

1 A bill to be entitled
2 An act relating to child support obligations; amending
3 s. 61.13, F.S.; requiring payments in Title IV-D cases
4 to be made to the State Disbursement Unit; requiring
5 the depository to transmit certain data through, and
6 set up appropriate payment accounts on, the Clerk of
7 Court Child Support Collection System under certain
8 circumstances; amending s. 61.1354, F.S.; requiring
9 consumer reporting agencies to provide certain
10 reports, upon request, to the Department of Revenue
11 for certain purposes; requiring the Department Revenue
12 to provide certifications; amending s. 61.30, F.S.;
13 prohibiting incarceration from being considered
14 voluntary unemployment for purposes of imputing income
15 to a parent; providing exceptions; requiring certain
16 social security benefits to count as gross income of a
17 parent; authorizing a credit in child support payments
18 if a parent pays certain benefits and files a motion
19 with the court; requiring notice and the opportunity
20 for a hearing for such credit in Title IV-D cases;
21 amending s. 409.256, F.S.; revising a definition;
22 amending s. 409.2563, F.S.; revising a definition;
23 providing that the Department of Revenue is not
24 required to file certified copies of certain support
25 orders; amending s. 409.25656, F.S.; authorizing the

26 Department of Revenue to deliver notices through
27 electronic means after receiving certain consent;
28 amending s. 409.25658, F.S.; revising the process by
29 which the Department of Revenue may receive
30 information and submit unclaimed property claims for
31 the purpose of collecting past due child support;
32 requiring certain notice to be provided by regular,
33 rather than certified, mail; requiring the Department
34 of Financial Services to transfer an obligor's
35 property in the amount of the past due child support
36 to the Department of Revenue under certain
37 circumstances; amending s. 409.2567, F.S.; authorizing
38 the Department of Revenue to e-mail confidential
39 information after receiving certain consent;
40 prohibiting certain information from being e-mailed;
41 amending s. 409.2576, F.S.; providing a definition;
42 requiring specified reports for certain individuals to
43 be sent to the State Directory of New Hires;
44 specifying when a report must be submitted;
45 authorizing wage or other income withholding of
46 certain individuals; making conforming revisions;
47 providing an effective date.

48
49 Be It Enacted by the Legislature of the State of Florida:
50

51 Section 1. Paragraph (d) of subsection (1) of section
 52 61.13, Florida Statutes, is amended to read:

53 61.13 Support of children; parenting and time-sharing;
 54 powers of court.—

55 (1)

56 (d)1. All child support orders must ~~shall~~ provide the full
 57 name and date of birth of each minor child who is the subject of
 58 the child support order.

59 2. If both parties request and the court finds that it is
 60 in the best interest of the child, support payments need not be
 61 subject to immediate income deduction. Support orders that are
 62 not subject to immediate income deduction may be directed
 63 through the depository under s. 61.181 or made payable directly
 64 to the obligee. Payments made by immediate income deduction must
 65 ~~shall~~ be made to the State Disbursement Unit. The court shall
 66 provide a copy of the order to the depository.

67 3. For support orders payable directly to the obligee, any
 68 party, ~~or the department in a IV-D case,~~ may subsequently file
 69 an affidavit with the depository alleging a default in payment
 70 of child support and stating that the party wishes to require
 71 that payments be made through the depository. The party shall
 72 provide copies of the affidavit to the court and to each other
 73 party. Fifteen days after receipt of the affidavit, the
 74 depository shall notify all parties that future payments must
 75 ~~shall~~ be paid through the depository, except that payments in

76 | Title IV-D cases and income deduction payments must ~~shall~~ be
 77 | made to the State Disbursement Unit. Upon notice by the
 78 | department that it is providing Title IV-D services in a case
 79 | with an existing support order, the depository shall transmit
 80 | case data through, and set up appropriate payment accounts,
 81 | regardless of whether there is a delinquency, on the Clerk of
 82 | the Court Child Support Collection System as required under s.
 83 | 61.181(2)(b).

