

**As Reported by the Senate Health, Human Services and Aging
Committee**

125th General Assembly

Regular Session

2003-2004

Sub. H. B. No. 200

**Representatives Willamowski, Schneider, Otterman, S. Patton, Flowers,
Hagan, Price, Reidelbach, Schmidt, Beatty, Carano, Chandler, Cirelli, Clancy,
Daniels, DePiero, Distel, Domenick, C. Evans, Hartnett, Harwood, Hollister,
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Redfern, Schaffer, Schlichter, Seitz, Sferra, J. Stewart, Sykes, Wagner,
Widener, Widowfield**

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A B I L L

To amend sections 311.17, 3121.03, 3121.0310,	1
3121.091, 3121.59, 3121.64, 3121.89, 3121.891,	2
3121.892, 3121.893, 3121.894, 3121.895, 3121.897,	3
3121.898, 3121.899, 3121.8910, and 3123.021, to	4
enact new section 3121.896 and section 3125.141,	5
and to repeal sections 3121.60, 3121.63, and	6
3121.896 of the Revised Code regarding the	7
enforcement of child support orders and to declare	8
an emergency.	9

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

Section 1. That sections 311.17, 3121.03, 3121.0310,	10
3121.091, 3121.59, 3121.64, 3121.89, 3121.891, 3121.892, 3121.893,	11
3121.894, 3121.895, 3121.897, 3121.898, 3121.899, 3121.8910, and	12
3123.021 be amended and new section 3121.896 and section 3125.141	13
of the Revised Code be enacted to read as follows:	14

Sec. 311.17. For <u>Except as provided in a contract entered</u>	15
<u>into under division (A) of section 3125.141 of the Revised Code,</u>	16
<u>for</u> the services specified in this section, the sheriff shall	17
charge the following fees, which the court or its clerk shall tax	18
in the bill of costs against the judgment debtor or those legally	19
liable therefor for the judgment:	20
(A) For the service and return of the following writs and	21
orders:	22
(1) Execution:	23
(a) When money is paid without levy or when no property is	24
found, twenty dollars;	25
(b) When levy is made on real property, for the first tract,	26
twenty-five dollars, and for each additional tract, ten dollars;	27
(c) When levy is made on goods and chattels, including	28
inventory, fifty dollars.	29
(2) Writ of attachment of property, except for purpose of	30
garnishment, forty dollars;	31
(3) Writ of attachment for the purpose of garnishment, ten	32
dollars;	33
(4) Writ of replevin, forty dollars;	34
(5) Warrant to arrest, for each person named in the writ, ten	35
dollars;	36
(6) Attachment for contempt, for each person named in the	37
writ, six dollars;	38
(7) Writ of possession or restitution, sixty dollars;	39
(8) Subpoena, for each person named in the writ, in either a	40
civil or criminal case, six dollars;	41
(9) Venire, for each person named in the writ, in either a	42

civil or criminal case, six dollars;	43
(10) Summoning each juror, other than on venire, in either a civil or criminal case, six dollars;	44 45
(11) Writ of partition, twenty-five dollars;	46
(12) Order of sale on partition, for the first tract, fifty dollars, and for each additional tract, twenty-five dollars;	47 48
(13) Other order of sale of real property, for the first tract, fifty dollars, and for each additional tract, twenty-five dollars;	49 50 51
(14) Administering oath to appraisers, three dollars each;	52
(15) Furnishing copies for advertisements, one dollar for each hundred words;	53 54
(16) Copy of indictment, for each defendant, five dollars;	55
(17) All summons, writs, orders, or notices, for the first name, six dollars, and for each additional name, one dollar.	56 57
(B) In addition to the fee for service and return:	58
(1) On each summons, writ, order, or notice, a fee of one dollar per mile for the first mile, and fifty cents per mile for each additional mile, going and returning, actual mileage to be charged on each additional name;	59 60 61 62
(2) Taking bail bond, three dollars;	63
(3) Jail fees, as follows:	64
(a) For receiving a prisoner, five dollars each time a prisoner is received, and for discharging or surrendering a prisoner, five dollars each time a prisoner is discharged or surrendered. The departure or return of a prisoner from or to a jail in connection with a program established under section 5147.28 of the Revised Code is not a receipt, discharge, or surrender of the prisoner for purposes of this division.	65 66 67 68 69 70 71

