

HB 1349 -- Child Support Arrearages

Sponsor: Byrd

This bill requires a court issuing a child support order or the state agency responsible for child support enforcement to certify any individual who owes child support arrearages in excess of \$5,000 to state agencies and licensing boards for the purpose of revoking, suspending, or limiting licenses and privileges issued by the state to that person. Those licenses and privileges may include professional licenses, hunting and fishing licenses, and driver's licenses. The individual must be given notice of the proposed certification and may contest it by requesting a hearing within 30 days of the receipt of the notice. The obligor may only assert mistake of fact as a defense at the hearing. Mistake of fact means an error in the amount of arrearages or the obligor's identity. The obligor has the burden of proof, and the court or state agency may not certify the obligor until after a final decision has been reached.