84 | Section 2. Subsection (3) of section 61.1354, Florida
 85 | Statutes, is amended to read:

86 | 61.1354 Sharing of information between consumer reporting
 87 | agencies and the IV-D agency.—

88 | ~~(3) For purposes of determining an individual's income and~~
 89 | ~~establishing an individual's capacity to make support payments~~
 90 | ~~or for determining the appropriate amount of child support~~
 91 | ~~payment to be made by the individual,~~ Consumer reporting
 92 | agencies shall provide, upon request, consumer reports to the
 93 | department as authorized under head of the IV-D agency pursuant
 94 | ~~to~~ s. 604 of the Fair Credit Reporting Act, provided that the
 95 | department head of the IV-D agency, or its designee, certifies
 96 | all of the following that:

97 | (a) The consumer report is needed for the purpose of
 98 | ~~determining an individual's income and establishing an~~
 99 | ~~individual's capacity to make support payments,~~ ~~or~~ determining
 100 | the appropriate level of such payments, or enforcing a child

101 support order, award, agreement, or judgment. ~~amount of child~~
 102 ~~support payment to be made by the individual;~~

103 (b) The parentage ~~Paternity~~ of the child of the individual
 104 whose report is sought, ~~if that individual is the father of the~~
 105 ~~child,~~ has been established or acknowledged in accordance with
 106 state laws under which the obligation arose. ~~pursuant to the~~
 107 ~~laws of Florida;~~

108 (c) The individual whose report is sought was provided
 109 with at least 15 days' prior notice, by regular ~~certified or~~
 110 ~~registered~~ mail to the individual's last known address, that the
 111 report was requested. ~~;~~ and

112 (d) The consumer report will be kept confidential and used
 113 solely for the purpose described in paragraph (a) and will not
 114 be used in connection with any other civil, administrative, or
 115 criminal proceeding or for any other purpose.

116 Section 3. Subsections (2) and (10) of section 61.30,
 117 Florida Statutes, are amended, to read:

118 61.30 Child support guidelines; retroactive child
 119 support.—

120 (2) Income shall be determined on a monthly basis for each
 121 parent as follows:

122 (a) Gross income shall include, but is not limited to, all
 123 of the following:

- 124 1. Salary or wages.
- 125 2. Bonuses, commissions, allowances, overtime, tips, and

126 other similar payments.

127 3. Business income from sources such as self-employment,
128 partnership, close corporations, and independent contracts.

129 "Business income" means gross receipts minus ordinary and
130 necessary expenses required to produce income.

131 4. Disability benefits.

132 5. All workers' compensation benefits and settlements.

133 6. Reemployment assistance or unemployment compensation.

134 7. Pension, retirement, or annuity payments.

135 8. Social security benefits.

136 9. Spousal support received from a previous marriage or
137 court ordered in the marriage before the court.

138 10. Interest and dividends.

139 11. Rental income, which is gross receipts minus ordinary
140 and necessary expenses required to produce the income.

141 12. Income from royalties, trusts, or estates.

142 13. Reimbursed expenses or in kind payments to the extent
143 that they reduce living expenses.

144 14. Gains derived from dealings in property, unless the
145 gain is nonrecurring.

146 (b) Monthly income shall be imputed to an unemployed or
147 underemployed parent if such unemployment or underemployment is
148 found by the court to be voluntary on that parent's part, absent
149 a finding of fact by the court of physical or mental incapacity
150 or other circumstances over which the parent has no control. In

