day-care or publicly funded child day-care is provided for thirteen or more children at one time or any place that is not the permanent residence of the licensee or administrator in which child day-care or publicly funded child day-care is provided for seven to twelve children at one time. In counting children for the purposes of this division, any children under six years of age who are related to a licensee, administrator, or employee and who are on the premises of the center shall be counted. "Child day-care center" and "center" do not include any of the following:

(1) A place located in and operated by a hospital, as defined in section 3727.01 of the Revised Code, in which the needs of children are administered to, if all the children whose needs are being administered to are monitored under the on-site supervision of a physician licensed under Chapter 4731. of the Revised Code or a registered nurse licensed under Chapter 4723. of the Revised Code, and the services are provided only for children who, in the opinion of the child's parent, guardian, or custodian, are exhibiting symptoms of a communicable disease or other illness or are injured;

(2) A child day camp;

(3) A place that provides child day-care, but not publicly funded child day-care, if all of the following apply:

(a) An organized religious body provides the child day-care;

(b) A parent, custodian, or guardian of at least one child receiving child day-care is on the premises and readily accessible at all times;

(c) The child day-care is not provided for more than thirty days a year;

(d) The child day-care is provided only for preschool and school

children.

(L) "Child day-care resource and referral service organization" means a community-based nonprofit organization that provides child day-care resource and referral services but not child day-care.

(M) "Child day-care resource and referral services" means all of the following services:

(1) Maintenance of a uniform data base of all child day-care providers in the community that are in compliance with this chapter, including current occupancy and vacancy data;

(2) Provision of individualized consumer education to families seeking child day-care;

(3) Provision of timely referrals of available child day-care providers to families seeking child day-care;

(4) Recruitment of child day-care providers;

(5) Assistance in the development, conduct, and dissemination of training for child day-care providers and provision of technical assistance to current and potential child day-care providers, employers, and the community;

(6) Collection and analysis of data on the supply of and demand for child day-care in the community;

(7) Technical assistance concerning locally, state, and federally funded child day-care and early childhood education programs;

(8) Stimulation of employer involvement in making child day-care more affordable, more available, safer, and of higher quality for their employees and for the community;

(9) Provision of written educational materials to caretaker parents and informational resources to child day-care providers;

(10) Coordination of services among child day-care resource and referral service organizations to assist in developing and maintaining a statewide system of child day-care resource and referral services if required by the department of human services;

(11) Cooperation with the county department of human services in encouraging the establishment of parent cooperative child day-care centers and parent cooperative type A family day-care homes.

(N) "Child-care staff member" means an employee of a child day-care center or type A family day-care home who is primarily responsible for the care and supervision of children. The administrator may be a part-time child-care staff member when not involved in other duties.

(O) "Drop-in child day-care center," "drop-in center," "drop-in type A family day-care home," and "drop-in type A home" mean a center or type A

home that provides child day-care or publicly funded child day-care for children on a temporary, irregular basis.

(P) "Employee" means a person who either:

(1) Receives compensation for duties performed in a child day-care center or type A family day-care home;

(2) Is assigned specific working hours or duties in a child day-care center or type A family day-care home.

(Q) "Employer" means a person, firm, institution, organization, or agency that operates a child day-care center or type A family day-care home subject to licensure under this chapter.

(R) "Federal poverty line" means the official poverty guideline as revised annually in accordance with section 673(2) of the "Omnibus Budget Reconciliation Act of 1981," 95 Stat. 511, 42 9902, as amended, for a family size equal to the size of the family of the person whose income is being determined.

(S) "Head start program" means a comprehensive child development program that receives funds distributed under the "Head Start Act," 95 Stat. 499 (1981), 42 9831, as amended, or under section 3301.31 of the Revised Code.

(T) "Income" means gross income, as defined in section ~~5107.03~~ 5107.10 of the Revised Code, less any amounts required by federal statutes or regulations to be disregarded.

(U) "Indicator checklist" means an inspection tool, used in (U) "Indicator checklist" means an inspection tool, used in conjunction with an instrument-based program monitoring information system, that contains selected licensing requirements that are statistically reliable indicators or predictors of a child day-care center or type A family day-care home's compliance with licensing requirements.

