

2018 Regular Session

HOUSE BILL NO. 154

BY REPRESENTATIVE MAGEE

CHILDREN/SUPPORT: Provides relative to access to certain information for purposes of child support enforcement

1 AN ACT

2 To amend and reenact R.S. 46:236.15(C)(introductory paragraph) and (9), relative to child
3 support enforcement; to provide relative to paternity and child support actions; to
4 authorize access to certain information of electronic communications and Internet
5 service providers; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 46:236.15(C)(introductory paragraph) and (9) are hereby amended
8 and reenacted to read as follows:

9 §236.15. Limited administrative authority for certain paternity and child support
10 actions

11 * * *

12 C. Access to information.

13 Notwithstanding any other provision of law, subject to the safeguards on
14 privacy and information security, and subject to the nonliability of entities that afford
15 such access according to this ~~Subparagraph~~ Subsection, the agency shall have the
16 right to access information contained in the following records, including information
17 maintained in automated databases, to assist in actions relating to the establishment
18 of paternity or to the establishment, modification, or enforcement of support orders,
19 without obtaining an order from any other judicial or administrative tribunal:

20 * * *

1 (9) The names and addresses of individuals who owe or are owed support,
 2 or against or with respect to whom a support obligation is sought, and the names and
 3 addresses of employers of such individuals, as appearing in customer records of
 4 electronic communications and Internet service providers, public utilities, cable
 5 television companies, and cellular telephone companies, pursuant to an
 6 administrative subpoena in accordance with Subsection B of this Section.

7 * * *

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 154 Engrossed

2018 Regular Session

Magee

Abstract: Authorizes DCFS to access records of electronic communications and Internet service providers for purposes of child support enforcement.

Present law authorizes the Dept. of Children and Family Services to obtain certain information for the purposes of child support enforcement. Present law authorizes DCFS to order DNA testing and to subpoena additional information from numerous sources, including marriage, birth, and divorce records, state and local tax and revenue records, real and titled property records, employment security records, corrections records, occupational and professional license records, public assistance program records, office of motor vehicles records, and records of public utilities, cable television companies, and cellular telephone companies.

Proposed law retains present law and also includes the ability to access records of electronic communications and Internet service providers.

(Amends R.S. 46:236.15(C)(intro. para.) and (9))