(b) Taking a prisoner before a judge or court, per day, five 72
dollars; 73

(c) Calling action, one dollar; 74

(d) Calling jury, three dollars; 75

(e) Calling each witness, three dollars; 76

(f) Bringing prisoner before court on habeas corpus, six 77
dollars. 78

(4) Poundage on all moneys actually made and paid to the 79
sheriff on execution, decree, or sale of real estate, one and 80
one-half per cent; 81

(5) Making and executing a deed of land sold on execution, 82
decree, or order of the court, to be paid by the purchaser, fifty 83
dollars. 84

When any of the services described in division (A) or (B) of 85
this section are rendered by an officer or employee, whose salary 86
or per diem compensation is paid by the county, the applicable 87
legal fees and any other extraordinary expenses, including 88
overtime, provided for the service shall be taxed in the costs in 89
the case and, when collected, shall be paid into the general fund 90
of the county. 91

The sheriff shall charge the same fees for the execution of 92
process issued in any other state as the sheriff charges for the 93
execution of process of a substantively similar nature that is 94
issued in this state. 95

Sec. 3121.03. If a court or child support enforcement agency 96
that issued or modified a support order, or the agency 97
administering the support order, is required by the Revised Code 98
to issue one or more withholding or deduction notices described in 99
this section or other orders described in this section, the court 100

or agency shall issue one or more of the following types of 101
notices or orders, as appropriate, for payment of the support and 102
also, if required by the Revised Code or the court, to pay any 103
arrearages: 104

(A)(1) If the court or the child support enforcement agency 105
determines that the obligor is receiving income from a payor, the 106
court or agency shall require the payor to do all of the 107
following: 108

(a) Withhold from the obligor's income a specified amount for 109
support in satisfaction of the support order and begin the 110
withholding no later than fourteen business days following the 111
date the notice is mailed to the payor under section 3121.035, 112
~~3121.896~~, 3123.021, or 3123.06 of the Revised Code and division 113
(A)(2) of this section or, if the payor is an employer, no later 114
than the first pay period that occurs after fourteen business days 115
following the date the notice is mailed; 116

(b) Send the amount withheld to the office of child support 117
in the department of job and family services pursuant to section 118
3121.43 of the Revised Code immediately but not later than seven 119
business days after the date the obligor is paid; 120

(c) Continue the withholding at intervals specified in the 121
notice until further notice from the court or child support 122
enforcement agency. 123

To the extent possible, the amount specified to be withheld 124
shall satisfy the amount ordered for support in the support order 125
plus any arrearages owed by the obligor under any prior support 126
order that pertained to the same child or spouse, notwithstanding 127
any applicable limitations of sections 2329.66, 2329.70, 2716.02, 128
2716.041, and 2716.05 of the Revised Code. However, in no case 129
shall the sum of the amount to be withheld and any fee withheld by 130
the payor as a charge for its services exceed the maximum amount 131

permitted under section 303(b) of the "Consumer Credit Protection Act," 15 U.S.C. 1673(b). 132
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(2) A court or agency that imposes an income withholding requirement shall, within the applicable time specified in section 3119.80, 3119.81, 3121.035, ~~3121.896~~, 3123.021, or 3123.06 of the Revised Code, send to the obligor's payor by regular mail a notice that contains all of the information applicable to withholding notices set forth in section 3121.037 of the Revised Code. The notice is final and is enforceable by the court. 134
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(B)(1) If the court or child support enforcement agency determines that the obligor has funds that are not exempt under the laws of this state or the United States from execution, attachment, or other legal process and are on deposit in an account in a financial institution under the jurisdiction of the court that issued the court support order, or in the case of an administrative child support order, under the jurisdiction of the common pleas court of the county in which the agency that issued or is administering the order is located, the court or agency may require any financial institution in which the obligor's funds are on deposit to do all of the following: 141
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(a) Deduct from the obligor's account a specified amount for support in satisfaction of the support order and begin the deduction no later than fourteen business days following the date the notice was mailed to the financial institution under section 3121.035 or 3123.06 of the Revised Code and division (B)(2) of this section; 152
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(b) Send the amount deducted to the office of child support in the department of job and family services pursuant to section 3121.43 of the Revised Code immediately but not later than seven business days after the date the latest deduction was made; 158
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(c) Provide the date on which the amount was deducted; 162

