

By: Representative Holland

To: Public Health and Human Services; Insurance

HOUSE BILL NO. 811

1 AN ACT TO CODIFY SECTION 43-19-50, MISSISSIPPI CODE OF 1972,  
2 TO REQUIRE INSURANCE COMPANIES TO CHECK FOR THE EXISTENCE OF AN  
3 UNPAID CHILD SUPPORT OBLIGATION OR ARREARAGE AGAINST A POTENTIAL  
4 PAYEE BEFORE PAYMENT OF SETTLEMENT OR PROCEEDS PROCEEDING FROM ANY  
5 CONTRACT OF INSURANCE; AND FOR RELATED PURPOSES.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

7 **SECTION 1.** The following shall be codified as Section  
8 43-19-50, Mississippi Code of 1972:

9 43-19-50. (1) No payment of any settlement or proceeds  
10 shall be paid by any business entity specified under Section  
11 83-5-1 unless the payment has been cleared in writing by the  
12 Department of Human Services.

13 (2) Subsection (1) of this section shall not apply if a  
14 documented request for clearance has been made without response by  
15 the Department of Human Services for a period of twenty-one (21)  
16 calendar days.

17 (3) If, within twenty-one (21) calendar days of a documented  
18 request for clearance, the Department of Human Services responds  
19 that an unpaid child support obligation or arrearage exists, the  
20 department shall be allowed an additional thirty (30) calendar  
21 days to obtain and forward to the requesting entity a legal lien  
22 entitling the department to the payment of the proceeds otherwise  
23 due the obligor. Failure of the department to comply with this  
24 subsection (3) relieves the business entity specified under  
25 Section 83-5-1 from any further liability to the department or the  
26 obligee.

27 **SECTION 2.** This act shall take effect and be in force from  
28 and after July 1, 2005.