

**Adopted  
COMMITTEE AMENDMENT NO 1 PROPOSED TO**

**House Bill No. 1349**

**BY: Committee**

**Amend by striking all after the enacting clause and inserting  
in lieu thereof the following:**

11       **SECTION 1.** Section 43-19-31, Mississippi Code of 1972, is  
12 amended as follows:

13       43-19-31. The Department of Human Services is hereby  
14 authorized and empowered to establish a single and separate Child  
15 Support Unit for the following purposes:

16               (a) To develop and implement a nonsupport and paternity  
17 program and institute proceedings in the name of the Department of  
18 Human Services or in the name of the recipient in any court of  
19 competent jurisdiction in any county where the mother of the child



resides or is found, in the county where the father resides or is found, or in the county where the child resides or is found;

(b) To secure and collect support by any method authorized under state law and establish paternity for any child or children receiving aid from the department any form of public assistance, including, but not limited to, medical assistance, foster care, food stamps, TANF, or any other program under the federal Social Security Act, from a parent or any other person legally liable for such support who has either failed or refused to provide support, deserted, neglected or abandoned the child or children, including cooperating with other states in establishing paternity, locating absent parents and securing compliance with court orders for support of Temporary Assistance for Needy Families (TANF) children; the department may petition the court for the inclusion of health insurance as part of any child support order on behalf of any child receiving aid from the department unless good cause for noncooperation, as defined by the Social Security Act or the Mississippi Department of Human Services, is established. Unless notified to the contrary, whenever a child or children for whom child support services have been provided ceases to receive public assistance, the department will continue to provide services and establish paternity, secure and collect such support payments from a parent or any other person legally liable for such support in accordance with the standards prescribed pursuant to the federal Social Security Act;



45           (c) To accept applications for child support  
46 enforcement services to establish paternity, secure and collect  
47 support from any proper party or person as defined by Title IV-D  
48 of the federal Social Security Act notwithstanding the fact that  
49 the child or children do not currently receive or have never  
50 received public assistance. The department shall have the  
51 authority to secure and collect support by any method authorized  
52 under state law and establish paternity for any child or children  
53 on behalf of a recipient of child support services, including  
54 individuals who do not currently receive or have never received  
55 public assistance from a parent or any other person legally liable  
56 for such support who has either failed or refused to provide  
57 support, deserted, neglected or abandoned the child or children,  
58 including cooperating with other states in establishing paternity,  
59 locating absent parents and securing compliance with court orders  
60 for support; the department may petition the court for the  
61 inclusion of health insurance as part of any child support order  
62 on behalf of such recipients of child support services. The  
63 proceeds of any collections resulting from such application shall  
64 be distributed in accordance with the standards prescribed in the  
65 federal Social Security Act;

66           (d) The department shall seek to recover from the  
67 individual who owes a support obligation to any individual who is  
68 a recipient of Title IV-D services as set forth in paragraph (b)  
69 or (c) on whose behalf the department is providing services, upon



70 judicial proceedings conducted thereon after advance notice to  
71 such obligor, reasonable attorney's fees and court costs, in  
72 excess of any administrative fees collected and in excess of  
73 amounts of current support owed by the obligor, which the  
74 department incurs in recovering and collecting the support  
75 obligation, such costs and fees as the department recovers to be  
76 deposited in the Special Fund of the Mississippi Department of  
77 Human Services which is hereby established for the pursuit and  
78 collection of child support;

79 (e) To initiate contempt of court proceedings or any  
80 other remedial proceedings necessary to enforce (i) any order or  
81 decree of court relating to child support, and (ii) any order or  
82 decree of court relating to the maintenance and/or alimony of a  
83 parent where support collection services on his or her child's  
84 behalf are being provided by the department;

85 (f) To secure and collect by any method authorized  
86 under state law any maintenance and/or alimony on behalf of a  
87 parent whose child or children's support is being collected by the  
88 department. The department shall collect only such maintenance  
89 and/or alimony as is ordered or decreed by the court, and only in  
90 the event that the minor child and parent to whom such maintenance  
91 and/or alimony has been ordered are living in the same household;

92 (g) To obtain restitution of monies expended for public  
93 assistance from a parent or any other person legally liable for  
94 the support of any child or children receiving aid from the