(V) "Infant" means a child who is less than eighteen months of age.

(W) "In-home aide" means a person certified by a county director of human services pursuant to section 5104.12 of the Revised Code to provide publicly funded child day-care to a child in a child's own home pursuant to this chapter and any rules adopted under it.

(X) "Instrument-based program monitoring information system" means a method to assess compliance with licensing requirements for child day-care centers and type A family day-care homes in which each licensing requirement is assigned a weight indicative of the relative importance of the requirement to the health, growth, and safety of the children that is used to develop an indicator checklist.

(Y) "License capacity" means the maximum number in each age

category of children who may be cared for in a child day-care center or type A family day-care home at one time as determined by the director of human services considering building occupancy limits established by the department of commerce, number of available child-care staff members, amount of available indoor floor space and outdoor play space, and amount of available play equipment, materials, and supplies.

(Z) "Licensed preschool program" or "licensed school child program" means a preschool program or school child program, as defined in section 3301.52 of the Revised Code, that is licensed by the department of education pursuant to sections 3301.52 to 3301.59 of the Revised Code.

(AA) "Licensee" means the owner of a child day-care center or type A family day-care home that is licensed pursuant to this chapter and who is responsible for ensuring its compliance with this chapter and rules adopted pursuant to this chapter.

(BB) "Operate a child day camp" means to operate, establish, manage, conduct, or maintain a child day camp.

(CC) "Owner" includes a person, as defined in section 1.59 of the Revised Code, or government entity.

(DD) "Parent cooperative child day-care center," "parent cooperative center," "parent cooperative type A family day-care home," and "parent cooperative type A home" mean a corporation or association organized for providing educational services to the children of members of the corporation or association, without gain to the corporation or association as an entity, in which the services of the corporation or association are provided only to children of the members of the corporation or association, ownership and control of the corporation or association rests solely with the members of the corporation or association, and at least one parent-member of the corporation or association is on the premises of the center or type A home during its hours of operation.

(EE) "Part-time child day-care center," "part-time center," "part-time type A family day-care home," and "part-time type A home" mean a center or type A home that provides child day-care or publicly funded child day-care for no more than four hours a day for any child.

(FF) "Place of worship" means a building where activities of an organized religious group are conducted and includes the grounds and any other buildings on the grounds used for such activities.

(GG) "Preschool child" means a child who is three years old or older but is not a school child.

(HH) "Protective day-care" means publicly funded child day-care for the direct care and protection of a child to whom either of the following

pplies:

(1) A case plan prepared and maintained for the child pursuant to section 2151.412 of the Revised Code indicates a need for protective day-care and the child resides with a parent, stepparent, guardian, or another person who stands in loco parentis as defined in rules adopted under section 5104.38 of the Revised Code;

(2) The child and the child's caretaker either temporarily reside in a facility providing emergency shelter for homeless families or are determined by the county department of human services to be homeless, and are otherwise ineligible for publicly funded child day-care.

(II) "Publicly funded child day-care" means administering to the needs of infants, toddlers, preschool children, and school children ~~up to~~ under age thirteen during any part of the twenty-four-hour day by persons other than their caretaker parents for remuneration wholly or in part with federal or state funds, including child care block grant act funds, distributed by the department of human services.

(JJ) "Religious activities" means any of the following: worship or other religious services; religious instruction; Sunday school classes or other religious classes conducted during or prior to worship or other religious services; youth or adult fellowship activities; choir or other musical group practices or programs; meals; festivals; or meetings conducted by an organized religious group.

(KK) "School child" means a child who is enrolled in or is eligible to be enrolled in a grade of kindergarten or above but is less than fifteen years old.

(LL) "School child day-care center," "school child center," "school child type A family day-care home," and "school child type A family home" mean a center or type A home that provides child day-care for school children only and that does either or both of the following:

(1) Operates only during that part of the day that immediately precedes or follows the public school day of the school district in which the center or type A home is located;

(2) Operates only when the public schools in the school district in which the center or type A home is located are not open for instruction with pupils in attendance.

