

SECOND REGULAR SESSION

HOUSE BILL NO. 1360

94TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES FLOOK (Sponsor), JONES (89), RUESTMAN,
SCHAD AND GRILL (Co-sponsors).

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D. ADAM CRUMBLISS, Chief Clerk

3485L.01I

AN ACT

To repeal sections 454.850, 454.855, 454.857, 454.860, 454.867, 454.869, 454.871, 454.874, 454.877, 454.880, 454.885, 454.887, 454.890, 454.892, 454.895, 454.897, 454.902, 454.905, 454.907, 454.912, 454.917, 454.920, 454.927, 454.930, 454.932, 454.934, 454.936, 454.943, 454.946, 454.951, 454.956, 454.958, 454.963, 454.971, 454.973, 454.976, 454.983, 454.989, 454.991, and 454.993, RSMo, and to enact in lieu thereof forty-two new sections relating to the interstate family support act.

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

Section A. Sections 454.850, 454.855, 454.857, 454.860, 454.867, 454.869, 454.871,
2 454.874, 454.877, 454.880, 454.885, 454.887, 454.890, 454.892, 454.895, 454.897, 454.902,
3 454.905, 454.907, 454.912, 454.917, 454.920, 454.927, 454.930, 454.932, 454.934, 454.936,
4 454.943, 454.946, 454.951, 454.956, 454.958, 454.963, 454.971, 454.973, 454.976, 454.983,
5 454.989, 454.991, and 454.993, RSMo, are repealed and forty-two new sections enacted in lieu
6 thereof, to be known as sections 454.850, 454.855, 454.857, 454.860, 454.867, 454.869,
7 454.871, 454.874, 454.877, 454.878, 454.879, 454.880, 454.885, 454.887, 454.890, 454.892,
8 454.895, 454.897, 454.902, 454.905, 454.907, 454.912, 454.917, 454.920, 454.927, 454.930,
9 454.932, 454.934, 454.936, 454.943, 454.946, 454.951, 454.956, 454.958, 454.963, 454.971,
10 454.973, 454.976, 454.982, 454.983, 454.989, and 454.991, to read as follows:

454.850. In sections 454.850 to [454.997] **454.999**:

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

2 (1) "Child" means an individual, whether over or under the age of majority, who is or
3 is alleged to be owed a duty of support by the individual's parent or who is or is alleged to be the
4 beneficiary of a support order directed to the parent.

5 (2) "Child support order" means a support order for a child, including a child who has
6 attained the age of majority under the law of the issuing state.

7 (3) "Duty of support" means an obligation imposed or imposable by law to provide
8 support for a child, spouse, or former spouse, including an unsatisfied obligation to provide
9 support.

10 (4) "Home state" means the state in which a child lived with a parent or a person acting
11 as parent for at least six consecutive months immediately preceding the time of filing of a
12 petition or comparable pleading for support and, if a child is less than six months old, the state
13 in which the child lived from birth with any of them. A period of temporary absence of any of
14 them is counted as part of the six-month or other period.

15 (5) "Income" includes earnings or other periodic entitlements to money from any source
16 and any other property subject to withholding for support under the law of this state.

17 (6) "Income-withholding order" means an order or other legal process directed to an
18 obligor's employer or other debtor, as defined by section 452.350, RSMo, or 454.505, to
19 withhold support from the income of the obligor.

20 (7) "Initiating state" means a state from which a proceeding is forwarded or in which a
21 proceeding is filed for forwarding to a responding state under the provisions of sections 454.850
22 to [454.997 or a law or procedure substantially similar to sections 454.850 to 454.997, or under
23 a law or procedure substantially similar to the uniform reciprocal enforcement of support act, or
24 the revised uniform reciprocal enforcement of support act] **454.999**.

25 (8) "Initiating tribunal" means the authorized tribunal in an initiating state.

26 (9) "Issuing state" means the state in which a tribunal issues a support order or renders
27 a judgment determining parentage.

28 (10) "Issuing tribunal" means the tribunal that issues a support order or renders a
29 judgment determining parentage.

30 (11) "Law" includes decisional and statutory law and rules and regulations having the
31 force of law.

32 (12) "Obligee" means:

33 (i) an individual to whom a duty of support is or is alleged to be owed or in whose favor
34 a support order has been issued or a judgment determining parentage has been rendered;

35 (ii) a state or political subdivision to which the rights under a duty of support or support
36 order have been assigned or which has independent claims based on financial assistance provided
37 to an individual obligee; or

38 (iii) an individual seeking a judgment determining parentage of the individual's child.

39 (13) "Obligor" means an individual, or the estate of a decedent:

40 (i) who owes or is alleged to owe a duty of support;

41 (ii) who is alleged but has not been adjudicated to be a parent of a child; or

42 (iii) who is liable under a support order.

43 (14) **"Person" means an individual, corporation, business trust, estate, trust**
44 **partnership, limited liability company, association, joint venture, government,**
45 **governmental subdivision, agency, or instrumentality, public corporation, or any other**
46 **legal or commercial entity.**

47 (15) **"Record" means information that is inscribed on a tangible medium or that**
48 **is stored in an electronic or other medium and is retrievable in perceivable form.**

49 (16) "Register" means to record or file a support order or judgment determining
50 parentage in the tribunal having jurisdiction in such action.

51 [(15)] (17) "Registering tribunal" means a tribunal in which a support order is registered.

52 [(16)] (18) "Responding state" means a state in which a proceeding is filed or to which
53 a proceeding is forwarded for filing from an initiating state under the provisions of sections
54 454.850 to [454.997] **454.999** or a law substantially similar to sections 454.850 to [454.997, or
55 under a law or procedure substantially similar to the uniform reciprocal enforcement of support
56 act, or the revised uniform reciprocal enforcement of support act] **454.999**.

57 [(17)] (19) "Responding tribunal" means the authorized tribunal in a responding state.

58 [(18)] (20) "Spousal-support order" means a support order for a spouse or former spouse
59 of the obligor.

