

1983 WL 181842 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

April 11, 1983

*1 Senator Dewey Wise
Chairman
Joint Legislative Committee on Children
610 Gressett Building
Columbia, South Carolina 29211

Dear Senator Wise:

Presently pending before the House Ways and Means Committee is House Bill 2307 (Senate Bill 151). This Bill allows the State of South Carolina to keep any State Income Tax refunds owed to the taxpayer by the State as an offset against unpaid court ordered child support. The mechanism provides a highly efficient and cost-effective method of recouping welfare funds paid out by the State for the support of the children of those taxpayers. A number of our sister states and the federal government have already enacted such legislation, and it has been highly successful.

Three minor changes in this Bill have been proposed by my staff. It is proposed that the word 'may' be changed to 'shall' in the last sentence of the first paragraph of Section 12-7-2310(B) on page three of the Bill, and in the last sentence on the new subsection added to Section 43-5-220 on page five of the Bill. It is also proposed that the last sentence in Section 12-7-2310(B) be amended by changing the word 'determined' to the word 'owed,' and by deleting the comma after the word 'order' in that sentence. With these amendments, I fully endorse the passage of this Bill by the South Carolina Legislature.

Very truly yours,

T. Travis Medlock
Attorney General

April 11, 1983
Senator Dewey Wise

Chairman, Joint Legislative Committee on Children

610 Gressett Building

Columbia, South Carolina 29211

Dear Senator Wise:

Presently pending for consideration before the Senate is Senate Bill 208. This bill essentially codifies procedures now being followed in paternity suits in the Family Courts of this State with a few significant additions. I have reviewed the bill with my staff, and I feel that its provisions would promote fair and equitable determinations of the rights and duties existing between illegitimate children and their alleged fathers.

I would, however, propose three amendments. Some provision should be allowed for the initial payment of blood test costs where the Respondent is determined by the court to be indigent and the case has been initiated by the State. I would also recommend that the last sentence of § 20-7-956 be deleted. With these amendments, I fully endorse the enactment of this bill by the South Carolina Legislature.

Very truly yours,

T. Travis Medlock
Attorney General

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