95 department; said action for restitution shall arise from the  
96 payment of public assistance for the dependent child or children  
97 and shall be for the amount of the public assistance paid. Said  
98 action for restitution shall not arise against the parent or other  
99 person legally responsible who receives public assistance for the  
100 benefit of any dependent child or children. When a court order of  
101 support has been issued, the amount recoverable shall be limited  
102 to the amount of the court order;

103 (h) Setting off against a debtor's income tax refund or  
104 rebate any debt which is in the form of a liquidated sum due and  
105 owing for the care, support or maintenance of a child;

106 (i) To have full responsibility in the aforementioned  
107 cases for initiating actions under the Uniform Interstate Family  
108 Support Act and for responding to the actions of other  
109 jurisdictions under said law when Mississippi is the responding  
110 state; however, this shall not impair private litigants' rights to  
111 proceed under any applicable interstate enforcement mechanisms;

112 (j) To enter into contracts for the purpose of  
113 performing any test which the department may, from time to time,  
114 require;

115 (k) To maintain a Central Receipting and Disbursement  
116 Unit to which all payments required by withholding orders and  
117 orders for support in all actions to which the Department of Human  
118 Services is a party shall be forwarded, and from which child  
119 support payments ordered by the court in actions to which the



Department of Human Services is a party shall be disbursed to the custodial parent or other such party as may be designated by the court order. The Central Receipting and Disbursement Unit shall be operated by the Department of Human Services or any financial institution having operations and qualified to do business in Mississippi, whose deposits are insured by the Federal Deposit Insurance Corporation. The department shall conduct cost-benefit analyses to determine and utilize the more cost efficient manner of operating the unit;

(1) To maintain a Mississippi Department of Human Services Case Registry containing records with respect to:

(i) Each case in which services are being provided by the department under this section;

(ii) Each support order established or modified in Mississippi on or after October 1, 1998; and

(iii) The Administrative Office of Courts, as established by Section 9-21-1, Mississippi Code of 1972, in consultation with the Mississippi Department of Human Services, shall devise, promulgate and require the use of a Uniform Child Support Order Tracking System.

1. Information collected from case filing forms shall be furnished to the Mississippi Department of Human Services, Division of Child Support Enforcement, in order that compliance with court-ordered obligations of support may be



144 tracked with specificity throughout the duration of said  
145 obligations and any subsequent proceedings.

146               2. Such tracking system shall include: a.  
147 the names, residential and mailing addresses, telephone numbers,  
148 Social Security numbers, driver's license numbers and dates of  
149 birth of each child and parent named in or subject to the court  
150 order; b. the court cause number of the action; c. name, address  
151 and telephone number of employer; d. any restraining or protective  
152 order indicating domestic violence; and e. any other information  
153 which may be used for the purpose of identifying any person named  
154 in or subject to the order or for the purposes of establishing,  
155 enforcing or modifying a child support order;

156               (m) To take administrative actions relating to genetic  
157 testing, determine paternity, establish child support orders,  
158 modification of child support orders, income withholding, liens  
159 and subpoenas without the necessity of obtaining an order from any  
160 judicial or other administrative tribunal with respect to cases  
161 initiated or enforced by the department pursuant to Title IV-D of  
162 the Social Security Act;

163               (n) To have the authority to use high-volume automated  
164 administrative enforcement in interstate cases to the same extent  
165 as used for intrastate cases, in response to a request made by  
166 another state to enforce support orders;

167               (o) To provide any child support enforcement or other  
168 service as may be required or permitted by the United States of



America, Department of Health and Human Services, Family Support Administration, Office of Child Support Enforcement or their successor pursuant to federal law or regulation; \* \* \*

(p) To collaborate with the Office of the State Treasurer in order to identify persons presumed to have unclaimed property and intercept eligible unclaimed property to satisfy, fully or partially, the person's child support arrearage \* \* \*;  
and

(q) To collaborate with the Mississippi Gaming Commission in order to establish rules and regulations providing for the withholding of cash game winnings, including, but not limited to, slot machine annuities, sports betting and/or other reportable cash winnings of persons who have outstanding child support arrearages.

**SECTION 2.** This section shall be codified as Section 43-19-63, Mississippi Code of 1972:

**43-19-63. Casinos to exchange certain information with the Mississippi Department of Human Services (MDHS) for noncustodial parents delinquent in child support; participation requirement and duties of casinos and Mississippi Department of Human Services.**

(1) For purposes of this section, the following words and phrases shall have the meanings ascribed herein, unless the context clearly indicates otherwise:

(a) "Cash gaming winnings" means only the cash gaming winnings for which the gaming licensee is required to file Form





W2-G, or a substantially equivalent form, with the United States Internal Revenue Service.

