

Fiscal Year 2025-2026 Conforming Bill
Relating to the Department of Revenue Delivery of Notice
Requirements

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1 A bill to be entitled

2 An act relating to the Department of Revenue Delivery of
3 Notice; amending s. 61.1301, F.S., providing for the use of
4 regular mail relating to income deduction orders in alimony
5 or child support cases; amending s. 409.256, F.S., revising
6 serving notice requirements for genetic testing; amending
7 s. 409.2563, F.S. revising serving notice requirements for
8 establishing administrative support orders; amending s.
9 409.25656, F.S.; revising serving notice requirements for
10 notice of levy issued; amending s. 409.2574, F.S.,
11 providing for the use of regular mail relating to income
12 deduction enforcement in Title IV-D cases; providing an
13 effective date.

14
15 Be It Enacted by the Legislature of the State of Florida:

16
17 Section 1. Subsections (1), (2), and (3) of section
18 61.1301, Florida Statutes, are amended to read:

19 61.1301 Income deduction orders.-

20 (1) ISSUANCE IN CONJUNCTION WITH AN ORDER ESTABLISHING,
21 ENFORCING, OR MODIFYING AN OBLIGATION FOR ALIMONY OR CHILD
22 SUPPORT.-

23 (a) Upon the entry of an order establishing, enforcing, or
24 modifying an obligation for alimony, for child support, or for
25 alimony and child support, other than a temporary order, the
26 court shall enter a separate order for income deduction if one
27 has not been entered. Upon the entry of a temporary order

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28 establishing support or the entry of a temporary order enforcing
29 or modifying a temporary order of support, the court may enter a
30 separate order of income deduction. Copies of the orders shall
31 be furnished to ~~served on~~ the obligee and obligor by regular
32 mail. If the order establishing, enforcing, or modifying the
33 obligation directs that payments be made through the depository,
34 the court shall provide to the depository a copy of the order
35 establishing, enforcing, or modifying the obligation. If the
36 obligee is a recipient of Title IV-D services, the court shall
37 furnish to the Title IV-D agency a copy of the income deduction
38 order and the order establishing, enforcing, or modifying the
39 obligation.

40 1. In Title IV-D cases, the Title IV-D agency may implement
41 income deduction after receiving a copy of an order from the
42 court under this paragraph or a forwarding agency under UIFSA,
43 URESA, or RURESА by issuing an income deduction notice to the
44 payor.

45 2. The income deduction notice must state that it is based
46 upon a valid support order and that it contains an income
47 deduction requirement or upon a separate income deduction order.
48 The income deduction notice must contain the notice to payor
49 provisions specified by paragraph (2) (e). The income deduction
50 notice must contain the following information from the income
51 deduction order upon which the notice is based: the case number,
52 the court that entered the order, and the date entered.

53 3. Payors shall deduct support payments from income, as
54 specified in the income deduction notice, in the manner provided

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55 under paragraph (2) (e).

56 4. In non-Title IV-D cases, the income deduction notice
57 must be accompanied by a copy of the support order upon which
58 the notice is based. In Title IV-D cases, upon request of a
59 payor, the Title IV-D agency shall furnish the payor a copy of
60 the income deduction order.

61 5. If a support order entered before January 1, 1994, in a
62 non-Title IV-D case does not specify income deduction, income
63 deduction may be initiated upon a delinquency without the need
64 for any amendment to the support order or any further action by
65 the court. In such case the obligee may implement income
66 deduction by serving a notice of delinquency on the obligor as
67 provided for under paragraph (f).

68 (b) The income deduction order shall:

69 1. Direct a payor to deduct from all income due and payable
70 to an obligor the amount required by the court to meet the
71 obligor's support obligation including any attorney's fees or
72 costs owed and forward the deducted amount pursuant to the
73 order.