60 [(19)] (21) "State" means a state of the United States, the District of Columbia, the
61 Commonwealth of Puerto Rico, or any territory or insular possession subject to the jurisdiction
62 of the United States. The term "state" includes:

63 (i) an Indian tribe; and

64 (ii) a foreign jurisdiction that has enacted a law or established procedures for issuance
65 and enforcement of support orders which are substantially similar to the procedures under
66 sections 454.850 to [454.997 or the procedures under the uniform reciprocal enforcement of
67 support act or the revised uniform reciprocal enforcement of support act] **454.999**.

68 [(20)] (22) "Support enforcement agency" means a public official or agency authorized
69 to seek:

70 (i) enforcement of support orders or laws relating to the duty of support;

71 (ii) establishment or modification of child support;

72 (iii) determination of parentage; [or]

73 (iv) [to locate] **location of obligors or their assets; or**

74 (v) **determination of the controlling child support order.**

75 [(21)] (23) "Support order" means a judgment, decree, [or] order, **or directive**, whether
76 temporary, final, or subject to modification, **issued by a tribunal** for the benefit of a child, a
77 spouse, or a former spouse, which provides for monetary support, health care, arrearages, or
78 reimbursement, and may include related costs and fees, interest, income withholding, attorney's
79 fees, and other relief.

80 [(22)] (24) "Tribunal" means a court, administrative agency, or quasi-judicial entity
81 authorized to establish, enforce, or modify support orders or to determine parentage.

454.855. (a) Remedies provided by sections 454.850 to [454.997] **454.999** are
2 cumulative and do not affect the availability of remedies under other law, **including the**
3 **recognition of a support order of a foreign country or political subdivision on the bases of**
4 **comity.**

5 (b) **Sections 454.850 to 454.999 do not:**

6 (1) **provide the exclusive method of establishing or enforcing a support order under**
7 **the laws of this state; or**

8 (2) **grant a tribunal of this state jurisdiction to render judgment or issue an order**
9 **relating to child custody or visitation in a proceeding under sections 454.850 to 454.999.**

454.857. (a) In a proceeding to establish, **or** enforce, or modify a support order or to
2 determine parentage, a tribunal of this state may exercise personal jurisdiction over a nonresident
3 individual or the individual's guardian or conservator if:

4 (1) the individual is personally served with notice within this state;

5 (2) the individual submits to the jurisdiction of this state by consent, by entering a
6 general appearance, or by filing a responsive document having the effect of waiving any contest
7 to personal jurisdiction;

8 (3) the individual resided with the child in this state;

9 (4) the individual resided in this state and provided prenatal expenses or support for the
10 child;

11 (5) the child resides in this state as a result of the acts or directives of the individual;

12 (6) the individual engaged in sexual intercourse in this state and the child may have been
13 conceived by that act of intercourse;

14 (7) the individual asserted parentage in the putative father registry maintained in this
15 state by the department of health and senior services; or

16 (8) there is any other basis consistent with the constitutions of this state and the United
17 States for the exercise of personal jurisdiction.

18 (b) **The bases of personal jurisdiction set forth in subsection (a) or in any other laws**
19 **of this state shall not be used to acquire personal jurisdiction for a tribunal of the state to**

20 **modify a child support order of another state unless the requirements of section 454.973**
21 **or 454.978 are met.**

454.860. [A tribunal of this state exercising personal jurisdiction over a nonresident
2 under section 454.857 may apply section 454.917 to receive evidence from another state, and
3 section 454.922 to obtain discovery through a tribunal of another state. In all other respects,
4 sections 454.880 to 454.983 do not apply and the tribunal shall apply the procedural and
5 substantive law of this state, including the rules on choice of law other than those established by
6 sections 454.850 to 454.997] **Personal jurisdiction acquired by a tribunal of this state in a**
7 **proceeding under sections 454.850 to 454.999 or other laws of this state relating to a**
8 **support order continues as long as a tribunal of this state has continuing, exclusive**
9 **jurisdiction to modify its order or continuing jurisdiction to enforce its order as provided**
10 **by sections 454.867, 454.869, and 454.870.**

454.867. (a) A tribunal of this state [issuing] **that has issued** a support order consistent
2 with the law of this state has **and shall exercise** continuing, exclusive jurisdiction [over a] **to**
3 **modify its** child support order **if the order is the controlling order and:**

4 (1) [as long as] **at the time of the filing of a request for modification** this state
5 [remains] **is** the residence of the obligor, the individual obligee, or the child for whose benefit
6 the support order is issued; or

7 (2) [until each individual party has filed written consent with the tribunal of this state for
8 a tribunal of another state to modify the order and assume continuing, exclusive jurisdiction]
9 **even if this state is not the residence of the obligor, the individual obligee, or the child for**
10 **whose benefit the support order is issued, the parties consent in a record or in open court**
11 **that the tribunal of this state may continue to exercise jurisdiction to modify its order.**

12 (b) A tribunal of this state [issuing] **that has issued** a child support order consistent with
13 the law of this state may not exercise [its] continuing, **exclusive** jurisdiction to modify the order
14 if [the order has been modified by a tribunal of another state pursuant to sections 454.850 to
15 454.997 or a law substantially similar to sections 454.850 to 454.997] :

16 (1) **all of the parties who are individuals file consent in a record with the tribunal**
17 **of this state that a tribunal of another state that has jurisdiction over at least one of the**
18 **parties who is an individual or that is located in the state of residence of the child may**
19 **modify the order and assume continuing, exclusive jurisdiction; or**

20 (2) **its order is not the controlling order.**

21 (c) If a [child support order of this state is modified by a tribunal of another state
22 pursuant to sections 454.850 to 454.997 or a law substantially similar to sections 454.850 to
23 454.997, a tribunal of this state loses its continuing, exclusive jurisdiction with regard to
24 prospective enforcement of the order issued in this state, and may only:

25 (1) enforce the order that was modified as to amounts accruing before the modification;
26 (2) enforce nonmodifiable aspects of that order; and
27 (3) provide other appropriate relief for violations of that order which occurred before the
28 effective date of the modification.

