

SECOND REGULAR SESSION

HOUSE BILL NO. 1349

92ND GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE BYRD.

Read 1st time February 2, 2004, and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

3888L.011

AN ACT

To amend chapter 454, RSMo, by adding thereto one new section relating to child support arrearages.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapter 454, RSMo, is amended by adding thereto one new section, to be
2 known as section 454.380, to read as follows:

**454.380. The court issuing the child support order or the state agency responsible
2 for child support enforcement shall certify any person who owes a child support arrearage
3 in an amount exceeding five thousand dollars to the appropriate state departments,
4 agencies, or licensing boards for the purpose of revoking, suspending, or limiting any
5 privilege issued by the state to such person, including but not limited to, professional
6 licenses, certificates, and permit, hunting or fishing licenses and permits, and driver's
7 licenses. Such person shall be mailed, by the court or state agency responsible for child
8 support enforcement, a notice of the proposed certification and the consequences thereof
9 upon such person. Within thirty days of receipt of the notice, the person may contest the
10 proposed certification by requesting in writing a hearing. At such hearing the obligor may
11 assert only mistake of fact as a defense. For purposes of this section, "mistake of fact"
12 means an error in the amount of arrearages or an error as to the identity of the obligor.
13 The obligor shall have the burden of proof on such issues. The court or state agency shall
14 not certify the person until after a final decision has been reached.**