74 2. State the amount of arrearage owed, if any, and direct a
75 payor to withhold an additional 20 percent or more of the
76 periodic amount specified in the order establishing, enforcing,
77 or modifying the obligation, until full payment is made of any
78 arrearage, attorney's fees and costs owed, provided no deduction
79 shall be applied to attorney's fees and costs until the full
80 amount of any arrearage is paid.

81 3. Provide that if a delinquency accrues after the order

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82 establishing, modifying, or enforcing the obligation has been
83 entered and there is no order for repayment of the delinquency
84 or a preexisting arrearage, a payor shall deduct an additional
85 20 percent of the current support obligation or other amount
86 agreed to by the parties until the delinquency and any
87 attorney's fees and costs are paid in full. No deduction may be
88 applied to attorney's fees and costs until the delinquency is
89 paid in full.

90 4. Direct a payor not to deduct in excess of the amounts
91 allowed under s. 303(b) of the Consumer Credit Protection Act,
92 15 U.S.C. s. 1673(b), as amended.

93 5. Direct whether a payor shall deduct all, a specified
94 portion, or no income which is paid in the form of a bonus or
95 other similar one-time payment, up to the amount of arrearage
96 reported in the income deduction notice or the remaining balance
97 thereof, and forward the payment to the governmental depository.
98 For purposes of this subparagraph, "bonus" means a payment in
99 addition to an obligor's usual compensation and which is in
100 addition to any amounts contracted for or otherwise legally due
101 and shall not include any commission payments due an obligor.

102 6. In Title IV-D cases, direct a payor to provide to the
103 court depository the date on which each deduction is made.

104 7. In Title IV-D cases, if an obligation to pay current
105 support is reduced or terminated due to emancipation of a child
106 and the obligor owes an arrearage, retroactive support,
107 delinquency, or costs, direct the payor to continue the income
108 deduction at the rate in effect immediately prior to

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109 emancipation until all arrearages, retroactive support,
110 delinquencies, and costs are paid in full or until the amount of
111 withholding is modified.

112 8. Direct that, ~~at such time as the State Disbursement Unit~~
113 ~~becomes operational,~~ all payments in those cases in which the
114 obligee is receiving Title IV-D services and in those cases in
115 which the obligee is not receiving Title IV-D services in which
116 the initial support order was issued in this state on or after
117 January 1, 1994, and in which the obligor's child support
118 obligation is being paid through income deduction, be made
119 payable to and delivered to the State Disbursement Unit.
120 Notwithstanding any other statutory provision to the contrary,
121 funds received by the State Disbursement Unit shall be held,
122 administered, and disbursed by the State Disbursement Unit
123 pursuant to the provisions of this chapter.

124 (c) The income deduction order is effective immediately
125 unless the court upon good cause shown finds that the income
126 deduction order shall be effective upon a delinquency in an
127 amount specified by the court but not to exceed 1 month's
128 payment, pursuant to the order establishing, enforcing, or
129 modifying the obligation. In order to find good cause, the court
130 must at a minimum make written findings that:

131 1. Explain why implementing immediate income deduction
132 would not be in the child's best interest;

133 2. There is proof of timely payment of the previously
134 ordered obligation without an income deduction order in cases of
135 modification; and

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136 3.a. There is an agreement by the obligor to advise the IV-
137 D agency and court depository of any change in payor and health
138 insurance; or

139 b. There is a signed written agreement providing an
140 alternative arrangement between the obligor and the obligee and,
141 at the option of the IV-D agency, by the IV-D agency in IV-D
142 cases in which there is an assignment of support rights to the
143 state, reviewed and entered in the record by the court.

144 (d) The income deduction order shall be effective as long
145 as the order upon which it is based is effective or until
146 further order of the court. Notwithstanding the foregoing,
147 however, ~~at such time as the State Disbursement Unit becomes~~
148 ~~operational,~~ in those cases in which the obligee is receiving
149 Title IV-D services and in those cases in which the obligee is
150 not receiving Title IV-D services in which the initial support
151 order was issued in this state on or after January 1, 1994, and
152 in which the obligor's child support obligation is being paid
153 through income deduction, such payments shall be made payable to
154 and delivered to the State Disbursement Unit.