(MM) "Special needs day-care" means publicly funded child day-care that is provided for a child who is physically or developmentally handicapped, mentally retarded, or mentally ill.

(NN) "State median income" means the state median income calculated by the department of development pursuant to division (A)(1)(g) of section 5709.61 of the Revised Code.

(OO) "Toddler" means a child who is at least eighteen months of age but less than three years of age.

(PP) "Type A family day-care home" and "type A home" mean a permanent residence of the administrator in which child day-care or publicly funded child day-care is provided for seven to twelve children at one time or a permanent residence of the administrator in which child day-care is provided for four to twelve children at one time if four or more children at one time are under two years of age. In counting children for the purposes of this division, any children under six years of age who are related to a licensee, administrator, or employee and who are on the premises of the type A home shall be counted. "Type A family day-care home" does not include a residence in which the needs of children are administered to, if all of the children whose needs are being administered to are siblings of the same immediate family and the residence is the home of the siblings. "Type A family day-care home" and "type A home" do not include any child day camp.

(QQ) "Type B family day-care home" and "type B home" mean a permanent residence of the provider in which child day-care is provided for one to six children at one time and in which no more than three children are under two years of age at one time. In counting children for the purposes of this division, any children under six years of age who are related to the provider and who are on the premises of the type B home shall be counted. "Type B family day-care home" does not include a residence in which the needs of children are administered to, if all of the children whose needs are being administered to are siblings of the same immediate family and the residence is the home of the siblings. "Type B family day-care home" and "type B home" do not include any child day camp.

Sec. 5104.34. (A)(1) Each county department of human services shall implement procedures for making determinations of eligibility for publicly funded child day-care. Under those procedures, the eligibility determination for each applicant shall be made no later than thirty calendar days from the date the county department receives a completed application for publicly funded child day-care. Each applicant shall be notified promptly of the results of the eligibility determination. An applicant aggrieved by a decision or delay in making an eligibility determination may appeal the decision or delay to the department of human services in accordance with section 5101.35 of the Revised Code. The due process rights of applicants shall be protected.

To the extent permitted by federal law, the county department may make all determinations of eligibility for publicly funded child day-care,

may contract with child day-care providers or child day-care resource and referral service organizations for the providers or resource and referral service organizations to make all or any part of the determinations, and may contract with child day-care providers or child day-care resource and referral service organizations for the providers or resource and referral service organizations to collect specified information for use by the county department in making determinations. If a county department contracts with a child day-care provider or a child day-care resource and referral service organization for eligibility determinations or for the collection of information, the contract shall require the provider or resource and referral service organization to make each eligibility determination no later than thirty calendar days from the date the provider or resource and referral organization receives a completed application that is the basis of the determination and to collect and transmit all necessary information to the county department within a period of time that enables the county department to make each eligibility determination no later than thirty days after the filing of the application that is the basis of the determination.

The county department may station employees of the department in various locations throughout the county and may assign employees of the department to hours of employment outside the normal working hours of the department to collect information relevant to applications for publicly funded child day-care and to make eligibility determinations. The county department, child day-care provider, and child day-care resource and referral service organization shall make each determination of eligibility for publicly funded child day-care no later than thirty days after the filing of the application that is the basis of the determination, shall make each determination in accordance with any relevant rules adopted pursuant to section 5104.38 of the Revised Code, and shall notify promptly each applicant for publicly funded child day-care of the results of the determination of the applicant's eligibility.

On or before October 1, 1991, the department of human services shall adopt rules in accordance with Chapter 119. of the Revised Code for monitoring the eligibility determination process. In accordance with those rules, the state department shall monitor eligibility determinations made by county departments of human services and shall direct any entity that is not in compliance with this division or any rule adopted under this division to implement corrective action specified by the department.

(2) All eligibility determinations for publicly funded child day-care shall be made in accordance with rules adopted by the department of human services pursuant to division (A) of section 5104.38 of the Revised Code.

