

Hall of the House of Representatives
91st General Assembly - Regular Session, 2017
Amendment Form

Subtitle of House Bill No. 2037

TO AMEND THE LAW CONCERNING CHILD SUPPORT.

Amendment No. 2 to House Bill No. 2037

Amend House Bill No. 2037 as engrossed, H3/10/17 (version: 03/10/2017 12:11:56 PM):

Page 2, delete lines 1 through 3, and substitute the following:
"child support while incarcerated.

(3) At the time of the obligor's sentencing to a period of incarceration by the court, the obligor shall notify the sentencing court of his or her obligation to pay child support and complete an affidavit of indigency.

(4)(A) The sentencing court shall provide the court that entered the child support order concerning the obligor with:

(i) The sentencing order requiring the incarceration of the obligor; and

(ii) A file-marked copy of the affidavit of indigency completed by the obligor at the time of the obligor's sentencing to a period of incarceration by the court.

(B) Upon receiving a sentencing order and affidavit of indigency under subdivision (b)(4)(A) of this section, the court that entered the child support order concerning the obligor shall:

(i) Determine whether the obligor has the means to pay child support while incarcerated; and

(ii) Provide notice to the obligee and the office if the obligor's duty to pay child support is suspended under this section.

(C) If the court that entered the child support order concerning the obligor determines that the obligor does not have the means to pay child support while incarcerated, any arrears that accumulate between the date on which the obligor is sentenced to a period of incarceration and the date on which the court makes a determination under subdivision (b)(4)(B)(i) of this section shall also be suspended.

(D) An obligor shall not be considered to have the means to pay child support while incarcerated if the child support obligation cannot be collected under this subchapter during the period of the obligor's incarceration from:

(i) Income earned by the obligor; and

(ii) A lien against the real property and the personal property of the obligor."



The Amendment was read _____
By: Representative Fielding
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JNL251

Chief Clerk