155 (e) When the court orders the income deduction to be
156 effective immediately, the court shall furnish to the obligor a
157 statement of his or her rights, remedies, and duties in regard
158 to the income deduction order. The statement shall state:

159 1. All fees or interest which shall be imposed.

160 2. The total amount of income to be deducted for each pay
161 period until the arrearage, if any, is paid in full and shall
162 state the total amount of income to be deducted for each pay

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163 period thereafter. The amounts deducted may not be in excess of
164 that allowed under s. 303(b) of the Consumer Credit Protection
165 Act, 15 U.S.C. s. 1673(b), as amended.

166 3. That the income deduction order applies to current and
167 subsequent payors and periods of employment.

168 4. That a copy of the income deduction order or, in Title
169 IV-D cases, the income deduction notice will provided to be
170 ~~erved~~ on the obligor's payor or payors by regular mail.

171 5. That enforcement of the income deduction order may only
172 be contested on the ground of mistake of fact regarding the
173 amount owed pursuant to the order establishing, enforcing, or
174 modifying the obligation, the arrearages, or the identity of the
175 obligor, the payor, or the obligee.

176 6. That the obligor is required to notify the obligee and,
177 when the obligee is receiving IV-D services, the IV-D agency
178 within 7 days of changes in the obligor's address, payors, and
179 the addresses of his or her payors.

180 7. That in a Title IV-D case, if an obligation to pay
181 current support is reduced or terminated due to emancipation of
182 a child and the obligor owes an arrearage, retroactive support,
183 delinquency, or costs, income deduction continues at the rate in
184 effect immediately prior to emancipation until all arrearages,
185 retroactive support, delinquencies, and costs are paid in full
186 or until the amount of withholding is modified.

187 (f) If a support order was entered before January 1, 1994,
188 the court orders the income deduction to be effective upon a
189 delinquency as provided in paragraph (c), or a delinquency has

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190 accrued under an order entered before July 1, 2006, that
191 established, modified, or enforced the obligation and there is
192 no order for repayment of the delinquency or a preexisting
193 arrearage, the obligee or, in Title IV-D cases, the Title IV-D
194 agency may enforce the income deduction by serving a notice of
195 delinquency by regular mail on the obligor under this paragraph.
196 Service of the notice is complete upon mailing.

197 1. The notice of delinquency shall state:

198 a. The terms of the order establishing, enforcing, or
199 modifying the obligation.

200 b. The period of delinquency and the total amount of the
201 delinquency as of the date the notice is mailed.

202 c. All fees or interest which may be imposed.

203 d. The total amount of income to be deducted for each pay
204 period until the arrearage, and all applicable fees and
205 interest, is paid in full and shall state the total amount of
206 income to be deducted for each pay period thereafter. The
207 amounts deducted may not be in excess of that allowed under s.
208 303(b) of the Consumer Credit Protection Act, 15 U.S.C. s.
209 1673(b), as amended.

210 e. That the income deduction order applies to current and
211 subsequent payors and periods of employment.

212 f. That a copy of the notice of delinquency will be
213 provided by regular mail to ~~served on~~ the obligor's payor or
214 payors, together with a copy of the income deduction order or,
215 in Title IV-D cases, the income deduction notice, unless the
216 obligor applies to the court to contest enforcement of the

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217 income deduction. If the income deduction order being enforced
218 was rendered by the Title IV-D agency pursuant to s. 409.2563
219 and the obligor contests the deduction, the obligor shall file a
220 petition for an administrative hearing with the Title IV-D
221 agency. The application or petition shall be filed within 15
222 days after the date the notice of delinquency was mailed ~~served~~.

223 g. That enforcement of the income deduction order may only
224 be contested on the ground of mistake of fact regarding the
225 amount owed pursuant to the order establishing, enforcing, or
226 modifying the obligation, the amount of arrearages, or the
227 identity of the obligor, the payor, or the obligee.