(d) Continue the deduction at intervals specified in the 163
notice until further notice from the court or child support 164
enforcement agency. 165

To the extent possible, the amount to be deducted shall 166
satisfy the amount ordered for support in the support order plus 167
any arrearages that may be owed by the obligor under any prior 168
support order that pertained to the same child or spouse, 169
notwithstanding the limitations of sections 2329.66, 2329.70, and 170
2716.13 of the Revised Code. 171

(2) A court or agency that imposes a deduction requirement 172
shall, within the applicable period of time specified in section 173
3119.80, 3119.81, 3121.035, or 3123.06 of the Revised Code, send 174
to the financial institution by regular mail a notice that 175
contains all of the information applicable to deduction notices 176
set forth in section 3121.037 of the Revised Code. The notice is 177
final and is enforceable by the court. 178

(C) With respect to any court support order it issues, a 179
court may issue an order requiring the obligor to enter into a 180
cash bond with the court. The court shall issue the order as part 181
of the court support order or, if the court support order has 182
previously been issued, as a separate order. The cash bond shall 183
be in a sum fixed by the court at not less than five hundred nor 184
more than ten thousand dollars, conditioned that the obligor will 185
make payment as previously ordered and will pay any arrearages 186
under any prior court support order that pertained to the same 187
child or spouse. 188

The order, along with an additional order requiring the 189
obligor to immediately notify the child support enforcement 190
agency, in writing, if the obligor begins to receive income from a 191
payor, shall be attached to and served on the obligor at the same 192
time as service of the court support order or, if the court 193

support order has previously been issued, as soon as possible 194
after the issuance of the order under this section. The additional 195
order requiring notice by the obligor shall state all of the 196
following: 197

(1) That when the obligor begins to receive income from a 198
payor the obligor may request that the court cancel its bond order 199
and instead issue a notice requiring the withholding of an amount 200
from income for support in accordance with this section; 201

(2) That when the obligor begins to receive income from a 202
payor the court will proceed to collect on the bond if the court 203
determines that payments due under the court support order have 204
not been made and that the amount that has not been paid is at 205
least equal to the support owed for one month under the court 206
support order and will issue a notice requiring the withholding of 207
an amount from income for support in accordance with this section. 208
The notice required of the obligor shall include a description of 209
the nature of any new employment, the name and business address of 210
any new employer, and any other information reasonably required by 211
the court. 212

The court shall not order an obligor to post a cash bond 213
under this section unless the court determines that the obligor 214
has the ability to do so. 215

A child support enforcement agency may not issue a cash bond 216
order. If a child support enforcement agency is required to issue 217
a withholding or deduction notice under this section with respect 218
to a court support order but the agency determines that no 219
withholding or deduction notice would be appropriate, the agency 220
may request that the court issue a cash bond order under this 221
section, and upon the request, the court may issue the order. 222

(D)(1) If the obligor under a court support order is 223
unemployed, has no income, and does not have an account at any 224