Publicly funded child day-care may be provided only to eligible infants, toddlers, preschool children, and school children under age thirteen. For an applicant to be eligible for publicly funded child day-care, the caretaker parent must be employed or participating in a program of education or training for an amount of time reasonably related to the time that the parent's children are receiving publicly funded child day-care. This restriction does not apply to families whose children are eligible for protective or special needs day-care.

Subject to available funds, the department shall allow a family to continue to receive publicly funded child day-care until the family's income exceeds one hundred fifty per cent of the federal poverty line. Initial and continued eligibility for publicly funded child day-care is subject to available funds unless the family is receiving transitional child day-care as provided under this section, participating in the Ohio works first program established under Chapter 5107. of the Revised Code, or was receiving publicly funded child day-care on October 1, 1997, and has a family income below one hundred fifty per cent of the federal poverty line. If the department must limit eligibility due to lack of available funds, it shall give first priority for publicly funded child day-care to an assistance group whose income is not more than one hundred fifty per cent of the federal poverty line that received transitional child day-care in the previous month but is no longer eligible because the twelve-month period has expired. Such an assistance group shall continue to receive priority for publicly funded child day-care until its income exceeds one hundred fifty per cent of the federal poverty line.

(3) An assistance group that ceases to participate in the Ohio works first program established under Chapter 5107. of the Revised Code is eligible for transitional child day-care at any time during the immediately following twelve-month period that both of the following apply:

- (a) The assistance group requires child day-care due to employment;
- (b) The assistance group's income is not more than one hundred fifty per cent of the federal poverty line.

An assistance group ineligible to participate in the Ohio works first program pursuant to section ~~5107.17~~ 5101.83 or section ~~5107.21~~ 5107.16 of the Revised Code is not eligible for transitional child day-care.

(B) To the extent permitted by federal law, a county department of human services may require a caretaker parent determined to be eligible for publicly funded child day-care to pay a fee according to the schedule of fees established in rules adopted under section 5104.38 of the Revised Code. Each county department shall make protective day-care services available to

children without regard to the income or assets of the caretaker parent of the child.

(C) A caretaker parent receiving publicly funded child day-care shall report to the entity that determined eligibility any changes in status with respect to employment or participation in a program of education or training.

(D) If a county department of human services determines that available resources are not sufficient to provide publicly funded child day-care to all eligible families who request it, the county department may establish a waiting list. A county department may establish separate waiting lists within the waiting list based on income. When resources become available to provide publicly funded child day-care to families on the waiting list, a county department that establishes a waiting list shall assess the needs of the next family scheduled to receive publicly funded child day-care. If the assessment demonstrates that the family continues to need and is eligible for publicly funded child day-care, the county department shall offer it to the family. If the county department determines that the family is no longer eligible or no longer needs publicly funded child day-care, the county department shall remove the family from the waiting list.

Sec. 5107.14. An assistance group is ineligible to participate in Ohio works first unless the minor head of household or each adult member of the assistance group, not later than thirty days after applying for or undergoing a redetermination of eligibility for the program, enters into a written self-sufficiency contract with the county department of human services. The contract shall set forth the rights and responsibilities of the assistance group as applicants for and participants of the program, including work responsibilities established under sections 5107.40 to 5107.69 of the Revised Code and other requirements designed to assist the assistance group in achieving self sufficiency and personal responsibility. The county department shall provide without charge a copy of the contract to each assistance group member who signs it.

Each self-sufficiency contract shall include, based on appraisals conducted under section 5107.41 of the Revised Code and assessments conducted under section 5107.70 of the Revised Code, the following:

(A) The assistance group's plan, developed under section 5107.41 of the Revised Code, to achieve the goal of self sufficiency and personal responsibility through unsubsidized employment within the time limit for participating in Ohio works first established by section 5107.18 of the Revised Code;

(B) Work activities, developmental activities, and alternative work

ivities to which members of the assistance group are assigned under sections 5107.40 to 5107.69 of the Revised Code;

(C) The responsibility of a caretaker member of the assistance group to cooperate in establishing a minor child's paternity and establishing, modifying, and enforcing a support order for the child in accordance with section 5107.22 of the Revised Code ~~and the consequences established in that section for failure or refusal to cooperate without good cause;~~