228 h. That the obligor is required to notify the obligee of
229 the obligor's current address and current payors and of the
230 address of current payors. All changes shall be reported by the
231 obligor within 7 days. If the IV-D agency is enforcing the
232 order, the obligor shall make these notifications to the agency
233 instead of to the obligee.

234 2. The failure of the obligor to receive the notice of
235 delinquency does not preclude subsequent service by regular mail
236 of the income deduction order or, in Title IV-D cases, the
237 income deduction notice on the obligor's payor. A notice of
238 delinquency which fails to state an arrearage does not mean that
239 an arrearage is not owed.

240 (g) At any time, any party, including the IV-D agency, may
241 apply to the court to:

242 1. Modify, suspend, or terminate the income deduction order
243 in accordance with a modification, suspension, or termination of

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244 the support provisions in the underlying order; or

245 2. Modify the amount of income deducted when the arrearage
246 has been paid.

247 (2) ENFORCEMENT OF INCOME DEDUCTION ORDERS.—

248 (a) The obligee or his or her agent shall serve an income
249 deduction order and notice to payor, or, in Title IV-D cases,
250 the Title IV-D agency shall issue an income deduction notice,
251 and in the case of a delinquency a notice of delinquency, on
252 the obligor's payor by regular mail unless the obligor has
253 applied for a hearing to contest the enforcement of the
254 income deduction pursuant to paragraph (c).

255 (b)1. Service by or upon any person who is a party to a
256 proceeding under this section shall be made in the manner
257 prescribed in the Florida Rules of Civil Procedure for
258 service upon parties.

259 2. Service upon an obligor's payor or successor payor under
260 this section shall be made by regular ~~prepaid certified~~ mail,
261 ~~return receipt requested, or in the manner prescribed in chapter~~
262 ~~48.~~

263 (c)1. The obligor, within 15 days after service of a notice
264 of delinquency, may apply for a hearing to contest the
265 enforcement of the income deduction on the ground of mistake of
266 fact regarding the amount owed pursuant to an order
267 establishing, enforcing, or modifying an obligation for alimony,
268 for child support, or for alimony and child support, the amount
269 of the arrearage, or the identity of the obligor, the payor, or
270 the obligee. The obligor shall send a copy of the pleading to

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271 the obligee and, if the obligee is receiving IV-D services, to
272 the IV-D agency. The timely filing of the pleading shall stay
273 service by regular mail of an income deduction order or, in
274 Title IV-D cases, income deduction notice on all payors of the
275 obligor until a hearing is held and a determination is made as
276 to whether enforcement of the income deduction order is proper.
277 The payment of a delinquent obligation by an obligor upon entry
278 of an income deduction order shall not preclude service by
279 regular mail of the income deduction order or, in Title IV-D
280 cases, an income deduction notice on the obligor's payor.

281 2. When an obligor timely requests a hearing to contest
282 enforcement of an income deduction order, the court, after due
283 notice to all parties and the IV-D agency if the obligee is
284 receiving IV-D services, shall hear the matter within 20 days
285 after the application is filed. The court shall enter an order
286 resolving the matter within 10 days after the hearing. A copy of
287 this order shall be provided by regular mail to ~~served on~~ the
288 parties and the IV-D agency if the obligee is receiving IV-D
289 services. If the court determines that income deduction is
290 proper, it shall specify the date the income deduction order
291 must be ~~served~~ provided by regular mail on the obligor's payor.

292 (d) When a court determines that an income deduction order
293 is proper pursuant to paragraph (c), the obligee or his or her
294 agent shall furnish ~~cause~~ a copy of the notice of delinquency to
295 ~~be served on~~ the obligor's payors by regular mail. A copy of the
296 income deduction order or, in Title IV-D cases, income deduction
297 notice, and in the case of a delinquency a notice of

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298 delinquency, shall also be furnished to the obligor.

