

West's Annotated California Codes
Family Code (Refs & Annos)
Division 17. Support Services (Refs & Annos)
Chapter 2. Child Support Enforcement (Refs & Annos)
Article 2. Collections and Enforcement (Refs & Annos)

West's Ann.Cal.Fam.Code § 17523

§ 17523. Lien for child support against personal property; perfection; priority; enforcement

Effective: January 1, 2000

[Currentness](#)

(a) Notwithstanding any other provision of law, if a support obligor is delinquent in the payment of support and the local child support agency is enforcing the support obligation pursuant to [Section 17400](#) or [17402](#), a lien for child support shall arise against the personal property of the support obligor in either of the following circumstances:

(1) By operation of law for all amounts of overdue support, regardless of whether the amounts have been adjudicated or otherwise determined.

(2) When either a court having continuing jurisdiction or the local child support agency determines a specific amount of arrearages is owed by the support obligor.

(b) The lien for child support shall be perfected by filing a notice of child support lien with the Secretary of State pursuant to [Section 697.510 of the Code of Civil Procedure](#). Once filed, the child support lien shall have the same priority, force, and effect as a judgment lien on personal property pursuant to Article 3 (commencing with [Section 697.510](#)) of [Chapter 2 of Division 2 of Article 9 of the Code of Civil Procedure](#).

(c) For purposes of this section, the following definitions shall apply:

(1) "Notice of child support lien" means a document filed with the Secretary of State that substantially complies with the requirements of [Section 697.530 of the Code of Civil Procedure](#).

(2) "Support obligor is delinquent in payment of support" means that the support obligor has failed to make payment equal to one month's support obligation.

(3) "Personal property" means that property that is subject to attachment by a judgment lien pursuant to [Section 697.530 of the Code of Civil Procedure](#).

(d) Nothing in this section shall affect the priority of any of the following interests:

(1) State tax liens as set forth in Article 2 (commencing with [Section 7170](#)) of Division 7 of Title 1 of the Government Code.

(2) Liens or security interests as set forth in Article 3 (commencing with [Section 697.510](#)) of Chapter 2 of Division 2 of Article 9 of the Code of Civil Procedure.

(e) As between competing child support liens and state tax liens, a child support lien arising under this section shall have priority over a state tax lien if (1) the child support lien is filed with the Secretary of State, (2) the notice of child support lien is filed in an action or proceeding in which the obligor may become entitled to property or money judgment, or (3) the levy for child support on personal property is made, before a notice of state tax lien is filed with the Secretary of State pursuant to [Section 7171 of the Government Code](#) or filed in an action or proceeding in accordance with [Section 7173 of the Government Code](#).

(f) A personal property lien for child support arising in another state may be enforced in the same manner and to the same extent as a personal property lien arising in this state.

Credits

(Added by [Stats.1999, c. 980 \(A.B.1671\)](#), § 15.)

West's Ann. Cal. Fam. Code § 17523, CA FAM § 17523

Current with urgency legislation through Ch. 1 of 2016 Reg.Sess. and Ch. 1 of 2015-2016 2nd Ex.Sess.

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