(D) Other responsibilities that members of the assistance group must satisfy to participate in Ohio works first and the consequences for failure or refusal to satisfy the responsibilities;

(E) An agreement that the assistance group will comply with the conditions of participating in Ohio works first established by this chapter and sections 5101.19, 5101.58, 5101.59, and 5101.83 of the Revised Code;

(F) Assistance and services the county department will provide to the assistance group;

(G) Assistance and services the child support enforcement agency and public children services agency will provide to the assistance group pursuant to a plan of cooperation entered into under section 307.983 of the Revised Code;

(H) Other provisions designed to assist the assistance group in achieving ~~self-sufficiency~~ self sufficiency and personal responsibility;

(I) Procedures for assessing whether responsibilities are being satisfied and whether the contract should be amended;

(J) Procedures for amending the contract.

Sec. 5107.20. As used in this section, "support" has the same meaning as in section 3113.21 of the Revised Code.

Participation in Ohio works first constitutes an assignment to the department of human services of any rights members of an assistance group have to support from any other person, excluding medical support assigned pursuant to section 5101.59 of the Revised Code. The rights to support assigned to the department pursuant to this section constitute an obligation of the person who is responsible for providing the support to the state for the amount of cash assistance provided to the assistance group.

~~A child support enforcement agency~~ The division of child support in the department of human services shall collect and distribute support payments owed to Ohio works first participants, whether assigned to the department or unassigned, in accordance with Title IV-D, federal regulations, state statutes, and rules adopted under section 5107.05 of the Revised Code.

~~department.~~ In accordance with federal statutes and regulations, the department shall deposit support payments it receives pursuant to this section into the state treasury to the credit of the child support collections fund or the child support administrative fund, both of which are hereby created. Money credited to the funds shall be used to make cash assistance payments under Ohio works first.

Sec. 5153.16. (A) Except as provided in section 2151.422 of the Revised Code, in accordance with rules of the department of human services, and on behalf of children in the county whom the public children services agency considers to be in need of public care or protective services, the public children services agency shall do all of the following:

(1) Make an investigation concerning any child alleged to be an abused, neglected, or dependent child;

(2) Enter into agreements with the parent, guardian, or other person having legal custody of any child, or with the department of human services, department of mental health, department of mental retardation and developmental disabilities, other department, any certified organization within or outside the county, or any agency or institution outside the state, having legal custody of any child, with respect to the custody, care, or placement of any child, or with respect to any matter, in the interests of the child, provided the permanent custody of a child shall not be transferred by a parent to the public children services agency without the consent of the juvenile court;

(3) Accept custody of children committed to the public children services agency by a court exercising juvenile jurisdiction;

(4) Provide such care as the public children services agency considers to be in the best interests of any child adjudicated to be an abused, neglected, or dependent child the agency finds to be in need of public care or service;

(5) Provide social services to any unmarried girl adjudicated to be an abused, neglected, or dependent child who is pregnant with or has been delivered of a child;

(6) Make available to the bureau for children with medical handicaps of the department of health at its request any information concerning a crippled child found to be in need of treatment under sections 3701.021 to 3701.028 of the Revised Code who is receiving services from the public children services agency;

(7) Provide temporary emergency care for any child considered by the public children services agency to be in need of such care, without agreement or commitment;

(8) Find family foster homes, within or outside the county, for the care

of children, including handicapped children from other counties attending special schools in the county;

(9) Subject to the approval of the board of county commissioners and the state department of human services, establish and operate a training school or enter into an agreement with any municipal corporation or other political subdivision of the county respecting the operation, acquisition, or maintenance of any children's home, training school, or other institution for the care of children maintained by such municipal corporation or political subdivision;

(10) Acquire and operate a county children's home, establish, maintain, and operate a receiving home for the temporary care of children, or procure family foster homes for this purpose;

(11) Enter into an agreement with the trustees of any district children's home, respecting the operation of the district children's home in cooperation with the other county boards in the district;