299 (3) (a) It is the intent of the Legislature that this
300 section may be used to collect arrearages in child support or in
301 alimony payments.

302 (b) In a Title IV-D case, if an obligation to pay current
303 support is reduced or terminated due to the emancipation of a
304 child and the obligor owes an arrearage, retroactive support,
305 delinquency, or costs, income deduction continues at the rate in
306 effect immediately prior to emancipation until all arrearages,
307 retroactive support, delinquencies, and costs are paid in full
308 or until the amount of withholding is modified. Any income-
309 deducted amount that is in excess of the obligation to pay
310 current support shall be credited against the arrearages,
311 retroactive support, delinquency, and costs owed by the obligor.
312 The department shall send notice of this requirement by regular
313 mail to the payor and the depository operated pursuant to s.
314 61.181, and the notice shall state the amount of the obligation
315 to pay current support, if any, and the amount owed for
316 arrearages, retroactive support, delinquency, and costs. For
317 income deduction orders entered before July 1, 2004, which do
318 not include this requirement, the department shall send by
319 regular certified mail, ~~restricted delivery, return receipt~~
320 ~~requested~~, to the obligor at the most recent address provided by
321 the obligor to the tribunal that issued the order or a more
322 recent address if known, notice of this requirement, that the
323 obligor may contest the withholding as provided by paragraph
324 (2) (f), and that the obligor may request the tribunal that

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325 issued the income deduction to modify the amount of the
326 withholding. This paragraph provides an additional remedy for
327 collection of unpaid support and applies to cases in which a
328 support order or income deduction order was entered before, on,
329 or after July 1, 2004.

330 (c) If a delinquency accrues after an order establishing,
331 modifying, or enforcing a support obligation has been entered,
332 an income deduction order entered after July 1, 2006, is in
333 effect, and there is no order for repayment of the delinquency
334 or a preexisting arrearage, a payor who receives ~~is served~~ with
335 an income deduction order or, in a Title IV-D case, an income
336 deduction notice shall deduct an additional 20 percent of the
337 current support obligation or other amount agreed to by the
338 parties until the delinquency and any attorney's fees and costs
339 are paid in full. No deduction may be applied to attorney's fees
340 and costs until the delinquency is paid in full.

341 Section 2. Subsection (4) of section 409.256, Florida
342 Statutes, is amended to read:

343 409.256 Administrative proceeding to establish paternity or
344 paternity and child support; order to appear for genetic
345 testing.-

346 (4) NOTICE OF PROCEEDING TO ESTABLISH PATERNITY OR
347 PATERNITY AND CHILD SUPPORT; ORDER TO APPEAR FOR GENETIC
348 TESTING; MANNER OF SERVICE; CONTENTS.-The Department of Revenue
349 shall commence a proceeding to determine paternity, or a
350 proceeding to determine both paternity and child support, by
351 serving the respondent with a notice as provided in this

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352 section. An order to appear for genetic testing may be served at
353 the same time as a notice of the proceeding or may be served
354 separately. A copy of the affidavit or written declaration upon
355 which the proceeding is based shall be provided to the
356 respondent when notice is served. A notice or order to appear
357 for genetic testing shall be served by certified mail,
358 ~~restricted delivery~~, return receipt requested, or in accordance
359 with the requirements for service of process in a civil action.
360 Service by certified mail is completed when the certified mail
361 is received or refused by the addressee or by an authorized
362 agent as designated by the addressee in writing. If a person
363 other than the addressee signs the return receipt, the
364 department shall attempt to reach the addressee by telephone to
365 confirm whether the notice was received, and the department
366 shall document any telephonic communications. If someone other
367 than the addressee signs the return receipt, the addressee does
368 not respond to the notice, and the department is unable to
369 confirm that the addressee has received the notice, service is
370 not completed and the department shall attempt to have the
371 addressee served personally. For purposes of this section, an
372 employee or an authorized agent of the department may serve the
373 notice or order to appear for genetic testing and execute an
374 affidavit of service. The department may serve an order to
375 appear for genetic testing on a caregiver. The department shall
376 provide a copy of the notice or order to appear by regular mail
377 to the mother and caregiver, if they are not respondents.