151 the event of such voluntary unemployment or underemployment, the
152 employment potential and probable earnings level of the parent
153 shall be determined based upon his or her recent work history,
154 occupational qualifications, and prevailing earnings level in
155 the community if such information is available. If the
156 information concerning a parent's income is unavailable, a
157 parent fails to participate in a child support proceeding, or a
158 parent fails to supply adequate financial information in a child
159 support proceeding, income shall be automatically imputed to the
160 parent and there is a rebuttable presumption that the parent has
161 income equivalent to the median income of year-round full-time
162 workers as derived from current population reports or
163 replacement reports published by the United States Bureau of the
164 Census. For purposes of this paragraph, the incarceration of a
165 parent may not be treated as voluntary unemployment for the
166 purpose of imputing income to such parent in order to establish
167 or modify a support order, unless the parent is incarcerated for
168 willful nonpayment of child support or for an offense against
169 the child or the person who is owed child support. However, the
170 court may refuse to impute income to a parent if the court finds
171 it necessary for that parent to stay home with the child who is
172 the subject of a child support calculation or as set forth
173 below:

174 1. In order for the court to impute income at an amount
175 other than the median income of year-round full-time workers as

176 derived from current population reports or replacement reports
177 published by the United States Bureau of the Census, the court
178 must make specific findings of fact consistent with the
179 requirements of this paragraph. The party seeking to impute
180 income has the burden to present competent, substantial evidence
181 that:

182 a. The unemployment or underemployment is voluntary; and
183 b. Identifies the amount and source of the imputed income,
184 through evidence of income from available employment for which
185 the party is suitably qualified by education, experience,
186 current licensure, or geographic location, with due
187 consideration being given to the parties' time-sharing schedule
188 and their historical exercise of the time-sharing provided in
189 the parenting plan or relevant order.

190 2. Except as set forth in subparagraph 1., income may not
191 be imputed based upon:

192 a. Income records that are more than 5 years old at the
193 time of the hearing or trial at which imputation is sought; or
194 b. Income at a level that a party has never earned in the
195 past, unless recently degreed, licensed, certified, relicensed,
196 or recertified and thus qualified for, subject to geographic
197 location, with due consideration of the parties' existing time-
198 sharing schedule and their historical exercise of the time-
199 sharing provided in the parenting plan or relevant order.

200 (c) Social security benefits received by a child or a

201 child's caregiver, as defined in s. 39.01(10), due to the
202 retirement or disability of the child's parent must be included
203 in the parent's gross income.

204 (10) (a) Each parent's actual dollar share of the total
205 minimum child support need is ~~shall be~~ determined by multiplying
206 the minimum child support need by each parent's percentage share
207 of the combined monthly net income.

208 (b)1. A parent is entitled to credit for social security
209 benefits that are paid directly to the child or the child's
210 caregiver, as defined in s. 39.01(10), when the benefits are
211 paid because of the parent's retirement or disability. If the
212 social security benefits paid are equal to or greater than the
213 parent's monthly support obligation, the parent's monthly
214 support obligation is considered paid in full for each month
215 such benefits are paid. Any social security benefits paid in
216 excess of the parent's monthly support obligation inure to the
217 benefit of the child and may not be used to pay past due or
218 retroactive support that accrued before the social security
219 benefits commenced. If the social security benefits paid are
220 less than the parent's monthly support obligation, the parent
221 must pay the amount of the difference to satisfy his or her
222 monthly support obligation.

223 2. If a parent is entitled to credit under subparagraph
224 1., he or she may file a motion with the court or include the
225 request in a petition to modify the support order.

226 Alternatively, in a Title IV-D case, the department may
227 determine and apply credit after notice and an opportunity for a
228 hearing are provided in accordance with chapter 120. If the
229 department determines that a credit applies, the department must
230 notify the clerk of court and the clerk must update the payment
231 record to reflect the credit.

232 Section 4. Paragraph (i) of subsection (1) of section
233 409.256, Florida Statutes, is amended to read:

234 409.256 Administrative proceeding to establish paternity
235 or paternity and child support; order to appear for genetic
236 testing.—

237 (1) DEFINITIONS.—As used in this section, the term:

238 (i) "Rendered" means that a signed written order is issued
239 ~~by filed with the clerk or a deputy clerk of the department of~~
240 ~~Revenue and served on the respondent. The date of filing must be~~
241 ~~indicated on the face of the order at the time of rendition.~~

242 Section 5. Paragraph (e) of subsection (1) and subsection
243 (8) of section 409.2563, Florida Statutes, are amended to read:

244 409.2563 Administrative establishment of child support
245 obligations.—

246 (1) DEFINITIONS.—As used in this section, the term:

247 (e) "Rendered" means that a signed written order is issued
248 ~~by filed with the clerk or any deputy clerk of the department~~
249 ~~and served on the respondent. The date of filing must be~~
250 ~~indicated on the face of the order at the time of rendition.~~

251
 252 Other terms used in this section have the meanings ascribed in
 253 ss. 61.046 and 409.2554.

