

DEPARTMENT OF REVENUE**Child Support Program**

RULE NOS.: RULE TITLES:

12E-1.018 Liens

12E-1.028 Garnishment by Levy

12E-1.029 Financial Institution Data Matches

PURPOSE AND EFFECT: The purpose of the proposed repeal of Rule 12E-1.018, F.A.C. (Liens), is to remove a rule that is obsolete and inconsistent with current law. The purpose of proposed Rule 12E-1.028, F.A.C. (Garnishment by Levy), is to clarify that the Department initiates a levy action when the amount of past-due or overdue support is greater than \$600 and greater than four times the total monthly support obligation, which includes current support and any payment on arrears. The change is required to reflect current programming and procedure. The purpose of proposed Rule 12E-1.029, F.A.C. (Financial Institution Data Matches), is to amend the standard agreement form to clarify restrictions for storing data on mobile devices, clarify when fees are payable, and when a purchase order number is provided. The proposed amendment also corrects a statutory citation and the name of the Federal Office of Child Support Enforcement.

SUMMARY: The proposed repeal of Rule 12E-1.018, F.A.C. (Liens), removes a rule that is obsolete and inconsistent with current law. The proposed amendments to Rule 12E-1.028, F.A.C. (Garnishment by Levy), clarify when the Department initiates a levy action. The proposed amendments to Rule 12E-1.029, F.A.C. (Financial Institution Data Matches), amend the standard agreement form, correct a statutory citation, and correct the name of the Federal Office of Child Support Enforcement.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the Agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: 1) no requirement for the Statement of Economic Regulatory Costs (SERC) was triggered under Section 120.541(1), F.S.; and 2) based on past experiences regarding rules of this nature, the adverse impact or regulatory cost, if any, do not exceed nor would exceed any one of the economic analysis criteria in a Statement of Estimated Regulatory Costs, as set forth in Section 120.541(2)(a), F.S.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 409.2557(3)(i), 409.25656(11), 409.25657(6), FS.

LAW IMPLEMENTED: 319.24, 409.25656, 409.25657, 409.2575, FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAR.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Bobby York, Government Analyst II, Child Support Program, Department of Revenue, P.O. Box 8030, Mail Stop 2-4464, Tallahassee, Florida 32314-8030, Telephone: (850)617-8037.

THE FULL TEXT OF THE PROPOSED RULE IS:

12E-1.018 Liens.

Rulemaking Authority 409.2557(3)(i) FS. Law Implemented 319.24, 409.2575 FS. History—New 6-17-92, Amended 7-20-94, Formerly 10C-25.015, Repealed.

12E-1.028 Garnishment by Levy.

(1) through (2) No change.

(3) Case Selection.

(a) The Department initiates a levy action when:

1. The amount of past-due or overdue support is greater than \$600 and ~~or~~ greater than four times the total monthly support obligation, which includes current support and any payment on arrears;

2. through 4. No change.

(b) No change.

(4) through (14) No change.

Rulemaking Authority 409.2557(3)(i), 409.25656(11) FS. Law Implemented 409.25656 FS. History—New 4-3-02, Amended 4-16-20, 11-12-20, 11-21-21, 6-9-22, 9-14-23.

12E-1.029 Financial Institution Data Matches.

(1) Procedures for Entering into Agreements With Financial Institutions.

(a) The Department sends an Agreement for Financial Institution Data Matching (Form CS-EF134) (<http://www.flrules.org/Gateway/reference.asp?No=Ref-19694> ~~<http://www.flrules.org/Gateway/reference.asp?No=Ref15854>~~), incorporated herein by reference, effective ~~xx/xx 09/23~~, for the operation of the data match system described in Section 409.25657(2), F.S., to each financial institution doing business in Florida meeting the definition of a financial institution in Section 409.25657(1)(a), F.S., that has not elected to participate

in the Federal Office of Child Support Enforcement Services national data match process specified in paragraph (c).

(b) The financial institution's electronic files containing data match records must be prepared according to the specifications prescribed by the Federal Office of Child Support Enforcement Services Multistate Financial Institution Data Match Specifications Handbook, Version 3.0, December 30, 2020, (<http://www.flrules.org/Gateway/reference.asp?No=Ref-15856>), incorporated herein by reference, effective 09/23. The Department will maintain the confidentiality of information exchanged as required by section 409.2579 409.2479(1), F.S., and 45 C.F.R. § 303.21 (10-1-21) (<http://www.flrules.org/Gateway/reference.asp?No=Ref-15855>), incorporated herein by reference, effective 09/23. Members of the public may obtain copies of the Multistate Financial Institution Data Match Specifications Handbook and 45 C.F.R. § 303.21, without cost, by writing to the Florida Department of Revenue, Mail Stop 2-4464, 5050 West Tennessee Street, Tallahassee, Florida 32399.

(c) No change.

(2) and (3) No change.

Rulemaking Authority 409.2557(3)(i), 409.25657(6) FS. Law Implemented 409.25657 FS. History—New 1-23-03, Amended 4-5-16, 3-25-20, 9-14-23,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Bobby York

NAME OF AGENCY HEAD WHO APPROVED THE
PROPOSED RULE: Governor and Cabinet

DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: June 09, 2026

DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAR: March 12, 2026

[REDACTED]

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