29 (d) A tribunal of this state shall recognize the continuing, exclusive jurisdiction of a
30 tribunal of another state which has issued a child support order pursuant to sections 454.850 to
31 454.997 or a law substantially similar to sections 454.850 to 454.997] **tribunal of another state**
32 **has issued a child support order under sections 454.850 to 454.999 or a law substantially**
33 **similar to sections 454.850 to 454.999 which modifies a child support order of a tribunal**
34 **of this state, tribunals of this state shall recognize the continuing, exclusive jurisdiction of**
35 **the tribunal of the other state.**

36 (d) **A tribunal of this state that lacks continuing, exclusive jurisdiction to modify**
37 **a child support order may serve as an initiating tribunal to request a tribunal of another**
38 **state to modify a support order issued in that state.**

39 (e) A temporary support order issued ex parte or pending resolution of a jurisdictional
40 conflict does not create continuing, exclusive jurisdiction in the issuing tribunal.

41 [(f) A tribunal of this state issuing a support order consistent with the law of this state
42 has continuing, exclusive jurisdiction over a spousal support order throughout the existence of
43 the support obligation. A tribunal of this state may not modify a spousal support order issued
44 by a tribunal of another state having continuing, exclusive jurisdiction over that order under the
45 law of that state.]

454.869. (a) A tribunal of this state **that has issued a child support order consistent**
2 **with the laws of this state** may serve as an initiating tribunal to request a tribunal of another
3 state to enforce [or modify a support order issued in that state] :

4 (1) **the order if the order is the controlling order and has not been modified by a**
5 **tribunal of another state that assumed jurisdiction under sections 454.850 to 454.999; or**

6 (2) **a money judgment for arrears of support and interest on the order accrued**
7 **before a determination that an order of another state is the controlling order.**

8 (b) A tribunal of this state having continuing[, exclusive] jurisdiction over a support
9 order may act as a responding tribunal to enforce [or modify] the order. [If a party subject to the
10 continuing, exclusive jurisdiction of the tribunal no longer resides in the issuing state, in
11 subsequent proceedings the tribunal may apply section 454.917 to receive evidence from another
12 state and section 454.922 to obtain discovery through a tribunal of another state.

13 (c) A tribunal of this state which lacks continuing, exclusive jurisdiction over a spousal
14 support order may not serve as a responding tribunal to modify a spousal support order of
15 another state.]

2 454.871. (a) If a proceeding is brought under sections 454.850 to 454.997, and only one
3 tribunal has issued a child support order, the order of that tribunal is controlling and must be
4 recognized.

5 (b) If a proceeding is brought under sections 454.850 to 454.997, and two or more child
6 support orders have been issued by tribunals of this state or another state with regard to the same
7 obligor and **same** child, a tribunal of this state **having jurisdiction over both the obligor and**
8 **individual obligee** shall apply the following rules in determining which order [to recognize for
9 purposes of continuing, exclusive jurisdiction] **controls**:

10 (1) If only one of the tribunals would have continuing, exclusive jurisdiction under
11 sections 454.850 to [454.997] **454.999**, the order of that tribunal is controlling and must be
12 recognized.

13 (2) If more than one of the tribunals would have continuing, exclusive jurisdiction under
14 sections 454.850 to [454.997] **454.999**, an order issued by a tribunal in the current home state
15 of the child [must be recognized] **controls**, but if an order has not been issued in the current
16 home state of the child, the order most recently issued [is controlling and must be recognized]
17 **controls**.

18 (3) If none of the tribunals would have continuing exclusive jurisdiction under sections
19 454.850 to [454.997] **454.999**, the tribunal of this state [having jurisdiction over the parties] must
20 issue a child support order, which [is controlling and must be recognized] **controls**.

21 (c) If two or more child support orders have been issued for the same obligor and **same**
22 child [and if the obligor or the individual obligee resides in this state], **upon request of** a party
23 [may request] **who is an individual or a support enforcement agency** a tribunal of this state
24 [to] **having personal jurisdiction over both the obligor and the obligee who is an individual**
25 **shall** determine which order controls [and must be recognized] under subsection (b) of this
26 section. The request [must be accompanied by a certified copy of every support order in effect.
27 Every party whose rights may be affected by a determination of the controlling order must be
28 given notice of the request for that determination] **may be filed with a registration for**
29 **enforcement or registration for modification under sections 454.850 to 454.999, or may be**
30 **filed as a separate proceeding**.

31 (d) **A request to determine which is the controlling order must be accompanied by**
32 **a copy of every child support order in effect and the applicable record of payments. The**
33 **requesting party shall give notice of the request to each party whose rights may be affected**
34 **by the determination**.

35 (e) The tribunal that issued the order that must be recognized as controlling under
subsection (a), (b) or (c) of this section [is the tribunal that] has continuing[, exclusive]

36 jurisdiction [in accordance with section 454.867] **to the extent provided in section 454.867 or**
37 **454.869.**

38 [(e)] (f) A tribunal of this state which determines by order the identity of the controlling
39 child support order under subsection (b)(1) [or] , (b)(2), **or (b)(3)** of this section or [which] **that**
40 issues a new controlling child support order under subsection (b)(3) shall include in that order:

41 (1) the basis upon which the tribunal made its determination;

42 (2) **the amount of prospective support, if any; and**

43 (3) **the total amount of consolidated arrears and accrued interest, if any, under all**
44 **of the orders after all payments made are credited as provided by section 454.877.**

45 [(f)] (g) Within thirty days after issuance of the order determining [the identity of] **which**
46 **is** the controlling order, the party obtaining that order shall file a certified copy of it [with] **in**
47 each tribunal that had issued or registered an earlier order of child support. [Failure of the party
48 obtaining the order to file] **A party or support enforcement agency obtaining the order that**
49 **fails to file** a certified copy as required subjects that party to appropriate sanctions by a tribunal
50 in which the issue of failure to file arises, but that failure has no effect on the validity or
51 enforceability of the controlling order.

52 (h) **An order that has been determined to be the controlling order, or a judgment**
53 **for consolidated arrears of support and interest, if any, under this section shall be**
54 **recognized in proceedings under sections 454.850 to 454.999.**

454.874. In responding to [multiple] registrations or petitions for enforcement of two or
2 more child support orders in effect at the same time with regard to the same obligor and different
3 individual obligees, at least one of which was issued by a tribunal of another state, a tribunal of
4 this state shall enforce those orders in the same manner as if the [multiple] orders had been
5 issued by a tribunal of this state.