(12) Cooperate with, make its services available to, and act as the agent of persons, courts, the department of human services, the department of health, and other organizations within and outside the state, in matters relating to the welfare of children, except that the public children services agency shall not be required to provide supervision of or other services related to the exercise of companionship or visitation rights granted pursuant to section 3109.051, 3109.11, or 3109.12 of the Revised Code unless a juvenile court, pursuant to Chapter 2151. of the Revised Code, or a common pleas court, pursuant to division (E)(6) of section 3113.31 of the Revised Code, requires the provision of supervision or other services related to the exercise of the companionship or visitation rights;

(13) Make investigations at the request of any superintendent of schools in the county or the principal of any school concerning the application of any child adjudicated to be an abused, neglected, or dependent child for release from school, where such service is not provided through a school attendance department;

(14) Administer funds provided under Title IV-E of the "Social Security Act," 94 Stat. 501 (1980), 42 U.S.C.A. 671, as amended, in accordance with rules adopted by the state department of human services under section 5101.141 of the Revised Code;

(15) In addition to administering Title IV-E adoption assistance funds, enter into agreements to make adoption assistance payments under section 5153.163 of the Revised Code;

(16) ~~(E)~~ Implement a system of risk assessment, in accordance with rules adopted by the state department of human services, to assist the public

children services agency in determining the risk of abuse or neglect to a child;

~~(18)~~(17) Enter into a plan of cooperation with the board of county commissioners under section 307.983 of the Revised Code and comply with the partnership agreement the board enters into under section 307.98 of the Revised Code and contracts the board enters into under sections 307.981 and 307.982 of the Revised Code that affect the public children services agency.

(B) The public children services agency shall use the system implemented pursuant to division (B)(16) of this section in connection with an investigation undertaken pursuant to division (F)(1) of section 2151.421 of the Revised Code and may use the system at any other time the agency is involved with any child when the agency determines that risk assessment is necessary.

(C) Except as provided in section 2151.422 of the Revised Code, ~~in~~ in accordance with rules of the department of human services, and on behalf of children in the county whom the public children services agency considers to be in need of public care or protective services, the public children services agency may do the following:

(1) Provide or find, with other child serving systems, treatment foster care for the care of children in a treatment foster home, as defined in section 5103.02 of the Revised Code;

(2)(a) ~~As~~ Except as limited by ~~division~~ divisions (C)(2)(b) and (c) of this section, contract with the following for the purpose of assisting the agency with its duties:

- (i) County departments of human services;
- (ii) Boards of alcohol, drug addiction, and mental health services;
- (iii) County boards of mental retardation and developmental disabilities;
- (iv) Regional councils of political subdivisions established under Chapter 167. of the Revised Code;
- (v) Private and government providers of services;
- (vi) Managed care organizations and prepaid health plans.

(b) A public children services agency contract under division (C)(2)(a) of this section regarding the agency's duties under section 2151.421 of the Revised Code may not provide for the entity under contract with the agency to perform any service not authorized by the department's rules.

(c) Only a county children services board appointed under section 5153.03 of the Revised Code that is a public children services agency may contract under division (C)(2)(a) of this section. If an entity specified in division (B) or (C) of section 5153.02 of the Revised Code is the public

children services agency for a county, the board of county commissioners may enter into contracts pursuant to section 307.982 of the Revised Code regarding the agency's duties.