254 (8) FILING WITH THE CLERK OF THE CIRCUIT COURT; OFFICIAL
 255 PAYMENT RECORD; JUDGMENT BY OPERATION OF LAW.—The department
 256 shall file with the clerk of the circuit court a ~~certified~~ copy
 257 of an administrative support order rendered under this section.
 258 The depository operated under ~~pursuant to~~ s. 61.181 for the
 259 county where the administrative support order has been filed
 260 shall:

261 (a) Act as the official recordkeeper for payments required
 262 under the administrative support order. ~~†~~

263 (b) Establish and maintain the necessary payment
 264 accounts. ~~†~~

265 (c) Upon a delinquency, initiate the judgment by operation
 266 of law procedure as provided by s. 61.14(6). ~~† and~~

267 (d) Perform all other duties required of a depository with
 268 respect to a support order entered by a court of this state.

269
 270 When a proceeding to establish an administrative support order
 271 is commenced under subsection (4), the department shall file a
 272 copy of the initial notice with the depository. The depository
 273 shall assign an account number and provide the account number to
 274 the department within 4 business days after the initial notice
 275 is filed.

276 Section 6. Subsection (4) of section 409.25656, Florida
 277 Statutes, is amended to read:

278 409.25656 Garnishment.—

279 (4) A notice that is delivered under this section is
 280 effective at the time of delivery against all credits, other
 281 personal property, or debts of the obligor which are not at the
 282 time of such notice subject to an attachment, garnishment, or
 283 execution issued through a judicial process. If a person
 284 requiring notice under this section provides his or her written
 285 consent, the department may deliver notice through secure
 286 electronic means.

287 Section 7. Section 409.25658, Florida Statutes, is amended
 288 to read:

289 409.25658 Use of unclaimed property for past due support.—

290 (1) In a joint effort to facilitate the collection and
 291 payment of past due support, the department ~~of Revenue~~, in
 292 cooperation with the Department of Financial Services, shall
 293 identify persons owing support collected by the department
 294 ~~through a court~~ who are presumed to have unclaimed property held
 295 by the Department of Financial Services.

296 (2) The Department of Financial Services ~~department~~ shall
 297 periodically provide the department ~~of Financial Services~~ with
 298 an electronic file of unclaimed property accounts. The
 299 department shall use the data to identify support obligors with
 300 unclaimed property accounts and provide the Department of

301 Financial Services with an electronic file that includes the
302 names and other personal identifying information of the support
303 obligors ~~support obligors who owe past due support.~~ The
304 ~~Department of Financial Services shall conduct a data match of~~
305 ~~the file against all apparent owners of unclaimed property under~~
306 ~~chapter 717 and provide the resulting match list to the~~
307 ~~department.~~

308 (3) The department is authorized, as the state's Title IV-
309 D agency under s. 409.2557(1), to submit claims for unclaimed
310 property to the Department of Financial Services, in accordance
311 with the standards established by the Department of Financial
312 Services, for the purpose of collecting past due support ~~Upon~~
313 ~~receipt of the data match list, the department shall provide to~~
314 ~~the Department of Financial Services the obligor's last known~~
315 ~~address. The Department of Financial Services shall follow the~~
316 ~~notification procedures under s. 717.118.~~

