

GENERAL ASSEMBLY OF NORTH CAROLINA
1983 SESSION

CHAPTER 33
SENATE BILL 32

AN ACT TO AMEND CHAPTER 110 OF THE GENERAL STATUTES TO
PROVIDE FOR THE USE OF UNEMPLOYMENT COMPENSATION BENEFITS
FOR CHILD SUPPORT.

The General Assembly of North Carolina enacts:

Section 1. Article 9 of Chapter 110 of the General Statutes is amended by adding a new section to read as follows:

"§ 110-136.2. Use of unemployment compensation benefits for child support. – (a) A responsible parent may voluntarily assign unemployment compensation benefits to a child support enforcement agency to satisfy a child support obligation. An assignment of less than the full amount of the support obligation shall not relieve the responsible parent of liability for the remaining amount.

(b) Upon notification of a voluntary assignment by the Department of Human Resources, the Employment Security Commission shall deduct and withhold the amount assigned by the responsible parent as provided in G.S. 96-17.

(c) Any amount deducted and withheld shall be paid by the Employment Security Commission to the Department of Human Resources for distribution as required by federal law.

(d) Voluntary assignment of unemployment compensation benefits shall remain effective until the Employment Security Commission receives notification from the Department of Human Resources of an express written revocation by the responsible parent.

(e) The Department of Human Resources shall ensure that payments received under this section are properly credited against the responsible parent's child support obligation.

(f) When a responsible parent declines to execute a voluntary assignment of unemployment compensation benefits, a child support enforcement agency may initiate garnishment proceedings as provided in G.S. 110-136. For purposes of such proceedings, 'disposable earnings' includes unemployment compensation benefits. The third-party garnishee defendant in such proceedings, the Employment Security Commission, is deemed to waive notice and consent to jurisdiction for entry of an appropriate court order."

Sec. 2. This act is effective upon ratification.

In the General Assembly read three times and ratified, this the 24th day of February, 1983.