378 Section 3. Subsection (4) of section 409.2563, Florida

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379 Statutes, is amended to read:

380 409.2563 Administrative establishment of child support
381 obligations.—

382 (4) NOTICE OF PROCEEDING TO ESTABLISH ADMINISTRATIVE
383 SUPPORT ORDER.—To commence a proceeding under this section, the
384 department shall provide to the parent from whom support is not
385 being sought and serve the parent from whom support is being
386 sought with a notice of proceeding to establish administrative
387 support order, a copy of the Title IV-D Standard Parenting Time
388 Plan, and a blank financial affidavit form. The notice must
389 state:

390 (a) The names of both parents, the name of the caregiver,
391 if any, and the name and date of birth of the child or children;

392 (b) That the department intends to establish an
393 administrative support order as defined in this section;

394 (c) That the department will incorporate a parenting time
395 plan or Title IV-D Standard Parenting Time Plan, as agreed to
396 and signed by both parents, into the administrative support
397 order;

398 (d) That both parents must submit a completed financial
399 affidavit to the department within 20 days after receiving the
400 notice, as provided by paragraph (13) (a);

401 (e) That both parents, or parent and caregiver if
402 applicable, are required to furnish to the department
403 information regarding their identities and locations, as
404 provided by paragraph (13) (b);

405 (f) That both parents, or parent and caregiver if

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406 applicable, are required to promptly notify the department of
407 any change in their mailing addresses to ensure receipt of all
408 subsequent pleadings, notices, and orders, as provided by
409 paragraph (13) (c);

410 (g) That the department will calculate support obligations
411 based on the child support guidelines schedule in s. 61.30 and
412 using all available information, as provided by paragraph
413 (5) (a), and will incorporate such obligations into a proposed
414 administrative support order;

415 (h) That the department will send by regular mail to both
416 parents, or parent and caregiver if applicable, a copy of the
417 proposed administrative support order, the department's child
418 support worksheet, and any financial affidavits submitted by a
419 parent or prepared by the department;

420 (i) That the parent from whom support is being sought may
421 file a request for a hearing in writing within 20 days after the
422 date of mailing or other service of the proposed administrative
423 support order or will be deemed to have waived the right to
424 request a hearing;

425 (j) That if the parent from whom support is being sought
426 does not file a timely request for hearing after service of the
427 proposed administrative support order, the department will issue
428 an administrative support order that incorporates the findings
429 of the proposed administrative support order, and any agreed-
430 upon parenting time plan. The department will send by regular
431 mail a copy of the administrative support order and any
432 incorporated parenting time plan to both parents, or parent and

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433 caregiver if applicable;

434 (k) That after an administrative support order is rendered
435 incorporating any agreed-upon parenting time plan, the
436 department will file a copy of the order with the clerk of the
437 circuit court;

438 (l) That after an administrative support order is rendered,
439 the department may enforce the administrative support order by
440 any lawful means. The department does not have jurisdiction to
441 enforce any parenting time plan that is incorporated into an
442 administrative support order;

443 (m) That either parent, or caregiver if applicable, may
444 file at any time a civil action in a circuit court having
445 jurisdiction and proper venue to determine parental support
446 obligations, if any, and that a support order issued by a
447 circuit court supersedes an administrative support order
448 rendered by the department;

449 (n) That neither the department nor the Division of
450 Administrative Hearings has jurisdiction to change child custody
451 or rights of parental contact or time-sharing, and these issues
452 may be addressed only in circuit court. The department or the
453 Division of Administrative Hearings may incorporate, if agreed
454 to and signed by both parents, a parenting time plan or Title
455 IV-D Standard Parenting Time Plan when the administrative
456 support order is established.