454.877. [Amounts collected and credited for a particular period pursuant to a support
2 order issued by a tribunal of another state must be credited against the amounts accruing or
3 accrued for the same period under a support order issued by the tribunal of this state] **A tribunal**
4 **of this state shall credit amounts collected for a particular period under any child support**
5 **order against the amounts owed for the same period under any other child support order**
6 **for support of the same child issued by a tribunal of this state or another state.**

454.878. **A tribunal of this state exercising personal jurisdiction over a nonresident**
2 **in a proceeding under sections 454.850 to 454.999, under other laws of this state relating**
3 **to a support order, or recognizing a support order of a foreign country or political**
4 **subdivision on the basis of comity may receive evidence from another state under section**
5 **454.917, communicate with a tribunal of another state under section 454.920, and obtain**
6 **discovery through a tribunal of another state under section 454.922. In all other respects,**

7 sections **454.880 to 454.999 do not apply and the tribunal shall apply the procedural and**
8 **substantive law of this state.**

2 **454.879. (a) A tribunal of this state issuing a spousal order consistent with the laws**
3 **of this state has continuing, exclusive jurisdiction to modify the spousal support order**
4 **throughout the existence of the support obligation.**

5 **(b) A tribunal of this state may not modify a spousal support order issued by a**
6 **tribunal of another state having continuing, exclusive jurisdiction over that order under**
7 **the laws of that state.**

8 **(c) A tribunal of this state that has continuing, exclusive jurisdiction over a spousal**
9 **support order may serve as:**

10 **(1) an initiating tribunal to request a tribunal of another state to enforce the**
11 **spousal support order issued in this state; or**

12 **(2) a responding tribunal to enforce or modify its own spousal support order.**

13 **454.880. (a) Except as otherwise provided in sections 454.850 to [454.997] 454.999,**
14 **this article applies to all proceedings under sections 454.850 to [454.997] 454.999.**

15 **(b) [Sections 454.850 to 454.997, provide for the following proceedings:**

16 **(1) establishment of an order for spousal support or child support pursuant to section**
17 **454.930;**

18 **(2) enforcement of a support order and income withholding order of another state**
19 **without registration pursuant to sections 454.932 to 454.946;**

20 **(3) registration of an order for spousal support or child support of another state for**
21 **enforcement pursuant to sections 454.948 to 454.981;**

22 **(4) modification of an order for child support or spousal support issued by a tribunal of**
23 **this state pursuant to sections 454.862 to 454.869;**

24 **(5) registration of an order for child support of another state for modification pursuant**
25 **to sections 454.948 to 454.981;**

26 **(6) determination of parentage pursuant to section 454.983; and**

27 **(7) assertion of jurisdiction over nonresidents pursuant to sections 454.857 to 454.860.**

28 **(c)] An individual petitioner or a support enforcement agency may commence a**
29 **proceeding authorized under sections 454.850 to [454.997] 454.999, by filing a petition in an**
30 **initiating tribunal for forwarding to a responding tribunal or by filing a petition or a comparable**
31 **pleading directly in a tribunal of another state which has or can obtain personal jurisdiction over**
32 **the respondent.**

33 **454.885. Except as otherwise provided by sections 454.850 to 454.997, a responding**
34 **tribunal of this state shall:**

3 (1) [shall] apply the procedural and substantive law[, including the rules on choice of
4 law,] generally applicable to similar proceedings originating in this state and may exercise all
5 powers and provide all remedies available in those proceedings; and

6 (2) [shall] determine the duty of support and the amount payable in accordance with the
7 law and support guidelines of this state.

454.887. (a) Upon the filing of a petition authorized by sections 454.850 to 454.997, an
2 initiating tribunal of this state shall forward [three copies of] the petition and its accompanying
3 documents:

4 (1) to the responding tribunal or appropriate support enforcement agency in the
5 responding state; or

6 (2) if the identity of the responding tribunal is unknown, to the state information agency
7 of the responding state with a request that they be forwarded to the appropriate tribunal and that
8 receipt be acknowledged.

9 (b) If [a responding state has not enacted the uniform interstate family support act or a
10 law or procedure substantially similar to the uniform interstate family support act] **requested by**
11 **the responding tribunal**, a tribunal of this state [may] **shall** issue a certificate or other
12 documents and make findings required by the law of the responding state. If the responding state
13 is a foreign [jurisdiction] **country or political subdivision, upon request**, the tribunal [may]
14 **shall** specify the amount of support sought [and provide] , **convert that amount into the**
15 **equivalent amount in the foreign currency under applicable official or market exchange**
16 **rate as publicly reported, and provide any** other documents necessary to satisfy the
17 requirements of the responding state.

454.890. (a) When a responding tribunal of this state receives a petition or comparable
2 pleading from an initiating tribunal or directly pursuant to subsection (c) of section 454.880, it
3 shall cause the petition or pleading to be filed and notify the petitioner where and when it was
4 filed.

5 (b) A responding tribunal of this state, to the extent [otherwise authorized by] **not**
6 **prohibited by other** law, may do one or more of the following:

7 (1) issue or enforce a support order, modify a child support order, [or render a judgment
8 to] **determine the controlling child support order, or** determine parentage;

9 (2) order an obligor to comply with a support order, specifying the amount and the
10 manner of compliance;

11 (3) order income withholding;

12 (4) determine the amount of any arrearages, and specify a method of payment;

13 (5) enforce orders by civil or criminal contempt, or both;

14 (6) set aside property for satisfaction of the support order;

