

44.030 Money not to be paid to state or local government debtor -- Priority of multiple claims -- Matching child support obligors and claimants -- Information on debts referred to Department of Revenue to be provided to State Treasurer.

- (1) No money shall be paid to any person on a claim against the state in his or her own right, or as an assignee of another, when the person or the person's assignor is indebted to the state or any local government. The claim, to the extent it is allowed, shall first be credited to the account of the person indebted to the state, and if there is any balance due the person after settling the whole demand of the state, any certified liquidated debts of any local government shall be paid if the local government provides information concerning the liquidated debt to the State Treasurer. If there is any balance due the person after settling the whole demand of the state or local governments, and if there are not liquidated debts certified against the claim pursuant to KRS 44.065, that balance shall be paid to the person.
- (2) In case of multiple claims by state agencies, the claims shall be paid as follows:
 - (a) First, to any claim made by the Cabinet for Health and Family Services for past due child support obligations;
 - (b) Second, to any claim filed by the Finance and Administration Cabinet, Department of Revenue, for taxes owed the Commonwealth; and
 - (c) Third, to all other state agencies in the order that the claims were filed with the State Treasury.
- (3) In the case of multiple claims filed by any local government, the claims shall be paid in the order that the claims were filed with the State Treasury.
- (4) No money shall be paid to any person on a claim against a local government in his or her own right, or as an assignee of another, when the person or the person's assignor is indebted to the local government or the state. The claim, to the extent it is allowed, shall first be credited to any debt of the person indebted to the local government, and if there is any balance due the person after settling the whole demand of the local government, any certified liquidated debts of the state shall be paid if the state provides the local government with information concerning the liquidated debt. If there is any balance due the person after settling the whole demand of the local government or the state, that balance shall be paid to the person.
- (5) The Finance and Administration Cabinet shall provide the Cabinet for Health and Family Services with a quarterly report of all tort claims made against the state by individuals that the Cabinet for Health and Family Services shall compare with the child support database to match individuals who have a child support arrearage and may receive a settlement from the state.
- (6) Each organizational unit and administrative body in the executive branch of state government, as defined in KRS 12.010, the Court of Justice in the judicial branch of state government, and, where feasible, any local government shall provide information to the State Treasurer concerning any debt it has referred to the Department of Revenue for collection under KRS 45.241.

- (7) Each agency, the Court of Justice, and, where feasible, any local government shall provide information to the State Treasurer concerning any debt referred to the Department of Revenue for collection under KRS 45.237.

Effective: June 25, 2013

History: Amended 2013 Ky. Acts ch. 88, sec. 2, effective June 25, 2013. -- Amended 2006 Ky. Acts ch. 252, Pt. XVI, sec. 1, effective April 25, 2006. -- Amended 2005 Ky. Acts ch. 85, sec. 59, effective June 20, 2005; and ch. 99, sec. 104, effective June 20, 2005. -- Amended 2004 Ky. Acts ch. 118, sec. 2, effective July 13, 2004; and ch. 192, sec. 4, effective April 21, 2004. -- Amended 2000 Ky. Acts ch. 430, sec. 17, effective July 14, 2000. -- Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. sec. 4701.