457 1. The parent from whom support is being sought may request
458 in writing that the department proceed in circuit court to
459 determine his or her support obligations.

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460 2. The parent from whom support is being sought may state
461 in writing to the department his or her intention to address
462 issues concerning custody or rights to parental contact in
463 circuit court.

464 3. If the parent from whom support is being sought submits
465 the request authorized in subparagraph 1., or the statement
466 authorized in subparagraph 2. to the department within 20 days
467 after the receipt of the initial notice, the department shall
468 file a petition in circuit court for the determination of the
469 parent's child support obligations, and shall send to the parent
470 from whom support is being sought a copy of its petition, a
471 notice of commencement of action, and a request for waiver of
472 service of process as provided in the Florida Rules of Civil
473 Procedure.

474 4. If, within 10 days after receipt of the department's
475 petition and waiver of service, the parent from whom support is
476 being sought signs and returns the waiver of service form to the
477 department, the department shall terminate the administrative
478 proceeding without prejudice and proceed in circuit court.

479 5. In any circuit court action filed by the department
480 pursuant to this paragraph or filed by a parent from whom
481 support is being sought or other person pursuant to paragraph
482 (m) or paragraph (o), the department shall be a party only with
483 respect to those issues of support allowed and reimbursable
484 under Title IV-D of the Social Security Act. It is the
485 responsibility of the parent from whom support is being sought
486 or other person to take the necessary steps to present other

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487 issues for the court to consider;

488 (o) That if the parent from whom support is being sought
489 files an action in circuit court and serves the department with
490 a copy of the petition within 20 days after being served notice
491 under this subsection, the administrative process ends without
492 prejudice and the action must proceed in circuit court; and

493 (p) Information provided by the Office of State Courts
494 Administrator concerning the availability and location of self-
495 help programs for those who wish to file an action in circuit
496 court but who cannot afford an attorney.

497

498 The department may serve the notice of proceeding to establish
499 an administrative support order and agreed-upon parenting time
500 plan or Title IV-D Standard Parenting Time Plan by certified
501 mail, ~~restricted delivery~~, return receipt requested.

502 Alternatively, the department may serve the notice by any means
503 permitted for service of process in a civil action. For purposes
504 of this section, an authorized employee of the department may
505 serve the notice and execute an affidavit of service. Service by
506 certified mail is completed when the certified mail is received
507 or refused by the addressee or by an authorized agent as
508 designated by the addressee in writing. If a person other than
509 the addressee signs the return receipt, the department shall
510 attempt to reach the addressee by telephone to confirm whether
511 the notice was received, and the department shall document any
512 telephonic communications. If someone other than the addressee
513 signs the return receipt, the addressee does not respond to the

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514 notice, and the department is unable to confirm that the
515 addressee has received the notice, service is not completed and
516 the department shall attempt to have the addressee served
517 personally. The department shall provide the parent from whom
518 support is not being sought or the caregiver with a copy of the
519 notice by regular mail to the last known address of the parent
520 from whom support is not being sought or caregiver.

521 Section 4. Subsections (1), (3) and (7) of section
522 409.25656, Florida Statutes, are amended to read:

523 409.25656 Garnishment.-

524 (1) If a person has a support obligation which is subject
525 to enforcement by the department as the state Title IV-D
526 program, the executive director or his or her designee may give
527 notice of past due and/or overdue support by regular ~~registered~~
528 mail to all persons who have in their possession or under their
529 control any credits or personal property, including wages,
530 belonging to the support obligor, or owing any debts to the
531 support obligor at the time of receipt by them of such notice.
532 Thereafter, any person who has been notified may not transfer or
533 make any other disposition, up to the amount provided for in the
534 notice, of such credits, other personal property, or debts until
535 the executive director or his or her designee consents to a
536 transfer or disposition, or until 60 days after the receipt of
537 such notice. If the obligor contests the intended levy in the
538 circuit court or under chapter 120, the notice under this
539 section shall remain in effect until final disposition of that
540 circuit court or chapter 120 action. Any financial institution

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541 receiving such notice will maintain a right of setoff for any
542 transaction involving a debit card occurring on or before the
543 date of receipt of such notice.