- 15 (7) place liens and order execution on the obligor's property;
- 16 (8) order an obligor to keep the tribunal informed of the obligor's current residential
17 address, telephone number, employer, address of employment, and telephone number at the place
18 of employment;
- 19 (9) issue a bench warrant for an obligor who has failed after proper notice to appear at
20 a hearing ordered by the tribunal and enter the bench warrant in any local and state computer
21 systems for criminal warrants;
- 22 (10) order the obligor to seek appropriate employment by specified methods;
- 23 (11) award reasonable attorney's fees and other fees and costs; and
- 24 (12) grant any other available remedy.
- 25 (c) A responding tribunal of this state shall include a support order issued under sections
26 454.850 to [454.997] **454.999**, or in the documents accompanying the order, the calculations on
27 which the support order is based.
- 28 (d) A responding tribunal of this state may not condition the payment of a support order
29 issued under sections 454.850 to [454.997] **454.999**, upon compliance by a party with provisions
30 for visitation.
- 31 (e) If a responding tribunal of this state issues an order under sections 454.850 to
32 [454.997] **454.999**, the tribunal shall send a copy of the order to the petitioner and the respondent
33 and to the initiating tribunal, if any.
- 34 **(f) If requested to enforce a support order, arrears, or judgment, or modify a**
35 **support order stated in a foreign currency, a responding tribunal of this state shall convert**
36 **the amount stated in the foreign currency to the equivalent amount in dollars under the**
37 **applicable official or market exchange rate as publicly reported.**
- 454.892. If a petition or comparable pleading is received by an inappropriate tribunal of
2 this state, [it] **the tribunal** shall forward the pleading and accompanying documents to an
3 appropriate tribunal in this state or another state and notify the petitioner by first class mail where
4 and when the pleading was sent.
- 454.895. (a) A support enforcement agency of this state, upon request, shall provide
2 services to a petitioner in a proceeding under sections 454.850 to 454.997.
- 3 (b) A support enforcement agency **of this state** that is providing services to the petitioner
4 [as appropriate] shall:
- 5 (1) take all steps necessary to enable an appropriate tribunal in this state or another state
6 to obtain jurisdiction over the respondent;
- 7 (2) request an appropriate tribunal to set a date, time, and place for a hearing;
- 8 (3) make a reasonable effort to obtain all relevant information, including information as
9 to income and property of the parties;

10 (4) within two days, exclusive of Saturdays, Sundays, and legal holidays, after receipt
11 of a written notice from an initiating, responding, or registering tribunal, send a copy of the
12 notice to the petitioner;

13 (5) within two days, exclusive of Saturdays, Sundays, and legal holidays, after receipt
14 of a written communication from the respondent or the respondent's attorney, send a copy of the
15 communication to the petitioner; and

16 (6) notify the petitioner if jurisdiction over the respondent cannot be obtained.

17 (c) **A support enforcement agency of this state that requests registration of a child**
18 **support order in this state for enforcement or for modification shall make reasonable**
19 **efforts:**

20 (1) **to ensure that the order to be registered is the controlling order; or**

21 (2) **if two or more child support orders exist and the identity of the controlling**
22 **order has not been determined, to ensure that a request for such a determination is made**
23 **in a tribunal having jurisdiction to do so.**

24 (d) **A support enforcement agency of this state that requests registration and**
25 **enforcement of a support order, arrears, or judgment stated in a foreign currency shall**
26 **convert the amounts stated in the foreign currency into the equivalent amounts in dollars**
27 **under the applicable official or market exchange rate as publicly reported.**

28 (e) **A support enforcement agency of this state shall issue or request a tribunal of**
29 **this state to issue a child support order and an income withholding order that redirect**
30 **payment of current support, arrears, and interest if requested to do so by a support**
31 **enforcement agency of another state under section 454.927.**

32 (f) Sections 454.850 to [454.997] **454.999**, do not create or negate a relationship of
33 attorney and client or other fiduciary relationship between a support enforcement agency or the
34 attorney for the agency and the individual being assisted by the agency.

454.897. (a) If the attorney general determines that the support enforcement agency is
2 neglecting or refusing to provide services to an individual, the attorney general may order the
3 agency to perform its duties under sections 454.850 to [454.997] **454.999** or may provide those
4 services directly to the individual.

5 (b) **The attorney general may determine that a foreign country or political**
6 **subdivision has established a reciprocal arrangement for child support with this state and**
7 **take appropriate action for notification of the determination.**

454.902. (a) The division of child support enforcement is the state information agency
2 under sections 454.850 to [454.997] **454.999**.

3 (b) The state information agency shall:

4 (1) compile and maintain a current list, including addresses, of the tribunals in this state
5 which have jurisdiction under sections 454.850 to [454.997] **454.999**, and any support
6 enforcement agencies in this state and transmit a copy to the state information agency of every
7 other state;

8 (2) maintain a register of **names and addresses of** tribunals and support enforcement
9 agencies received from other states;

10 (3) forward to the appropriate tribunal in the [place] **county** in this state in which the
11 [individual] obligee **who is an individual** or the obligor resides, or in which the obligor's
12 property is believed to be located, all documents concerning a proceeding under sections 454.850
13 to [454.997] **454.999**, received from an initiating tribunal or the state information agency of the
14 initiating state; and

15 (4) obtain information concerning the location of the obligor and the obligor's property
16 within this state not exempt from execution, by such means as postal verification and federal or
17 state locator services, examination of telephone directories, requests for the obligor's address
18 from employers, and examination of governmental records, including, to the extent not
19 prohibited by other law, those relating to real property, vital statistics, law enforcement, taxation,
20 motor vehicles, driver's licenses, and Social Security.

54.905. (a) **In a proceeding under sections 454.850 to 454.999**, a petitioner seeking
2 to establish [or modify] a support order or to determine parentage [in a proceeding under sections
3 454.850 to 454.997, must verify the] **must file a** petition. Unless otherwise ordered under
4 section 454.907, the petition or accompanying documents must provide, so far as known, the
5 name, residential address, and Social Security numbers of the obligor and the obligee **or the**
6 **parent and alleged parent**, and the name, sex, residential address, Social Security number, and
7 date of birth of each child for [whom] **whose benefit** support is sought **or whose parentage is**
8 **to be determined. Unless filed at the time of registration**, the petition must be accompanied
9 by a [certified] copy of any support order [in effect] **known to have been issued in another**
10 **state**. The petition may include any other information that may assist in locating or identifying
11 the respondent.

12 (b) The petition must specify the relief sought. The petition and accompanying
13 documents must conform substantially with the requirements imposed by the forms mandated
14 by federal law for use in cases filed by a support enforcement agency.