financial institution, or on request of a child support 225
enforcement agency under division (D)(1) or (2) of this section, 226
the court shall issue an order requiring the obligor, if able to 227
engage in employment, to seek employment or participate in a work 228
activity to which a recipient of assistance under Title IV-A of 229
the "Social Security Act," 49 Stat. 620 (1935), 42 U.S.C.A. 301, 230
as amended, may be assigned as specified in section 407(d) of the 231
"Social Security Act," 42 U.S.C.A. 607(d), as amended. The court 232
shall include in the order a requirement that the obligor notify 233
the child support enforcement agency on obtaining employment, 234
obtaining any income, or obtaining ownership of any asset with a 235
value of five hundred dollars or more. The court may issue the 236
order regardless of whether the obligee to whom the obligor owes 237
support is a recipient of assistance under Title IV-A of the 238
"Social Security Act." The court shall issue the order as part of 239
a court support order or, if a court support order has previously 240
been issued, as a separate order. If a child support enforcement 241
agency is required to issue a withholding or deduction notice 242
under this section with respect to a court support order but 243
determines that no withholding or deduction notice would be 244
appropriate, the agency may request that the court issue a court 245
order under division (D)(1) of this section, and, on the request, 246
the court may issue the order. 247

(2) If the obligor under an administrative child support 248
order is unemployed, has no income, and does not have an account 249
at any financial institution, the agency shall issue an 250
administrative order requiring the obligor, if able to engage in 251
employment, to seek employment or participate in a work activity 252
to which a recipient of assistance under Title IV-A of the "Social 253
Security Act," 49 Stat. 620 (1935), 42 U.S.C.A. 301, as amended, 254
may be assigned as specified in section 407(d) of the "Social 255
Security Act," 42 U.S.C.A. 607(d), as amended. The agency shall 256

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 fails to comply with
an administrative order issued pursuant to division (D)(2) of this
section, the agency shall submit a request to a court for the
court to issue an order under division (D)(1) of this section.

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Sec. 3121.0310. The department of job and family services
shall adopt standard forms for support withholding and deduction
notices described in section 3121.03 of the Revised Code, which
shall be used regardless of the type or source of income. All
courts and child support enforcement agencies shall use the forms
in issuing withholding and deduction notices. The withholding and
deduction requirements contained in the notices are final and
enforceable by the court.

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Sec. 3121.091. ~~(A)~~ A withholding notice or other order issued
pursuant to Chapter 3115., 3119., 3121., or 3123. of the Revised
Code with respect to an obligor described in section 3121.09 of
the Revised Code shall be served on one of the following:

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~~(1) if (A) If~~ the obligor is an officer or employee of the
state, on the director of administrative services;

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~~(2) if (B) If~~ the obligor is an individual described in
division (B) of section 3121.09 of the Revised Code, on the
~~director of budget and management~~ head of the state agency that is
contracting with the obligor or that owes or will owe the obligor
money.

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~~(B) A notice or order described in this section shall set~~

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~~forth the following:~~

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~~(1) The name of the state agency that owes or will owe money
to the individual against whom the notice or order is issued;~~

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~~(2) If money is to be withheld from a corporation or a
limited liability company to pay the support obligation of an
individual who is an obligor, evidence that the obligor is the
sole shareholder of the corporation or the sole member of the
limited liability company.~~

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Sec. 3121.59. A fine imposed pursuant to division (B) of
section 3121.99 of the Revised Code shall be paid to the office of
child support in the department of job and family services or,
pursuant to section 3125.29 of the Revised Code, to 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 shall
be considered program income ~~and handled in accordance with
section 3121.60 of the Revised Code.~~

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Sec. 3121.64. On receipt of administrative charges under
section 3121.56 of the Revised Code, the office of child support
shall determine the charge amounts collected from obligors under
support orders being administered by the child support enforcement
agency in each county and distribute ~~quarterly~~ monthly to each
agency an amount equal to the charges attributable to the agency.

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Sec. 3121.89. As used in sections 3121.891 to 3121.8911 of
the Revised Code:

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(A) "Contractor" means an individual who provides services to
an employer as an independent contractor for compensation that is
reported as income other than wages and who is an individual, the

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sole shareholder of a corporation, or the sole member of a limited 316
liability company. "Contractor" does not include any of the 317
following: 318

(1) An individual performing intelligence or 319
counterintelligence functions for a state agency if the head of 320
the agency has determined that reporting pursuant to this section 321
could endanger the safety of the individual or compromise an 322
ongoing investigation or intelligence mission; 323

(2) A professionally licensed person who is providing 324
services to the employer under that license; 325

