



## Ohio Administrative Code Rule 5101:12-50-20.3 Overpaid child support.

Effective: February 11, 2019

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(A) Overpaid child support is eligible for state income tax refund offset submittal when:

(1) All current child support orders pertaining to this obligor and obligee and their children in common have been terminated by a court or administrative order;

(2) A court or administrative order has established:

(a) That the obligee has received a child support overpayment; and

(b) The amount of the child support overpayment;

(3) The overpaid child support balance is not less than one hundred fifty dollars;

(4) The obligor has submitted a JFS 01854 "Request for Collection of a Child Support Overpayment" (effective or revised effective date as identified in rule 5101:12-50-99 of the Administrative Code), to the child support enforcement agency (CSEA) for collection of the child support overpayment; and

(5) The office of child support (OCS) has issued a JFS 01834 "Notice of Ohio Income Tax Refund Offset for Child Support Overpayment" (effective or revised effective date as identified in rule 5101:12-50-99 of the Administrative Code), to the debtor.

(B) Within five days of receiving a JFS 01854, the CSEA shall determine whether the overpaid child support is eligible for state income tax refund offset submittal.

(C) Until the process is fully automated, the CSEA shall submit the completed JFS 01854 to OCS within five business days of determining that the child support overpayment is eligible for state income tax refund offset submittal.



(D) Within fifteen days of determining that the request for state income tax refund offset is not eligible for state income tax refund offset submittal, the CSEA shall issue the JFS 01852 "Decision on Request for Collection of Child Support Overpayment" (effective or revised effective date as identified in rule 5101:12-50-99 of the Administrative Code), to the obligor.

(E) The debtor or the debtor's spouse who has filed for bankruptcy protection is not eligible to be submitted for state income tax refund offset unless the bankruptcy has been discharged or other relief from bankruptcy protection has been secured by the child support enforcement agency (CSEA).