454.907. [Upon a finding, which may be made ex parte, that the health, safety, or liberty
2 of a party or child would be unreasonably put at risk by the disclosure of identifying information,
3 or if an existing order so provides, a tribunal shall order that the address of the child or party or
4 other identifying information not be disclosed in a pleading or other document filed in a
5 proceeding under sections 454.850 to 454.997.] **If a party alleges in an affidavit or a pleading**

6 **under oath that the health, safety, or liberty of a party or child would be jeopardized by**
7 **disclosure of specific identifying information, that information must be sealed and may not**
8 **be disclosed to the other party or the public. After a hearing in which a tribunal takes into**
9 **consideration the health, safety, or liberty of the party or child, the tribunal may order**
10 **disclosure of information that the tribunal determines to be in the interest of justice.**

454.912. (a) Participation by a petitioner in a proceeding **under sections 454.850 to**
2 **454.999** before a responding tribunal, whether in person, by private attorney, or through services
3 provided by the support enforcement agency, does not confer personal jurisdiction over the
4 petitioner in another proceeding.

5 (b) A petitioner is not amenable to service of civil process while physically present in
6 this state to participate in a proceeding under sections 454.850 to [454.997] **454.999**.

7 (c) The immunity granted by this section does not extend to civil litigation based on acts
8 unrelated to a proceeding under sections 454.850 to [454.997] **454.999**, committed by a party
9 while present in this state to participate in the proceeding.

454.917. (a) The physical presence of [the petitioner] **a nonresident party who is an**
2 **individual** in a [responding] tribunal of this state is not required for the establishment,
3 enforcement, or modification of a support order or the rendition of a judgment determining
4 parentage.

5 (b) [A verified petition,] **an** affidavit, document substantially complying with federally
6 mandated forms, and a document incorporated by reference in any of them, **which would not be**
7 excluded under the hearsay rule if given in person, is admissible in evidence if given under [oath]
8 **penalty of perjury** by a party or witness residing in another state.

9 (c) A copy of the record of child support payments certified as a true copy of the original
10 by the custodian of the record may be forwarded to a responding tribunal. The copy is evidence
11 of facts asserted in it, and is admissible to show whether payments were made.

12 (d) Copies of bills for testing for parentage, and for prenatal and postnatal health care
13 of the mother and child, furnished to the adverse party at least ten days before trial, are
14 admissible in evidence to prove the amount of the charges billed and that the charges were
15 reasonable, necessary, and customary.

16 (e) Documentary evidence transmitted from another state to a tribunal of this state by
17 telephone, telecopier, or other means that do not provide an original [writing] **record** may not
18 be excluded from evidence on an objection based on the means of transmission.

19 (f) In a proceeding under sections 454.850 to [454.997] **454.999**, a tribunal of this state
20 [may] **shall** permit a party or witness residing in another state to be deposed or to testify by
21 telephone, audiovisual means, or other electronic means at a designated tribunal or other location

22 in that state. A tribunal of this state shall cooperate with tribunals of other states in designating
23 an appropriate location for the deposition or testimony.

24 (g) If a party called to testify at a civil hearing refuses to answer on the ground that the
25 testimony may be self-incriminating, the trier of fact may draw an adverse inference from the
26 refusal.

27 (h) A privilege against disclosure of communications between spouses does not apply
28 in a proceeding under sections 454.850 to [454.997] **454.999**.

29 (i) The defense of immunity based on the relationship of husband and wife or parent and
30 child does not apply in a proceeding under sections 454.850 to [454.997] **454.999**.

31 (j) **A voluntary acknowledgment of paternity, certified as a true copy, is admissible**
32 **to establish parentage of a child.**

454.920. A tribunal of this state may communicate with a tribunal of another state [in
2 writing] **or foreign country or political subdivision in a record**, or by telephone or other
3 means, to obtain information concerning the laws [of that state], the legal effect of a judgment,
4 decree, or order of that tribunal, and the status of a proceeding in the other state **or foreign**
5 **country or political subdivision**. A tribunal of this state may furnish similar information by
6 similar means to a tribunal of another state **or foreign country or political subdivision**.

454.927. (a) A support enforcement agency or tribunal of this state shall disburse
2 promptly any amounts received pursuant to a support order, as directed by the order. The agency
3 or tribunal shall furnish to a requesting party or tribunal of another state a certified statement by
4 the custodian of the record of the amounts and dates of all payments received.

5 (b) **If the obligor, the obligee who is an individual, and the child do not reside in**
6 **this state, upon request from the support enforcement agency of this state or another state,**
7 **the support enforcement agency of this state or a tribunal of this state shall:**

8 (1) **direct that the support payment be made to the support enforcement agency in**
9 **the state in which the obligee is receiving services; and**

10 (2) **issue and send to the obligor's employer a conforming income withholding order**
11 **or an administrative notice of change of payee reflecting the redirected payments.**

12 (c) **The support enforcement agency of this state receiving redirected payments**
13 **from another state under a law similar to subsection (b) shall furnish to a requesting party**
14 **or tribunal of the other state a certified statement by the custodian of the record of the**
15 **amount and dates of payments received.**

454.930. (a) If a support order entitled to recognition under sections 454.850 to
2 [454.997] **454.999**, has not been issued, a responding tribunal of this state may issue a support
3 order if:

4 (1) the individual seeking the order resides in another state; or

5 (2) the support enforcement agency seeking the order is located in another state.

6 (b) The tribunal may issue a temporary child support order if **the tribunal determines**
7 **that such an order is appropriate and the individual ordered to pay is:**

8 (1) [the respondent has signed a verified statement acknowledging parentage;

9 (2) the respondent has been determined by or pursuant to law to be the parent; or

10 (3) there is other clear and convincing evidence that the respondent is the child's parent]

11 **a presumed father of the child;**

12 **(2) petitioning to have his paternity adjudicated;**

13 **(3) identified as the father of the child through genetic testing;**

14 **(4) an alleged father who has declined to submit to genetic testing;**

15 **(5) shown by clear and convincing evidence to be the father of the child;**

16 **(6) an acknowledged father as provided by applicable state law;**

17 **(7) the mother of the child; or**

18 **(8) an individual who has been ordered to pay child support in a previous**
19 **proceeding and the order has not been reversed or vacated.**

20 (c) Upon finding, after notice and opportunity to be heard, that an obligor owes a duty
21 of support, the tribunal shall issue a support order directed to the obligor and may issue other
22 orders pursuant to section 454.890.