317 (4) ~~Before~~ Prior ~~to~~ paying an obligor's approved claim,
318 the Department of Financial Services must ~~shall~~ notify the
319 department that such claim has been approved. Upon confirmation
320 that the Department of Financial Services has approved the claim
321 or a claim submitted by the department, the department shall
322 immediately send a notice by regular ~~certified~~ mail to the
323 obligor, ~~with a copy to the Department of Financial Services,~~
324 advising the obligor of the department's intent to intercept the
325 property ~~approved claim~~ up to the amount of the past due

326 support, and informing the obligor of the obligor's right to
 327 request a hearing under chapter 120. If a hearing is requested,
 328 the Department of Financial Services shall retain custody of the
 329 property until a final order has been entered and any appeals
 330 thereon have been concluded. If the obligor fails to request a
 331 hearing, the department shall inform ~~enter a final order~~
 332 ~~instructing~~ the Department of Financial Services to transfer to
 333 the department the property up to ~~in~~ the amount of the past due
 334 support ~~stated in the final order~~. Upon ~~such~~ transfer, the
 335 Department of Financial Services is ~~shall be~~ released from
 336 further liability related to the transferred property.

337 (5) ~~The provisions of~~ This section provides ~~provide~~ a
 338 supplemental remedy, and the department may use this remedy in
 339 conjunction with any other method of collecting support.

340 Section 8. Subsection (1) of section 409.2567, Florida
 341 Statutes, is amended to read:

342 409.2567 Services to individuals not otherwise eligible.-

343 (1)(a) All support services provided by the department
 344 must ~~shall~~ be made available on behalf of all dependent
 345 children. Services must ~~shall~~ be provided upon acceptance of
 346 public assistance or upon proper application filed with the
 347 department. The federally required application fee for
 348 individuals who do not receive public assistance is \$1, which is
 349 ~~shall be~~ waived for all applicants and paid by the department.
 350 The annual fee required under 42 U.S.C. s. 654(6)(B), as amended

351 by Pub. L. No. 115-123, for cases involving an individual who
 352 has never received temporary cash assistance and for whom the
 353 department has collected the federally required minimum amount
 354 of support must ~~shall~~ be paid by the department.

355 (b) The department may include confidential and exempt
 356 information in communications via unencrypted e-mail with a
 357 parent, caregiver, or other person authorized to receive such
 358 information upon receiving written consent from the parent,
 359 caregiver, or other person. However, social security numbers,
 360 federal tax information, driver license numbers, and bank
 361 account numbers may not be included in communications via
 362 unencrypted e-mail even if such consent is received.

363 Section 9. Section 409.2576, Florida Statutes, is amended
 364 to read:

365 409.2576 State Directory of New Hires.—

366 (1) DIRECTORY CREATED.—The State Directory of New Hires is
 367 ~~hereby~~ created and shall be administered by the Department of
 368 Revenue or its agent. All employers and service recipients in
 369 the state must ~~shall~~ furnish a report consistent with subsection
 370 (3) for each newly hired or rehired employee or each individual
 371 who performs a service for a service recipient unless the
 372 employee or individual is employed by a federal or state agency
 373 performing intelligence or counterintelligence functions and the
 374 head of such agency has determined that reporting under ~~pursuant~~
 375 ~~to~~ this section could endanger the safety of the employee or

376 | individual or compromise an ongoing investigation or
 377 | intelligence mission.

378 | (2) DEFINITIONS.—For purposes of this section, the term:

379 | (a) ~~(d)~~ "Date of hire" is the first day of work for which
 380 | an ~~the~~ employee or individual is owed income.

381 | (b) ~~(a)~~ "Employee" has the same meaning given such term in
 382 | s. 3401(d) ~~is defined as an individual who is an employee within~~
 383 | the meaning of chapter 24 of the Internal Revenue Code of 1986.

384 | (c) ~~(b)~~ "Employer" has the meaning given such term in s.
 385 | 3401(d) of the Internal Revenue Code of 1986 and includes any
 386 | government entity and labor organization.

387 | (d) ~~(e)~~ "Labor organization" has the meaning given such
 388 | term in s. 2(5) of the National Labor Relations Act and includes
 389 | any entity which is used by the organization and an employer to
 390 | carry out requirements described in s. 8(f)(3) of such act of an
 391 | agreement between the organization and employer.