(3) An individual who will receive for the services provided 326
under the contract compensation of less than two thousand five 327
hundred dollars per year or a greater amount that the director of 328
job and family services establishes by rule adopted under section 329
3121.896 of the Revised Code. 330

(B) "Employee" means an individual who is employed to provide 331
services to an employer for compensation to an employer and 332
includes an individual who provides services to an employer under 333
a contract as an independent contractor, and who is an individual, 334
the sole shareholder of a corporation, or the sole member of a 335
limited liability company that is reported as income from wages. 336
"Employee" does not include an individual performing intelligence 337
or counterintelligence functions for a state agency, if the head 338
of the agency has determined that reporting pursuant to this 339
section could endanger the safety of the employee or compromise an 340
ongoing investigation or intelligence mission. 341

~~(B)~~(C) "Employer" means any person or governmental entity 342
other than the federal government for which an individual performs 343
any service, of whatever nature, as the employee or contractor of 344
such person, except that: 345

(1) If the person for whom the individual performs services 346

does not have control of the payment of compensation for the 347
services, "employer" means the person having control of the 348
payment of the compensation. 349

(2) In the case of a person paying compensation on behalf of 350
a nonresident alien individual, foreign partnership, or foreign 351
corporation not engaged in trade or business within the United 352
States, "employer" means the person paying the compensation. 353

(3) In the case of compensation paid to a contractor, 354
"employer" does not include any person or entity that lacks a 355
federal employer identification number. 356

(D) "Professionally licensed person" has the same meaning as 357
in section 2925.01 of the Revised Code. 358

Sec. 3121.891. (A) Except as provided in division (B) or (C) 359
of this section, every employer shall make a new hire report to 360
the department of job and family services regarding the hiring, 361
rehiring, or return to work as an employee or contractor of a 362
person who resides, works, or will be assigned to work in this 363
state to whom the employer anticipates paying compensation. 364

(B) An employer with employees or contractors in two or more 365
states that transmits new hire reports magnetically or 366
electronically may make the new hire report to another state if 367
the employer does both of the following: 368

(1) Notifies the Ohio department of job and family services 369
and the United States secretary of health and human services in 370
writing that the employer has designated another state as the 371
state to which the employer will transmit the report; 372

(2) Transmits the report to that state in compliance with 373
federal law. 374

(C) The department may by rule exempt employers from making 375
new hire reports on any classification of contractors if the 376

department determines that exempting the employer will assist the
administration of the new hire reporting requirement.

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Sec. 3121.892. (A) An employer shall include all of the
following in each new hire report:

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~~(A)~~ The (1) For each employee, the employee's name, address,
date of birth, social security number, and date of hire, rehire,
or return to work;

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~~(B)~~ (2) For each contractor, the contractor's name, address,
social security or tax identification number, the date payments
begin, and the length of time the contractor will be performing
services for the employer;

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(3) The employer's name, address, and identification number.

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(B) The department of job and family services may by rule
require that additional information, specified in the rule, be
included in each new hire report.

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Sec. 3121.893. An employer ~~may~~ shall make a new hire report
~~by submitting~~ for each newly hired employee or contractor in a
manner prescribed by the department of job and family services.
The department may require that the report include or consist of
the submission of 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 ~~of job and~~
~~family services~~, or any other hiring document or data storage
device or mechanism the department authorizes. An employer may
make the new hire report by mail, fax, magnetic or electronic
means, or other means the department authorizes. If an employer
makes a new hire 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 new hire report not later

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than twenty days after the date on which the employer hires or 407
rehires an employee or the employee returns to work or the date on 408
which the employer engages or re-engages the contractor or the 409
contractor resumes providing services under the contract. 410

Sec. 3121.894. The department of job and family services 411
shall, within five days of receipt from an employer, enter the 412
information described in divisions (A)(1) and (3) of section 413
3121.892 of the Revised Code into the new hires directory, which 414
shall be part of or accessible to the automated data processing 415
system required pursuant to section 3125.07 of the Revised Code. 416