544 (3) During the last 30 days of the 60-day period set forth
545 in subsection (1), the executive director or his or her designee
546 may levy upon such credits, personal property, or debts. The
547 levy must be accomplished by delivery of a notice of levy by
548 regular ~~registered~~ mail, upon receipt of which the person
549 possessing the credits, other personal property, or debts shall
550 transfer them to the department or pay to the department the
551 amount owed by the obligor. If the department levies upon
552 securities and the value of the securities is less than the
553 total amount of past due or overdue support, the person who
554 possesses or controls the securities shall liquidate the
555 securities in a commercially reasonable manner. After
556 liquidation, the person shall transfer to the department the
557 proceeds, less any applicable commissions or fees, or both,
558 which are charged in the normal course of business. If the value
559 of the securities exceeds the total amount of past due or
560 overdue support, the obligor may, within 7 days after receipt of
561 the department's notice of levy, instruct the person who
562 possesses or controls the securities which securities are to be
563 sold to satisfy the obligation for past due or overdue support.
564 If the obligor does not provide instructions for liquidation,
565 the person who possesses or controls the securities shall
566 liquidate the securities in a commercially reasonable manner in
567 an amount sufficient to cover the obligation for past due or

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568 overdue support and any applicable commissions or fees, or both,
569 which are charged in the normal course of business, beginning
570 with the securities purchased most recently. After liquidation,
571 the person who possesses or controls the securities shall
572 transfer to the department the total amount of past due or
573 overdue support.

574 (7) (a) Levy may be made under subsection (3) upon credits,
575 other personal property, or debt of any person with respect to
576 any past due or overdue support obligation only after the
577 executive director or his or her designee has notified such
578 person in writing of the intention to make such levy.

579 (b) Not less than 30 days before the day of the levy, the
580 notice of intent to levy required under paragraph (a) must be
581 given in person or sent by regular ~~certified or registered~~ mail
582 to the person's last known address.

583 (c) The notice required in paragraph (a) must include a
584 brief statement that sets forth:

585 1. The provisions of this section relating to levy and sale
586 of property;

587 2. The procedures applicable to the levy under this
588 section;

589 3. The administrative and judicial appeals available to the
590 obligor with respect to such levy and sale, and the procedures
591 relating to such appeals; and

592 4. The alternatives, if any, available to the obligor which
593 could prevent levy on the property.

594 (d) The obligor may consent in writing to the levy at any

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595 time after receipt of a notice of intent to levy.

596 Section 5. Subsection (2) of section 409.2574, Florida
597 Statutes, is amended to read:

598 409.2574 Income deduction enforcement in Title IV-D cases.-

599 (2) (a) In a support order being enforced under Title IV-D
600 of the Social Security Act and which order does not specify
601 income deduction, income deduction shall be enforced by the
602 department or its designee without the need for any amendment to
603 the support order or any further action by the court.

604 (b) The department shall serve a notice on the obligor that
605 the income deduction notice has been served on the employers.
606 Service upon an obligor under this section shall be made by
607 regular mail to the obligor's last known address of record with
608 the local depository or a more recent address if known ~~in the~~
609 ~~manner prescribed in chapter 48~~. The department shall furnish to
610 the obligor a statement of the obligor's rights, remedies, and
611 duties in regard to the income deduction.

612 (c) The obligor has 15 days from the mailing ~~servicing~~ of the
613 notice to file a request for a hearing with the department to
614 contest enforcement of income deduction.

615 (d) The department shall adopt rules to ensure that
616 applicable provisions of s. 61.1301 are followed.

617 Section 6. This act shall take effect on July 1, 2025.