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Title 22@ Social Security

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Division 13@ Department of Child Support Services

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Chapter 9@ Collection and Distribution of Child Support

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Article 11@ Refund of Over-Collections

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Section 119905@ Refund of Over-Collections to Noncustodial Parent

119905 Refund of Over-Collections to Noncustodial Parent

(a)

If a collection occurs that exceeds the past due balance amount, with the exceptions of voluntary payments made by or on behalf of the noncustodial parent and voluntary military allotment payments, and state and federal support distribution requirements are satisfied, then the local child support agency (LCSA) shall refund the over-collection to the noncustodial parent. (1) The refund shall be issued within two business days following a 15 business-day determination period from the date of distribution. (2) When an over-collection is refunded to the noncustodial parent and is returned by the post office as undeliverable, the LCSA shall: (A) Attempt to find a current address in accordance with 22 CCR § 113100. (B) Deposit and retain the undeliverable over-collection in the Child Support Payment Trust Fund until one of the following occurs: 1. The location of the noncustodial parent becomes known to the LCSA and the amount of the over-collection is refunded to the noncustodial parent; or 2. The undeliverable over-collection has remained in the Child Support Payment Trust Fund for three years.

(1)

The refund shall be issued within two business days following a 15 business-day determination period from the date of distribution.

(2)

When an over-collection is refunded to the noncustodial parent and is returned by the post office as undeliverable, the LCSA shall: (A) Attempt to find a current address in accordance with 22 CCR § 113100. (B) Deposit and retain the undeliverable over-collection in the Child Support Payment Trust Fund until one of the following occurs: 1. The location of the noncustodial parent becomes known to the LCSA and the amount of the over-collection is refunded to the noncustodial parent; or 2. The undeliverable over-collection has remained in the Child Support Payment Trust Fund for three years.

(A)

Attempt to find a current address in accordance with 22 CCR § 113100.

(B)

Deposit and retain the undeliverable over-collection in the Child Support Payment Trust Fund until one of the following occurs: 1. The location of the noncustodial parent becomes known to the LCSA and the amount of the over-collection is refunded to the noncustodial parent; or 2. The undeliverable over-collection has remained in the Child Support Payment Trust Fund for three years.

1.

The location of the noncustodial parent becomes known to the LCSA and the amount of the over-collection is refunded to the noncustodial parent; or

2.

The undeliverable over-collection has remained in the Child Support Payment Trust Fund for three years.