The department of job and family services may specify by rule 417
the extent to which the information described in division (A)(2) 418
of section 3121.892 of the Revised Code is to be entered into the 419
new hires directory or any other appropriate directory. The 420
department shall enter the information in accordance with the 421
rule. 422

Sec. 3121.895. The department of job and family services 423
shall make comparisons of the social security numbers obtained 424
pursuant to division (A)(1) of section 3121.892 of the Revised 425
Code and the social security numbers appearing in the case 426
registry maintained pursuant to sections 3121.81 to 3121.86 of the 427
Revised Code. Not later than the business day after information is 428
entered into the directory, if the comparison conducted by the 429
department results in a match, the department shall notify the 430
child support enforcement agency administering the support order. 431

Sec. 3121.896. The director of job and family services shall 432
by rule establish the manner in which information concerning any 433
person identified in division (A)(2) of section 3121.892 of the 434
Revised Code shall be used to enforce any support obligations of 435

that person.

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The director of job and family services may adopt a rule
increasing above the amount established in division (A)(3) of
section 3121.89 of the Revised Code the amount of compensation
that an employer may annually pay to a contractor under a contract
without being required to make a new hire report in relation to
that contractor.

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Sec. 3121.897. Within three business days after information
on persons identified in division (A)(1) of section 3121.892 of
the Revised Code is entered into the new hires directory, the
department of job and family services shall furnish the
information to the national directory of new hires. The department
shall furnish to the national directory of new hires on a
quarterly basis such information contained in the records of the
department as is required by state and federal law.

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To the extent it determines appropriate, the department also
may furnish to the national directory of new hires information on
persons identified in division (A)(2) of section 3121.892 of the
Revised Code.

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Sec. 3121.898. The department of job and family services
shall use the new hire reports it receives for any of the
following purposes set forth in 42 U.S.C. 653a, as amended,
including:

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(A) To locate individuals for the purposes of establishing
paternity and for establishing, modifying, and enforcing child
support orders ~~being administered by child support enforcement~~
~~agencies in this state.~~

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(B) ~~To verify eligibility for any of the following programs~~
As used in this division, "state agency" means every department,
bureau, board, commission, office, or other organized body

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established by the constitution or laws of this state for the 466
exercise of state government; every entity of county government 467
that is subject to the rules of a state agency; and every 468
contractual agent of a state agency. 469

To make available to any state agency responsible for 470
administering any of the following programs for purposes of 471
verifying program eligibility: 472

(1) Any Title IV-A program as defined in section 5101.80 of 473
the Revised Code; 474

(2) The medicaid program authorized by Chapter 5111. of the 475
Revised Code; 476

(3) The unemployment compensation program authorized by 477
Chapter 4141. of the Revised Code; 478

(4) The food stamp program authorized by section 5101.54 of 479
the Revised Code; 480

(5) Any other program authorized in 42 U.S.C. 1320b-7(b), as 481
amended. 482

(C) The administration of the employment security program 483
under the director of job and family services. 484

Sec. 3121.899. (A) The new hire reports filed with the 485
department of job and family services pursuant to section 3121.891 486
of the Revised Code shall not be considered public records for 487
purposes of section 149.43 of the Revised Code. The director of 488
job and family services may adopt rules under section 3125.51 of 489
the Revised Code governing access to, and use and disclosure of, 490
information contained in the new hire reports. 491

(B) The department of job and family services may disclose 492
information in the new hire reports to all of the following: 493

(1) Any child support enforcement agency and any agent under 494

contract with a child support enforcement agency for the purposes 495
listed in division (A) of section 3121.898 of the Revised Code; 496

(2) Any county department of job and family services and any 497
agent under contract with a county department of job and family 498
services for the purposes listed in division (B) of section 499
3121.898 of the Revised Code; 500

(3) Employees of the department of job and family services 501
and any agent under contract with the department of job and family 502
services for the purposes listed in divisions (B) and (C) of 503
section 3121.898 of the Revised Code; 504

(4) The administrator of workers' compensation for the 505
purpose of administering the workers' compensation system pursuant 506
to Chapters 4121., 4123., 4127., and 4131. of the Revised Code; 507