SECTION 2. That existing sections 149.43, 169.03, 169.08, 329.12, 1336.07, 1336.08, 1349.01, 1533.82, 2105.18, 2151.23, 2151.231, 2151.33, 2151.49, 2301.34, 2301.35, 2301.353, 2301.356, 2301.357, 2301.358, 2301.36, 2301.37, 2301.371, 2301.373, 2301.374, 2705.02, 2919.21, 2919.231, 3103.03, 3103.031, 3105.18, 3105.21, 3107.01, 3107.06, 3107.064, 3109.05, 3109.12, 3109.19, 3111.02, 3111.03, 3111.04, 3111.06, 3111.07, 3111.09, 3111.12, 3111.13, 3111.20, 3111.22, 3111.23, 3111.24, 3111.241, 3111.242, 3111.25, 3111.26, 3111.27, 3111.28, 3111.37, 3111.99, 3113.04, 3113.07, 3113.21, 3113.211, 3113.212, 3113.213, 3113.215, 3113.216, 3113.217, 3113.218, 3113.219, 3113.31, 3113.99, 3317.02, 3705.07, 3705.09, 3705.16, 3727.17, 3770.071, 3924.48, 3924.49, 4141.16, 4141.28, 5101.26, 5101.28, 5101.31, 5101.311, 5101.312, 5101.322, 5101.323, 5101.324, 5101.37, 5101.99, 5104.01, 5104.34, 5107.14, 5107.20, and 5153.16, and sections 329.043, 2301.351, 2301.352, 2301.42, 3111.21, 3113.214, 3115.01, 3115.02, 3115.03, 3115.04, 3115.05, 3115.06, 3115.07, 3115.08, 3115.09, 3115.10, 3115.11, 3115.12, 3115.13, 3115.14, 3115.15, 3115.16, 3115.17, 3115.18, 3115.19, 3115.20, 3115.21, 3115.22, 3115.23, 3115.24, 3115.25, 3115.26, 3115.27, 3115.28, 3115.29, 3115.30, 3115.31, 3115.32, 3115.33, 3115.34, and 3701.042 of the Revised Code are hereby repealed.

SECTION 3. The General Assembly recognizes that in certain instances, the wording of this act differs from that of the Uniform Interstate Family Support Act approved by the National Conference of Commissioners on Uniform State Laws. Any such dissimilarity denotes a technical change or is made to reflect the intent of the Commissioners as expressed in the Comments to the Uniform Interstate Family Support Act.

SECTION 4. Sections 1 through 3 of this act, except for sections 329.12, 3317.02, 5101.26, 5101.28, 5101.312, 5104.01, 5104.34, 5107.14, and 5153.16 of the Revised Code, shall take effect January 1, 1998. Sections 329.12, 3317.02, 5101.26, 5101.28, 5101.312, 5104.01, 5104.34, 5107.14, and 5153.16 of the Revised Code, as amended by this act, shall take effect October 1, 1997.

SECTION 5. Section 5153.164 of the Revised Code is hereby repealed. This repeal is identical to the repeal of section 5153.164 of the Revised Code by Am. Sub. H.B. 215 of the 122nd General Assembly and is intended to confirm that such was the result intended by the General Assembly. Uncertainty as to the status of section 5153.164 of the Revised Code occurred because, while Am. Sub. H.B. 215, which repealed the section, was passed on June 25, 1997, another act, Sub. H.B. 408 of the 122nd General Assembly, which amended the section, was passed one day later, on June 26, 1997. It was not the intent of the General Assembly by enacting Sub. H.B. 408 to revive section 5153.164 of the Revised Code.

SECTION 6. Section 2301.355 of the Revised Code, which is presented in this act in all capital letters, is revived by this act. Section 5 of Am. Sub. S.B. 292 of the 121st General Assembly repealed Section 3 of Am. Sub. S.B. 10 of the 119th General Assembly, which latter section repealed section 2301.355 of the Revised Code effective October 1, 1996. Section 5 of Am. Sub. S.B. 292, however, did not become effective until November 6, 1996, after the repeal of section 2301.355 of the Revised Code by Section 3 of Am. Sub. S.B. 10 had taken effect on October 1, 1996. While legislative intent to retain section 2301.355 of the Revised Code is explicit in Section 5 of Am. Sub. S.B. 292, efficacy of the legislative intent is uncertain because Ohio Constitution, Article II, Section 15(D) states that repealed sections may not be revived "unless the new act contains the entire act revived," and section 2301.355 of the Revised Code are not set forth in their entirety in Am. Sub. S.B. 292. This act, in confirmation of the legislative intent stated in Section 5 of Am. Sub. S.B. 292, revives section 2301.355 of the Revised Code by setting forth the section in its entirety.

