

By: Representatives McCarty, Owen, Felsher

To: Judiciary A

HOUSE BILL NO. 1183

1 AN ACT TO AMEND SECTION 43-19-45, MISSISSIPPI CODE OF 1972,  
2 TO REQUIRE THE CHILD SUPPORT UNIT OF THE MISSISSIPPI DEPARTMENT OF  
3 HUMAN SERVICES TO ADOPT RULES GOVERNING THE PUBLICATION OF NAMES  
4 AND PHOTOGRAPHS OF PERSONS WHO ARE DELINQUENT IN CHILD SUPPORT FOR  
5 MORE THAN ONE YEAR; AND FOR RELATED PURPOSES.

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

7 **SECTION 1.** Section 43-19-45, Mississippi Code of 1972, is  
8 amended as follows:

9 43-19-45. (1) The Child Support Unit shall establish a  
10 state parent locator service for the purpose of locating absent  
11 and nonsupporting parents and alleged parents, which will utilize  
12 all appropriate public and private locator sources. In order to  
13 carry out the responsibilities imposed under Sections 43-19-31  
14 through 43-19-53, the Child Support Unit may secure, by  
15 administrative subpoena from the customer records of public  
16 utilities and cable television companies, the names and addresses  
17 of individuals and the names and addresses of employers of such  
18 individuals that would enable the location of parents or alleged  
19 parents who have a duty to provide support and maintenance for



20 their children. The Child Support Unit may also administratively  
21 subpoena any and all financial information, including account  
22 numbers, names and social security numbers of record for assets,  
23 accounts, and account balances from any individual, financial  
24 institution, business or other entity, public or private, needed  
25 to establish, modify or enforce a support order. No entity  
26 complying with an administrative subpoena to supply the requested  
27 information of whatever nature shall be liable in any civil action  
28 or proceeding on account of such compliance. Full faith and  
29 credit shall be given to all uniform administrative subpoenas  
30 issued by other state child support units. The recipient of an  
31 administrative subpoena shall supply the Child Support Unit, other  
32 state and federal IV-D agencies, its attorneys, investigators,  
33 probation officers, county or district attorneys in this state,  
34 all information relative to the location, employment,  
35 employment-related benefits including, but not limited to,  
36 availability of medical insurance, income and property of such  
37 parents and alleged parents and with all information on hand  
38 relative to the location and prosecution of any person who has, by  
39 means of a false statement or misrepresentation or by  
40 impersonation or other fraudulent device, obtained Temporary  
41 Assistance for Needy Families (TANF) to which he or she was not  
42 entitled, notwithstanding any provision of law making such  
43 information confidential. The Mississippi Department of  
44 Information Technology Services and any other agency in this state



45 using the facilities of the Mississippi Department of Information  
46 Technology Services are directed to permit the Child Support Unit  
47 access to their files, inclusive of those maintained for other  
48 state agencies, for the purpose of locating absent and  
49 nonsupporting parents and alleged parents, except to the extent  
50 that any such access would violate any valid federal statute or  
51 regulation issued pursuant thereto. The Child Support Unit, other  
52 state and federal IV-D agencies, its attorneys, investigators,  
53 probation officers, or county or district attorneys, shall use  
54 such information only for the purpose of investigating or  
55 enforcing the support liability of such absent parents or alleged  
56 parents or for the prosecution of other persons mentioned herein.  
57 Neither the Child Support Unit nor those authorities shall use the  
58 information, or disclose it, for any other purpose. All records  
59 maintained pursuant to the provisions of Sections 43-19-31 through  
60 43-19-53 shall be confidential and shall be available only to the  
61 Child Support Unit, other state and federal IV-D agencies, the  
62 attorneys, investigators and other staff employed or under  
63 contract under Sections 43-19-31 through 43-19-53, district or  
64 county attorneys, probation departments, child support units in  
65 other states, and courts having jurisdiction in paternity, support  
66 or abandonment proceedings. The Child Support Unit may release to  
67 the public the name, photo, last-known address, arrearage amount  
68 and other necessary information of a parent who has a judgment  
69 against him for child support and is currently in arrears in the



70 payment of this support. Such release may be included in a "Most  
71 Wanted List" or other media in order to solicit assistance.

72 (2) (a) The Department of Human Services shall publish the  
73 names of persons who are currently delinquent in the payment of  
74 child support obligations for a year or more under orders which  
75 are enforced by the department.

76 (b) The publication shall be made on the Department of  
77 Human Services' website and shall include, at minimum, the name  
78 and photo of the individual who is currently delinquent in child  
79 support obligations.

80 (c) The department, working in conjunction with the  
81 Child Support Unit, shall adopt rules governing the publication of  
82 the names of persons who are currently delinquent and the  
83 publication of information which is related to those delinquent  
84 payments. The rules shall establish the criteria for determining  
85 the types and amount of related information which may be published  
86 and shall provide a process by which an individual's name may be  
87 removed from the website.

88 ( \* \* \*3) The Child Support Unit shall have the authority to  
89 secure information from the records of the Mississippi Department  
90 of Employment Security that may be necessary to locate absent and  
91 nonsupporting parents and alleged parents under the provisions of  
92 Sections 43-19-31 through 43-19-53. Upon request of the Child  
93 Support Unit, all departments, boards, bureaus and agencies of the  
94 state shall provide to the Child Support Unit verification of



95 employment or payment and the address and social security number  
96 of any person designated as an absent or nonsupporting parent or  
97 alleged parent. In addition, upon request of the Child Support  
98 Unit, the Mississippi Department of Employment Security, or any  
99 private employer or payor of any income to a person designated as  
100 an absent or nonsupporting parent or alleged parent, shall provide  
101 to the Child Support Unit verification of employment or payment  
102 and the address and social security number of the person so  
103 designated. Full faith and credit shall be given to such notices  
104 issued by child support units in other states. All such records  
105 and information shall be confidential and shall not be used for  
106 any purposes other than those specified by Sections 43-19-31  
107 through 43-19-53. The violation of the provisions of this  
108 subsection shall be unlawful and any person convicted of violating  
109 the provisions of this subsection shall be guilty of a misdemeanor  
110 and shall pay a fine of not more than Two Hundred Dollars  
111 (\$200.00).

112 ( \* \* \*4) Federal and state IV-D agencies shall have access  
113 to the state parent locator service and any system used by the  
114 Child Support Unit to locate an individual for purposes relating  
115 to motor vehicles or law enforcement. No employer or other source  
116 of income who complies with this section shall be liable in any  
117 civil action or proceeding brought by the obligor or obligee on  
118 account of such compliance.



119           **SECTION 2.** This act shall take effect and be in force from  
120 and after July 1, 2023.