(5) To state agencies operating employment security and 508
workers compensation programs for the purpose of administering 509
those programs, pursuant to division (D) of section 3121.898 of 510
the Revised Code. 511

Sec. 3121.8910. An employer that fails to make a new hire 512
report shall be ~~required by~~ liable to the department of job and 513
family services ~~to pay a fee of not more than~~ for a civil penalty 514
of twenty-five dollars for each failure to make a report. 515

If the failure to make a new hire report is the result of a 516
conspiracy between the employer and the employee not to supply the 517
report or to supply a false or incomplete report, ~~the department~~ 518
~~shall require~~ the employer ~~to pay a fee of not more than~~ shall be 519
liable for a civil penalty of five hundred dollars for each such 520
failure. 521

Sec. 3123.021. If an obligor under a support order is 522
identified as being in default under the order and is also 523

identified under section 3121.895 of the Revised Code as obtaining 524
employment, the withholding notice issued under section 3121.03 of 525
the Revised Code ~~in accordance with section 3121.896 of the~~ 526
~~Revised Code~~ shall require the arrearage amount resulting from the 527
default to be withheld in addition to current support amounts. 528

If an obligor under a support order is identified as being in 529
default under the order and is also identified through a source 530
other than section 3121.895 of the Revised Code as obtaining 531
employment, the child support enforcement agency administering the 532
order shall send a withholding notice to the employer pursuant to 533
section 3121.03 of the Revised Code, unless the employee's income 534
is not subject to withholding, not later than two business days 535
after discovery of the employment. The withholding notice shall 536
require the arrearage amount resulting from the default to be 537
withheld in addition to current support amounts. 538

Section 3123.21 of the Revised Code applies to a withholding 539
notice issued in accordance with this section beginning on the 540
date it is issued and ending on the date the period of default 541
ends. 542

Sec. 3125.141. In providing for service of process of a 543
notice or order as required under this chapter or Chapter 3111., 544
3115., 3119., 3121., or 3123. of the Revised Code and in locating 545
the individual to be served, a child support enforcement agency 546
may do one or both of the following: 547

(A) Contract with the sheriff of the county served by the 548
agency to compensate the sheriff's office for the provision of 549
services, staff, or equipment, or for the performance of actions, 550
on behalf of the child support enforcement agency to accomplish 551
the objectives of the support enforcement program pursuant to 552
Title IV-D of the "Social Security Act," 88 Stat. 2351 (1975), 42 553

U.S.C. 651, et. seq., as amended, any regulations adopted under 554
that act, and state law; 555

(B) Contract with a private person or entity to provide 556
service of process for the agency if the agency determines that 557
the sheriff of the county served by the agency is unable to 558
provide the resources necessary for service of process in a timely 559
manner. The contract may include additional incentives for 560
successful service of process. 561

Section 2. That existing sections 311.17, 3121.03, 3121.0310, 562
3121.091, 3121.59, 3121.64, 3121.89, 3121.891, 3121.892, 3121.893, 563
3121.894, 3121.895, 3121.897, 3121.898, 3121.899, 3121.8910, and 564
3123.021 and sections 3121.60, 3121.63, and 3121.896 of the 565
Revised Code are hereby repealed. 566

Section 3. The amendments to sections 3121.03, 3121.0310, 567
3121.091, 3121.59, 3121.64, 3121.89, 3121.891, 3121.892, 3121.893, 568
3121.894, 3121.895, 3121.897, 3121.898, 3121.899, 3121.8910, and 569
3123.021, the enactment of new section 3121.896, and the repeal of 570
sections 3121.60, 3121.63, and 3121.896 of the Revised Code shall 571
take effect on the ninetieth day after the effective date of this 572
act. 573

Section 4. This act is hereby declared to be an emergency 574
measure necessary for the immediate preservation of the public 575
peace, health, and safety. The reason for such necessity is that 576
its immediate effect will avoid problems with federal audits of 577
contracts between child support enforcement agencies and county 578
sheriffs regarding service of process. Therefore, this act shall 579
go into immediate effect. 580