392 | (e) "Service recipient" means a person engaged in a trade
 393 | or business and for whom a service is performed by an individual
 394 | in a capacity other than that of an employee.

395 | (3) EMPLOYERS AND SERVICE RECIPIENTS TO FURNISH REPORTS.—

396 | ~~(a) Each employer subject to the reporting requirements of~~
 397 | ~~chapter 443 with 250 or more employees, shall provide to the~~
 398 | ~~State Directory of New Hires, a report listing the employer's~~
 399 | ~~legal name, address, and reemployment assistance identification~~
 400 | ~~number. The report must also provide the name and social~~

401 ~~security number of each new employee or rehired employee at the~~
402 ~~end of the first pay period following employment or~~
403 ~~reemployment.~~

404 (a) ~~(b)~~ All employers must ~~shall~~ furnish a report to the
405 State Directory of New Hires of the state in which a ~~the~~ newly
406 hired or rehired employee works. The report required in this
407 section must ~~shall~~ be made on a W-4 form or, at the option of
408 the employer, an equivalent form, and can be transmitted
409 magnetically, electronically, by first-class mail, or other
410 methods which may be prescribed by the State Directory. Each
411 report must ~~shall~~ include the name, address, date of hire, and
412 social security number of every new and rehired employee and the
413 name, address, and federal employer identification number of the
414 reporting employer. If available, the employer may also include
415 the employee's date of birth in the report. Multistate employers
416 and service recipients that report new hire information and
417 information concerning other individuals subject to reporting
418 electronically or magnetically may designate a single state to
419 which it will transmit the requisite reports ~~above noted report~~,
420 provided the employer or service recipient has employees or
421 other individuals subject to reporting performing services in
422 that state and the employer or service recipient notifies the
423 Secretary of Health and Human Services in writing to which state
424 the information will be provided. Agencies of the United States
425 Government shall report directly to the National Directory of

426 New Hires.

427 (b) All service recipients must furnish a report as
 428 provided in paragraph (a) for an individual who performs a
 429 service for a service recipient as defined in paragraph (2)(e)
 430 if the service recipient pays the individual more than \$600
 431 during any 1 calendar year. The report must include the name,
 432 address, and social security number, or other identifying number
 433 assigned to an individual under 26 U.S.C. s. 6109, of the
 434 individual, the date on which a service for payment was first
 435 performed, and the name, address, and employer identification
 436 number of the service recipient.

437 (c) Pursuant to the federal Personal Responsibility and
 438 Work Opportunity Reconciliation Act of 1996, each party is
 439 required to provide his or her social security number in
 440 accordance with this section. Disclosure of social security
 441 numbers obtained through this requirement is ~~shall be~~ limited to
 442 the purpose of administration of the Title IV-D program for
 443 child support enforcement and those programs listed in
 444 subsection (9).

445 (4) TIME FOR REPORTS.—

446 (a) Employers must report new hire information, as
 447 described in subsection (3), within 20 days after ~~of~~ the hire
 448 date of the employee, or, in the case of employers that report
 449 new hire information electronically or by magnetic tape, by two
 450 monthly transmissions, if necessary, at least ~~not less than~~ 12

451 days but not ~~nor~~ more than 16 days apart.

452 (b) Service recipients must report information, as
453 described in subsection (3), regarding individuals who perform
454 services for a service recipient within 20 days after first
455 making payments that require an information return in accordance
456 with 26 U.S.C. s. 6041A(a) or entering into a contract that
457 provides for such payments, whichever occurs first. In the case
458 of service recipients that submit reports electronically or by
459 magnetic tape, by two monthly transmissions, if necessary, at
460 least 12 days but not more than 16 days apart.

461 (5) ENTRY OF DATA.—The State Directory of New Hires must
462 ~~shall~~ enter ~~new hire~~ information into an automated database
463 within 5 business days after ~~of~~ receipt of the information.