(b) "Commission" means the Mississippi Gaming Commission.

(c) "Child support arrearages" means any obligation owed for the care, support or maintenance of a child, including spousal support that is enforced in conjunction with a child support obligation pursuant to Section 43-19-31 of the Mississippi Code of 1972, which is overdue, unpaid or in arrears.

(d) "Gaming licensee" means any entity licensed or permitted to operate gaming operations under current law.

(e) "Obligee" means the recipient of Title IV-D services of the Social Security Act to whom child support is owed.

(f) "Obligor" means a person who wins a progressive slot machine annuity or cash gaming winnings and has those winnings intercepted due to having child support arrearages.

(g) "Progressive slot machine annuity" means only the progressive slot machine annuity winnings for which the gaming licensee is required to file Form W2-G, or a substantially equivalent form, with the United States Internal Revenue Service.

(h) "Electronic database access" means the data shared by the Department of Human Services with gaming licensees regarding persons who owe child support arrearages that is updated daily.



(2) The commission shall collaborate with the Department of Human Services to promulgate all rules and regulations necessary to carry out the provisions of this section, including, but not limited to, a procedure requiring the withholding of payments of progressive slot machine annuities and reportable cash gaming winnings of persons who have outstanding child support arrearages, prior to the payment of a progressive slot machine annuity, beginning with the second annuity payment, or cash gaming winnings.

(3) The gaming licensee, including any of its officers, employees, attorneys, accountants, or other agents, shall not be civilly or criminally liable to any person, including any customer, for any disclosure of information made in accordance with this section, for encumbering or surrendering assets in response to information provided by the Department of Human Services, or for any claims for damages arising from withholding or failing to withhold any progressive slot machine annuities or cash gaming winnings, based upon information provided to it.

(4) If any gaming licensee determines that the winner of a progressive slot machine annuity or cash gaming winnings is a person who has outstanding child support arrearages, the gaming licensee shall deduct the child support arrearage from the payment of the progressive slot machine annuity or cash gaming winnings. The gaming licensee shall forward the deducted amount to the Department of Human Services within seven (7) days. The gaming



licensee shall pay the remainder to the person who has outstanding child support arrearages. If the remainder is equal to or less than zero, the person who has an outstanding child support arrearage shall not receive a payment.

(5) The Department of Human Services shall release the encumbering game winnings to the obligee after either:

(a) A thirty-day period beginning the day the funds are encumbered; or

(b) Until such time as the issue of child support arrearages is resolved, provided the obligor has filed a written request for an administrative hearing with the Mississippi Department of Human Services Administrative Hearing Division before the end of the thirty-day period.

(6) Grounds for the petition challenging the encumbrance of game winnings shall be limited to the following:

(a) Mistakes of identity; or

(b) Mistakes in amount of child support arrearages.

(7) Any gaming licensee may deduct an administrative fee from each payment of a progressive slot machine annuity, beginning with the second annuity payment, or cash gaming winnings, of persons who have outstanding child support arrearages per singular or periodic payment, not to exceed Thirty-five Dollars (\$35.00).

(8) If the winner of a progressive slot machine annuity or cash gaming winnings is determined not to owe child support arrearages, then the gaming licensee is not required to access the



electronic database for that winner on a subsequent progressive slot machine annuity or cash gaming winnings for an additional twenty-four (24) hours.

(9) The commission shall also require that the gaming licensee to adopt procedures designed to prevent employees from willfully failing to withhold payments of progressive slot machine annuities or cash gaming winnings from persons who have outstanding child support arrearages based upon the information provided by the Department of Human Services that allows the gaming licensee to identify such persons.

(10) Not later than January 1, 2026, the Commission and Department of Human Services shall institute all policies, procedures and processes as necessary to implement the provisions of this section.

**SECTION 3.** Section 75-76-33, Mississippi Code of 1972, is amended as follows:

75-76-33. (1) The commission shall, from time to time, adopt, amend or repeal such regulations, consistent with the policy, objects and purposes of this chapter, as it may deem necessary or desirable in the public interest in carrying out the policy and provisions of this chapter. The commission shall comply with the Mississippi Administrative Procedures Law when adopting, amending or repealing any regulations authorized under this section or under any other provision of this chapter.



