

### **341.392 Deduction and withholding of child support obligations from benefits.**

- (1) A worker filing a new claim for unemployment benefits shall, at the time of filing such claim, disclose whether or not he owes child support obligations as defined under this section. If any such worker discloses that he owes child support obligations, and is determined to be eligible for unemployment benefits, the secretary shall notify the state or local child support enforcement agency enforcing such obligation that the worker has been determined to be eligible for unemployment benefits.
- (2) The secretary shall deduct and withhold from any unemployment benefits payable to a worker that owes child support obligations:
  - (a) The amount specified by the worker to the secretary to be deducted and withheld under this subsection, if neither (b) nor (c) applies;
  - (b) The amount, if any, determined pursuant to an agreement submitted to the secretary under 42 U.S.C. sec. 654 (Section 454(20)(b)(i) of the Social Security Act) by the state or local child support enforcement agency if (c) is not applicable; or
  - (c) Any amount required to be so deducted and withheld from such unemployment benefits pursuant to legal process as that term is defined in the Social Security Act properly served upon the secretary.
- (3)
  - (a) Any amount deducted and withheld under this section shall be paid by the secretary to the appropriate state or local child support enforcement agency.
  - (b) Any amount deducted and withheld under this section shall for all purposes be treated as if it were paid to the worker as unemployment benefits and paid by such worker to the state or local child support enforcement agency in satisfaction of the worker's child support obligations.
- (4) For purposes of this section, the term "unemployment benefits" shall mean any compensation payable under this chapter (including amounts payable by the secretary pursuant to an agreement under any federal law providing compensation, assistance, or allowances with respect to unemployment).
- (5) The provisions set forth in this section apply only if appropriate arrangements have been made for reimbursement by the state or local child support enforcement agency for the administrative costs incurred by the secretary under this section which are attributable to child support obligations being enforced by the state or local child support enforcement agency.
- (6) The term "child support obligations" is defined for purposes of these provisions as including only obligations which are being enforced pursuant to a plan prescribed in 42 U.S.C. sec. 654 (Section 454 of the Social Security Act) which has been approved by the Secretary of Health and Human Services under 42 U.S.C. secs. 651-662 (Part D of Title IV of the Social Security Act).
- (7) The term "state or local child support enforcement agency" as used in these provisions means any agency of a state or a political subdivision thereof operating pursuant to a plan described in this section.

**Effective:** July 15, 1998

**History:** Amended 1998 Ky. Acts ch. 167, sec. 5, effective July 15, 1998. -- Created 1982 Ky. Acts ch. 67, sec. 1, effective July 15, 1982.