454.932. An income withholding order issued in another state may be sent **by or on**
2 **behalf of the obligee or by the support enforcement agency** to the person [or entity] defined
3 as the obligor's employer under section 452.350, RSMo, or section 454.505 without first filing
4 a petition or comparable pleading or registering the order with a tribunal of this state.

454.934. (a) Upon receipt of the order, the obligor's employer shall immediately provide
2 a copy of the order to the obligor.

3 (b) The employer shall treat an income withholding order issued in another state which
4 appears regular on its face as if it had been issued by a tribunal of this state.

5 (c) Except as provided in subsection (d) of this section and section 454.936, the
6 employer shall withhold and distribute the funds as directed in the withholding order by
7 complying with the terms of the order, as applicable, that specify:

8 (1) the duration and the amount of periodic payments of current child support, stated as
9 a sum certain;

10 (2) the person [or agency] designated to receive payments and the address to which the
11 payments are to be forwarded;

12 (3) medical support, whether in the form of periodic cash payment, stated as a sum
13 certain, or ordering the obligor to provide health insurance coverage for the child under a policy
14 available through the obligor's employment;

15 (4) the amount of periodic payments of fees and costs for a support enforcement agency,
16 the issuing tribunal, and the obligee's attorney, stated as sums certain; and

17 (5) the amount of periodic payments of arrears and interest on arrears, stated as sums
18 certain.

19 (d) The employer shall comply with the law of the state of the obligor's principal place
20 of employment for withholding from income with respect to:

21 (1) the employer's fee for processing an income withholding order;

22 (2) the maximum amount permitted to be withheld from the obligor's income;

23 (3) the time periods within which the employer must implement the withholding order
24 and forward the child support payment.

454.936. If the obligor's employer receives [multiple] **two or more** orders to withhold
2 support from the earnings of the same obligor, the employer shall be deemed to have satisfied
3 the terms of the [multiple] orders if the employer complied with the law of the state of the
4 obligor's principal place of employment to establish the priorities for withholding and allocating
5 income withheld for [multiple] **two or more** child support orders.

454.943. (a) An obligor may contest the validity or enforcement of an income
2 withholding order issued in another state and received directly by an employer in this state **by**
3 **registering the order in a tribunal of this state and filing a contest to that order as provided**
4 **in section 454.956 or otherwise contesting the order** in the same manner as if the order had
5 been issued by a tribunal of this state. [Section 454.956 applies to the contest.]

6 (b) The obligor shall give notice of the contest to:

7 (1) a support enforcement agency providing services to the obligee;

8 (2) each employer which has directly received an income withholding order **relating to**
9 **the obligor**; and

10 (3) the person [or agency] designated to receive payments in the income withholding
11 order, or if no person or agency is designated, to the obligee.

454.946. (a) A party **or support enforcement agency** seeking to enforce a support order
2 or an income withholding order, or both, issued by a tribunal of another state may send the
3 documents required for registering the order to a support enforcement agency of this state.

4 (b) Upon receipt of the documents, the support enforcement agency, without initially
5 seeking to register the order, shall consider and, if appropriate, use any administrative procedure
6 authorized by the law of this state to enforce a support order or an income withholding order, or
7 both. If the obligor does not contest administrative enforcement, the order need not be
8 registered. If the obligor contests the validity or administrative enforcement of the order, the
9 support enforcement agency shall register the order pursuant to sections 454.850 to [454.997]
10 **454.999**.

454.951. (a) A support order or income withholding order of another state may be registered in this state by sending the following documents and information to the appropriate tribunal in this state:

(1) a letter of transmittal to the tribunal requesting registration and enforcement;

(2) two copies, including one certified copy, of all orders to be registered, including any modification of an order;

(3) a sworn statement by the party seeking registration or a certified statement by the custodian of the records showing the amount of any arrearage;

(4) the name of the obligor and, if known:

(i) the obligor's address and Social Security number;

(ii) the name and address of the obligor's employer and any other source of income of the obligor; and

(iii) a description and the location of property of the obligor in this state not exempt from execution; and

(5) the name and address of the obligee and, if applicable, the agency or person to whom support payments are to be remitted.

(b) On receipt of a request for registration, the registering tribunal shall cause the order to be filed as a foreign judgment, together with one copy of the documents and information, regardless of their form.

(c) A petition or comparable pleading seeking a remedy that must be affirmatively sought under other law of this state may be filed at the same time as the request for registration or later. The pleading must specify the grounds for the remedy sought.

(d) If two or more orders are in effect, the person requesting registration shall:

(1) furnish to the tribunal a copy of every support order asserted to be in effect in addition to the documents specified in this section;

(2) specify the order alleged to be the controlling order, if any; and

(3) specify the amount of consolidated arrears, if any.

(e) A request for a determination of which is the controlling order may be filed separately or with a request for registration and enforcement or for registration and modification. The person requesting registration shall give notice of the request to each party whose rights may be affected by the determination.

454.956. (a) **Except as otherwise provided in subsection (d), the law of the issuing state governs:**

(1) the nature, extent, amount, and duration of current payments [and other obligations of support and the] under a registered support order;

5 **(2) the computation and** payment of arrearages **and accrual of interest on the**
6 **arrearages** under the order; **and**

7 **(3) the existence and satisfaction of other obligations under the support order.**

8 (b) In a proceeding for [arrearages] **arrear under a registered support order**, the
9 statute of limitation [under the laws] of this state or of the issuing state, whichever is longer,
10 applies.

11 **(c) A responding tribunal of this state shall apply the procedures and remedies of**
12 **this state to enforce current support and collect arrears and interests due on a support**
13 **order of another state registered in this state.**

14 **(d) After a tribunal of this state or another state determines which is the controlling**
15 **order and issues an order consolidating arrears, if any, a tribunal of this state shall**
16 **prospectively apply the law of the state issuing the controlling order, including its law on**
17 **interest on arrears, on current and future support and on consolidated arrears.**

 454.958. (a) When a support order or income withholding order issued in another state
2 is registered, the registering tribunal shall notify the nonregistering party. The notice must be
3 accompanied by a copy of the registered order and the documents and relevant information
4 accompanying the order.