SECTION 7. Section 2301.34 of the Revised Code is presented in this act as a composite of the section as amended by both Sub. H.B. 274 and Am. Sub. S.B. 292 of the 121st General Assembly, with the new language of neither of the acts shown in capital letters. Sections 2919.21 and 2919.231 of the Revised Code are presented in this act as composites of the sections as amended by both Sub. H.B. 274 and Am. Sub. S.B. 269 of the 121st General Assembly, with the new language of neither of the acts shown in capital letters. Section 3111.99 of the Revised Code is presented in this act as a composite of the section as amended by both Sub. H.B. 167 and Am.

Sub. S.B. 2 of the 121st General Assembly, with the new language of neither of the acts shown in capital letters. Section 3113.99 of the Revised Code is presented in this act as a composite of the section as amended by both Am. Sub. S.B. 2 and Sub. H.B. 167 of the 121st General Assembly, with the new language of neither of the acts shown in capital letters. Section 5153.16 of the Revised Code is presented in this act as a composite of the section as amended by both Am. Sub. H.B. 215 and Sub. H.B. 408 of the 122nd General Assembly, with the new language of neither of the acts shown in capital letters. This is in recognition of the principle stated in division (B) of section 1.52 of the Revised Code that such amendments are to be harmonized where not substantively irreconcilable and constitutes a legislative finding that such is the resulting version in effect prior to the effective date of this act.

SECTION 8. The Department of Human Services shall conduct a study regarding the efficacy of continuing to impose the processing charge required by division (G) of section 2301.35 of the Revised Code in light of the centralized collection and disbursement system established by this act. The Department shall file the results of the study with the Governor, the Speaker and Minority Leader of the House of Representatives, and the President and Minority Leader of the Senate by July 1, 1998. The study shall include a cost benefit analysis of the costs of collecting the charge as compared to the loss of federal funding that occurs as a result of its collection. It shall also include a recommendation regarding alternative sources of funding to restore any net loss of funding that would occur if the charge were no longer imposed.

SECTION 9. The Department of Human Services shall conduct a study and prepare a report regarding the exchange of information between the Division of Child Support and financial institutions pursuant to agreements entered into under section 5101.315 of the Revised Code. The study shall be based upon an examination of information sharing between a single financial institution and the Division and a survey of other financial institutions doing business in the state. The study shall include information concerning the type of automation used by financial institutions, the number of accounts maintained by each financial institution surveyed, and statistics relating to the effectiveness of information sharing between financial institutions and the Division as a method of enforcing support orders, including a comparison of the costs incurred in sharing information and the

amount of assets of defaulting obligors that can reasonably be expected to be located as a result of information sharing between financial institutions and the Division. The Department shall file the report with the Governor, the Speaker and Minority Leader of the House of Representatives, and the President and Minority Leader of the Senate not later than April 30, 1999.

SECTION 10. Consistent with the intent of the General Assembly in passing Section 147 of Am. Sub. H.B. 215 of the 122nd General Assembly, any unused principal in the Human Services Stabilization Fund at the end of fiscal year 1997 shall be retained in that fund notwithstanding Section 177 of Am. Sub. H.B. 117 of the 121st General Assembly. The General Assembly hereby ratifies any action taken prior to the effective date of this section consistent with this intent.

SECTION 11. This act is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety. The reason for such necessity is that the Department of Human Services faces the imposition of federal sanctions if certain provisions of this act are not implemented on or before October 1, 1997. Therefore, this act shall go into immediate effect.

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*Speaker* \_\_\_\_\_ *of the House of Representatives.*

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*President* \_\_\_\_\_ *of the Senate.*

Passed \_\_\_\_\_, 20\_\_\_\_

Approved \_\_\_\_\_, 20\_\_\_\_

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*Governor.*

Am. Sub. H. B. No. 352

352

The section numbering of law of a general and permanent nature is complete and in conformity with the Revised Code.

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*Director, Legislative Service Commission.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the \_\_\_\_ day of \_\_\_\_\_, A. D. 20\_\_\_\_.

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*Secretary of State.*

File No. \_\_\_\_\_ Effective Date \_\_\_\_\_