
DIGEST

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HB 537 Original

2019 Regular Session

Mike Johnson

Abstract: Provides for the assignment of rights to the Department of Children and Family Services of parents or other individuals whose children are in foster care.

Proposed law provides that parents or other individuals of children who have been voluntarily or involuntarily placed in foster care, are deemed to have made an assignment of their right to the Department of Children and Family Services (DCFS).

Proposed law provides such assignment includes the parent or individual's entire right, title, and interest, to any support obligation such parent or individual may have and:

- (1) Occurs without the necessity of signing any documents.
- (2) Constitutes an obligation owed to DCFS.
- (3) Includes voluntary payments made to the parent at the time of placement.

Proposed law provides that during such assignment, without the necessity of signing any document, the parent or individual shall be deemed to have consented to:

- (1) The designation as DCFS as payee.
- (2) Having the child support enforcement administrator act as his attorney and act in his name, place, and stead.
- (3) Having the child support enforcement administrator perform the specific act of endorsing any and all draft, checks, money orders, or other negotiable instruments representing support payments which are received on behalf of such individual or parent.
- (4) Having DCFS be an indispensable party to any proceeding involving a support obligation or arrearage owed.

Proposed law prohibits any parent or individual who has had a child removed from the parents' custody or voluntarily placed in foster care from entering into a contract for the collection of support. Proposed law provides that any such contract is void and shall be considered a violation of public policy.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Adds R.S. 46:51.1.1)