292           (2) These regulations shall, without limiting the general  
293 powers herein conferred, include the following:

294           (a) Prescribing the method and form of application  
295 which any applicant for a license or for a manufacturer's,  
296 seller's or distributor's license must follow and complete before  
297 consideration of his application by the executive director or the  
298 commission.

299           (b) Prescribing the information to be furnished by any  
300 applicant or licensee concerning his antecedents, habits,  
301 character, associates, criminal record, business activities and  
302 financial affairs, past or present.

303           (c) Prescribing the information to be furnished by a  
304 licensee relating to his employees.

305           (d) Requiring fingerprinting of an applicant or  
306 licensee, and gaming employees of a licensee, or other methods of  
307 identification and the forwarding of all fingerprints taken  
308 pursuant to regulation of the Federal Bureau of Investigation.

309           (e) Prescribing the manner and procedure of all  
310 hearings conducted by the commission or any hearing examiner of  
311 the commission, including special rules of evidence applicable  
312 thereto and notices thereof.

313           (f) Requiring any applicant to pay all or any part of  
314 the fees and costs of investigation of such applicant as may be  
315 determined by the commission under paragraph (g) of this  
316 subsection (2).



317 (g) Prescribing the amounts of investigative fees only  
318 as authorized by regulations of the commission under paragraph (f)  
319 of this subsection, and collecting those fees. The commission  
320 shall adopt regulations setting the amounts of those fees at  
321 levels that will provide the commission with sufficient revenue,  
322 when combined with any other monies as may be deposited into the  
323 Mississippi Gaming Commission Fund created in Section 75-76-325,  
324 to carry out the provisions of this chapter without any state  
325 general funds. In calculating the amount of such fees, the  
326 commission shall:

327 (i) Attempt to set the fees at levels that will  
328 create a balance in the Mississippi Gaming Commission Fund that  
329 does not exceed, at the end of any state fiscal year, two percent  
330 (2%) of the projected amount of funds that will provide the  
331 commission with such sufficient revenue; and

332 (ii) Demonstrate the reasonableness of the  
333 relationship between a fee and the actual costs of the  
334 investigative activity for which the fee is being prescribed.

335 (h) Prescribing the manner and method of collection and  
336 payment of fees and issuance of licenses.

337 (i) Prescribing under what conditions a licensee may be  
338 deemed subject to revocation or suspension of his license.

339 (j) Requiring any applicant or licensee to waive any  
340 privilege with respect to any testimony at any hearing or meeting



of the commission, except any privilege afforded by the  
Constitution of the United States or this state.

(k) Defining and limiting the area, games and devices  
permitted, and the method of operation of such games and devices,  
for the purposes of this chapter.

(l) Prescribing under what conditions the nonpayment of  
a gambling debt by a licensee shall be deemed grounds for  
revocation or suspension of his license.

(m) Governing the use and approval of gambling devices  
and equipment.

(n) Prescribing the qualifications of, and the  
conditions under which, attorneys, accountants and others are  
permitted to practice before the commission.

(o) Restricting access to confidential information  
obtained under this chapter and ensuring that the confidentiality  
of such information is maintained and protected.

(p) Prescribing the manner and procedure by which the  
executive director on behalf of the commission shall notify a  
county or a municipality wherein an applicant for a license  
desires to locate.

(q) Prescribing the manner and procedure for an  
objection to be filed with the commission and the executive  
director by a county or municipality wherein an applicant for a  
license desires to locate.



(r) Prescribing the manner and procedure in which child support or child support arrearages may be collected from gaming winnings and slot machine annuities.

(3) Notwithstanding any other provision of law, each licensee shall be required to comply with the regulation that no wager may be placed by, or on behalf of, any individual or entity or group, not present on a licensed vessel or cruise vessel.

(4) From and after July 1, 2016, the expenses of this agency shall be defrayed by appropriation from the State General Fund and all user charges and fees authorized under this section shall be deposited into the State General Fund as authorized by law.

(5) From and after July 1, 2016, no state agency shall charge another state agency a fee, assessment, rent or other charge for services or resources received by authority of this section.

**SECTION 4.** Section 93-11-71, Mississippi Code of 1972, is amended as follows:

93-11-71. (1) Whenever a court orders any person to make periodic payments of a sum certain for the maintenance or support of a child, and whenever such payments as have become due remain unpaid for a period of at least thirty (30) days, a judgment by operation of law shall arise against the obligor in an amount equal to all payments that are then due and owing.

