



Ohio Revised Code

Section 3121.12 Procedure concerning lump sum payment.

Effective: February 11, 2019

Legislation: Senate Bill 70 - 132nd General Assembly

(A) On receipt of a notice that a lump sum payment of one hundred fifty dollars or more is to be paid to the obligor, the child support enforcement agency shall do either of the following:

(1) If the obligor is in default under the support order or has any arrearages under the support order, issue an administrative order requiring the transmittal of the lump sum payment, or any portion of the lump sum payment sufficient to pay the arrearage in full, to the office of child support;

(2) If the obligor is not in default under the support order and does not have any arrearages under the support order, issue an administrative order requiring the immediate release of the full amount of the lump sum payment to the obligor.

(B) Any moneys received by the office of child support pursuant to this section shall be distributed in accordance with rules adopted under section 3121.71 of the Revised Code.

(C) In the case of a notice of a lump sum payment made in accordance with a support order issued prior to January 1, 1998, requiring an employer to withhold an amount from an obligor's personal earnings for the payment of support, the agency that receives notification of the lump sum payment from the payor shall notify the court that issued the order, and the court shall issue a supplemental order that does not change the original order or the related support order requiring the employer to do all of the following:

(1) No later than the earlier of forty-five days before a lump sum payment is to be made or, if the obligor's right to a lump sum payment is determined less than forty-five days before it is to be made, the date on which that determination is made, notify the agency of any lump sum payment of any kind of one hundred fifty dollars or more that is to be paid to the obligor;

(2) Hold the lump sum payment for thirty days after the date on which it would otherwise be paid to the obligor;



(3) On order of the court, pay any specified amount of the lump sum payment to the office of child support.

(D) A payor that knowingly fails to notify the agency in accordance with this section or section 3121.03 of the Revised Code of any lump sum payment to be made to an obligor is liable for any support payment not made to the obligee as a result of its knowing failure to give the notice.