

104<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 1029

To improve the enforcement of child support obligations in both intrastate and interstate cases by requiring the imposition and execution of liens against the property of persons who owe overdue support.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 23, 1995

Mr. TORKILDSEN (for himself, Mr. MEEHAN, Mr. NEAL, Mr. EMERSON, Mr. FRANK of Massachusetts, Mr. OLVER, Mr. MARKEY, Mr. BILIRAKIS, Mr. KING, Mr. BLUTE, Mr. SHAYS, Mrs. MORELLA, Ms. PRYCE, Mr. KENNEDY of Massachusetts, and Mr. JACOBS) introduced the following bill; which was referred to the Committee on Ways and Means

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## A BILL

To improve the enforcement of child support obligations in both intrastate and interstate cases by requiring the imposition and execution of liens against the property of persons who owe overdue support.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. LIENS AGAINST THE PROPERTY OF PERSONS**  
4 **OWING OVERDUE CHILD SUPPORT.**

5 Section 466(a)(4) of the Social Security Act (42  
6 U.S.C. 666(a)(4) is amended to read as follows:

1           “(4)(A) Procedures under which liens arise by  
2 operation of law and are imposed against real and  
3 personal property for amounts of overdue support  
4 owed by an absent parent who resides or owns prop-  
5 erty in the State.

6           “(B) Such procedures shall require the State  
7 agency responsible for the administration of the  
8 State plan approved under this part, in accordance  
9 with State due process procedures, to—

10           “(i) in appropriate cases, levy or record  
11 with the appropriate public or private entity a  
12 lien arising pursuant to subparagraph (A)  
13 against any property of the individual; and

14           “(ii) in appropriate cases, execute on,  
15 seize, and sell the property in accordance with  
16 State law.

17           “(C)(i) Such procedures shall require that,  
18 upon receipt from another State of the certification  
19 required by clause (ii) of this subparagraph with re-  
20 spect to an individual, the State agency referred to  
21 in subparagraph (B) shall—

22           “(I) accord full faith and credit to a lien  
23 arising pursuant to subparagraph (A) in such  
24 other State against the property of the individ-  
25 ual; and

1           “(II) shall, in accordance with subpara-  
2           graph (B), enforce the lien against any interest  
3           of the individual in property which is located in  
4           the State.

5           “(ii) The certification required by this clause  
6           with respect to an individual is a certification—

7                   “(I) of the amount of overdue support that  
8                   is owed by the individual; and

9                   “(II) that a lien has arisen as described in  
10                  subparagraph (A) against the property of the  
11                  individual, and was imposed in accordance with  
12                  due process.

13                  “(D) Such procedures shall permit the certifi-  
14                  cation described in subparagraph (C) to be transmit-  
15                  ted to the State by electronic means.”.

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