(a) A judgment arising under this section shall have the same effect and be fully enforceable as any other judgment





390 entered in this state. A judicial or administrative action to  
391 enforce the judgment may be begun at any time; and

392 (b) Such judgments arising in other states by operation  
393 of law shall be given full faith and credit in this state.

394 (2) Any judgment arising under the provisions of this  
395 section shall operate as a lien upon all the property of the  
396 judgment debtor, both real and personal, which lien shall be  
397 perfected as to third parties without actual notice thereof only  
398 upon enrollment on the judgment roll. The department or attorney  
399 representing the party to whom support is owed shall furnish an  
400 abstract of the judgment for periodic payments for the maintenance  
401 and support of a child, along with sworn documentation of the  
402 delinquent child support, to the circuit clerk of the county where  
403 the judgment is rendered, and it shall be the duty of the circuit  
404 clerk to enroll the judgment on the judgment roll. Liens arising  
405 under the provisions of this section may be executed upon and  
406 enforced in the same manner and to the same extent as any other  
407 judgment.

408 (3) Notwithstanding the provisions in subsection (2) of this  
409 section, any judgment arising under the provisions of this section  
410 shall subject the following assets to interception or seizure  
411 without regard to the entry of the judgment on the judgment roll  
412 of the situs district or jurisdiction and such assets shall apply  
413 to all child support owed including all arrears:



414           (a) Periodic or lump-sum payments from a federal, state  
415 or local agency, including unemployment compensation, workers'  
416 compensation and other benefits;

417           (b) Winnings from lotteries \* \* \*, gaming  
418 winnings \* \* \* and slot machine annuities; and

419           (c) Assets held in financial institutions;

420           (d) Settlements and awards resulting from civil  
421 actions;

422           (e) Public and private retirement funds, only to the  
423 extent that the obligor is qualified to receive and receives a  
424 lump-sum or periodic distribution from the funds;

425           (f) Lump-sum payments as defined in Section 93-11-101;  
426 and

427           (g) Unclaimed property as described in Section 89-12-1  
428 et seq.

429           (4) Notwithstanding the provisions of subsections (1) and  
430 (2) of this section, upon disestablishment of paternity granted  
431 pursuant to Section 93-9-10 and a finding of clear and convincing  
432 evidence including negative DNA testing that the obligor is not  
433 the biological father of the child or children for whom support  
434 has been ordered, the court shall disestablish paternity and may  
435 forgive any child support arrears of the obligor for the child or  
436 children determined by the court not to be the biological child or  
437 children of the obligor, if the court makes a written finding



438 that, based on the totality of the circumstances, the forgiveness  
439 of the arrears is equitable under the circumstances.

440 (5) In any case in which a child receives assistance from  
441 block grants for Temporary Assistance for Needy Families (TANF),  
442 and the obligor owes past-due child support, the obligor, if not  
443 incapacitated, may be required by the court to participate in any  
444 work programs offered by any state agency.

445 (6) A parent who receives social security disability  
446 insurance payments who is liable for a child support arrearage and  
447 whose disability insurance benefits provide for the payment of  
448 past due disability insurance benefits for the support of the  
449 minor child or children for whom the parent owes a child support  
450 arrearage shall receive credit toward the arrearage for the  
451 payment or payments for the benefit of the minor child or children  
452 if the arrearage accrued after the date of disability onset as  
453 determined by the Social Security Administration.

454 **SECTION 5.** This act shall take effect and be in force from  
455 and after January 1, 2026.

**Further, amend by striking the title in its entirety and  
inserting in lieu thereof the following:**

1 AN ACT TO AMEND SECTION 43-19-31, MISSISSIPPI CODE OF 1972,  
2 TO REQUIRE THE MISSISSIPPI GAMING COMMISSION TO COLLABORATE WITH  
3 THE DEPARTMENT OF HUMAN SERVICES TO ESTABLISH RULES TO WITHHOLD  
4 GAMING WINNINGS OF PERSONS WITH OUTSTANDING CHILD SUPPORT  
5 ARREARAGES; TO CREATE NEW SECTION 43-19-63, MISSISSIPPI CODE OF  
6 1972, TO CREATE A PROCEDURE TO ENCUMBER GAMING WINNINGS FOR THE  
7 PAYMENT OF CHILD SUPPORT; TO AMEND SECTIONS 75-76-33 AND 93-11-71,



8 MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING SECTIONS;  
9 AND FOR RELATED PURPOSES.