464 (6) MATCHES TO STATE REGISTRY.—~~Not later than May 1, 1998,~~
465 The Department of Revenue or its agent must conduct automated
466 matches of the social security numbers of employees and
467 individuals reported to the State Directory of New Hires against
468 the social security numbers of records in the State Case
469 Registry. The Title IV-D agency shall use the new hire
470 information received to locate individuals for the purposes of
471 establishing paternity and establishing, modifying, and
472 enforcing support obligations. Private entities under contract
473 with the Title IV-D agency to provide Title IV-D services may
474 have access to information obtained from the State Directory of
475 New Hires and must comply with privacy safeguards.

476 (7) WAGE WITHHOLDING NOTICE AND NATIONAL MEDICAL SUPPORT
 477 NOTICE.—The department shall transmit a wage withholding notice
 478 consistent with s. 61.1301 and, when appropriate, a national
 479 medical support notice, as defined in s. 61.046, to the
 480 employee's employer or the individual's service recipient within
 481 2 business days after entry of the ~~new-hire~~ information into the
 482 State Directory of New Hires' database, unless the court has
 483 determined that the employee's or the individual's wages or
 484 other income is ~~are~~ not subject to withholding or, for purposes
 485 of the national medical support notice, the support order does
 486 not contain a provision for the employee or individual to
 487 provide health insurance. The withholding notice must ~~shall~~
 488 direct the employer or service recipient to withhold income in
 489 accordance with the income deduction order, and the national
 490 medical support notice shall direct the employer or service
 491 recipient to withhold premiums for health insurance.

492 (8) PROVIDING INFORMATION TO NATIONAL DIRECTORY.—The State
 493 Directory of New Hires must furnish information regarding newly
 494 hired or rehired employees and other individuals subject to
 495 reporting to the National Directory of New Hires for matching
 496 with the records of other state case registries within 3
 497 business days after ~~of~~ entering such information from the
 498 employer or service recipient into the State Directory of New
 499 Hires. The State Directory of New Hires must ~~shall~~ enter into an
 500 agreement with the Department of Economic Opportunity or its tax

501 collection service provider for the quarterly reporting to the
 502 National Directory of New Hires information on wages or other
 503 income and reemployment assistance taken from the quarterly
 504 report to the Secretary of Labor, now required by Title III of
 505 the Social Security Act. However, ~~except that no a report may~~
 506 not shall be filed with respect to an employee or other
 507 individual of a state or local agency performing intelligence or
 508 counterintelligence functions, if the head of such agency has
 509 determined that filing such a report could endanger the safety
 510 of the employee or other individual or compromise an ongoing
 511 investigation or intelligence mission.

512 (9) DISCLOSURE OF INFORMATION.—

513 (a) ~~New-hire~~ Information reported under this section must
 514 ~~shall~~ be disclosed to the state agency administering the
 515 following programs for the purposes of determining eligibility
 516 under those programs:

- 517 1. Any state program funded under part A of Title IV of
 518 the Social Security Act. ~~†~~
- 519 2. The Medicaid program under Title XIX of the Social
 520 Security Act. ~~†~~
- 521 3. The reemployment assistance or unemployment
 522 compensation program under s. 3304 of the Internal Revenue Code
 523 of 1954. ~~†~~
- 524 4. The food assistance program under the Food and
 525 Nutrition Act of 2008. ~~†~~ ~~and~~

526 5. Any state program under a plan approved under Title I
527 (Old-Age Assistance for the Aged), Title X (Aid to the Blind),
528 Title XIV (Aid to the Permanently and Totally Disabled), or
529 Title XVI (Aid to the Aged, Blind, or Disabled; Supplemental
530 Security Income for the Aged, Blind, and Disabled) of the Social
531 Security Act.

532 (b) ~~New-hire~~ Information reported under this section must
533 ~~shall~~ be disclosed to the state agencies operating employment
534 security and workers' compensation programs for the purposes of
535 administering such programs.

536 Section 10. This act shall take effect October 1, 2021.