5 (b) The notice must inform the nonregistering party:

6 (1) that a registered order is enforceable as of the date of registration in the same manner
7 as an order issued by a tribunal of this state;

8 (2) that a hearing to contest the validity or enforcement of the registered order must be
9 requested within twenty days after the date of mailing or personal service of the notice;

10 (3) that failure to contest the validity or enforcement of the registered order in a timely
11 manner will result in confirmation of the order and enforcement of the order and the alleged
12 arrearages and precludes further contest of that order with respect to any matter that could have
13 been asserted; and

14 (4) of the amount of any alleged arrearages.

15 **(c) If the registering party asserts that two or more orders are in effect, a notice**
16 **must also:**

17 **(1) identify the two or more orders and the order alleged by the registering person**
18 **to be the controlling order and the consolidated arrears, if any;**

19 **(2) notify the nonregistering party of the right to a determination of which is the**
20 **controlling order;**

21 **(3) state that the procedures provided in subsection (b) apply to the determination**
22 **of which is the controlling order; and**

23 **(4) state that failure to contest the validity or enforcement of the order alleged to**
24 **be the controlling order in a timely manner may result in confirmation that the order is the**
25 **controlling order.**

26 **(d)** Upon registration of an income withholding order for enforcement, the registering
27 tribunal shall notify the obligor's employer pursuant to section 452.350, RSMo, or section
28 454.505.

 454.963. (a) A party contesting the validity or enforcement of a registered order or
2 seeking to vacate the registration has the burden of proving one or more of the following
3 defenses:

- 4 (1) the issuing tribunal lacked personal jurisdiction over the contesting party;
- 5 (2) the order was obtained by fraud;
- 6 (3) the order has been vacated, suspended, or modified by a later order;
- 7 (4) the issuing tribunal has stayed the order pending appeal;
- 8 (5) there is a defense under the law of this state to the remedy sought;
- 9 (6) full or partial payment has been made; or
- 10 (7) the statute of limitation under section 454.956 precludes enforcement of some or all

11 of the **alleged** arrearages; **or**

12 **(8) the alleged controlling order is not the controlling order.**

13 (b) If a party presents evidence establishing a full or partial defense under subsection (a),
14 a tribunal may stay enforcement of the registered order, continue the proceeding to permit
15 production of additional relevant evidence, and issue other appropriate orders. An uncontested
16 portion of the registered order may be enforced by all remedies available under the law of this
17 state.

18 (c) If the contesting party does not establish a defense under subsection (a) to the validity
19 or enforcement of the order, the registering tribunal shall issue an order confirming the order.

 454.971. A tribunal of this state may enforce a child support order of another state
2 registered for purposes of modification, in the same manner as if the order had been issued by
3 a tribunal of this state, but the registered order may be modified only if the requirements of
4 [section] **sections 454.973, 454.978, and 454.982** have been met.

 454.973. (a) [After] **If section 454.978 does not apply, except as otherwise provided**
2 **in section 454.982, upon petition, a tribunal of this state may modify** a child support order
3 issued in another state [has been] **which is** registered in this state[, unless the provisions of
4 section 454.978 apply, the responding tribunal of this state may modify that order only] if, after
5 notice and hearing, [it] **the tribunal** finds that:

- 6 (1) the following requirements are met:

- 7 (i) **neither** the child, **nor** the [individual] obligee **who is an individual**, [and the obligor
8 do not reside] **nor the obligor resides** in the issuing state;
- 9 (ii) a petitioner who is a nonresident of this state seeks modification; and
- 10 (iii) the respondent is subject to the personal jurisdiction of the tribunal of this state; or
- 11 (2) **this state is the state of residence of** an individual party or the child is subject to the
12 personal jurisdiction of the tribunal and all of the individual parties have filed [a written consent]
13 **consents in a record** in the issuing tribunal providing that a tribunal of this state may modify
14 the support order and assume continuing, exclusive jurisdiction [over the order. However, if the
15 issuing state is a foreign jurisdiction which has not enacted the Uniform Interstate Family
16 Support Act, as amended, the written consent of the individual party residing in this state is not
17 required for the tribunal to assume jurisdiction to modify the child support order].
- 18 (b) Modification of a registered child support order is subject to the same requirements,
19 procedures, and defenses that apply to the modification of an order issued by a tribunal of this
20 state and the order may be enforced and satisfied in the same manner.
- 21 (c) **Except as otherwise provided in section 454.982**, a tribunal of this state may not
22 modify any aspect of a child support order that may not be modified under the law of the issuing
23 state, **including the duration of the obligation of support**. If two or more tribunals have issued
24 child support orders for the same obligor and **same** child, the order that is controlling and must
25 be recognized under the provisions of section 454.871 establishes the nonmodifiable aspects of
26 the support order.
- 27 (d) **In a proceeding to modify a child support order, the law of the state that is**
28 **determined to have issued the initial controlling order governs the duration of the**
29 **obligation of support. The obligor's fulfillment of the duty of support established by that**
30 **order precludes imposition of a further obligation of support by a tribunal of this state.**
- 31 (e) On issuance of an order **by a tribunal of this state** modifying a child support order
32 issued in another state, [a] **the** tribunal of this state becomes the tribunal of continuing, exclusive
33 jurisdiction.
- 454.976. **If a child support order issued by** a tribunal of this state [shall recognize a
2 modification of its earlier child support order] **is modified** by a tribunal of another state which
3 assumed jurisdiction pursuant to sections 454.850 to [454.997 or a law substantially similar to
4 sections 454.850 to 454.997 and, upon request, except as otherwise provided in sections 454.850
5 to 454.997 shall] **454.999**:
- 6 (1) **may** enforce [the] **its** order that was modified only as to [amounts] **arrears and**
7 **interest** accruing before the modification;
- 8 (2) [enforce only nonmodifiable aspects of that order;

9 (3) **may** provide [other] appropriate relief [only] for violations of [that] **its** order which
10 occurred before the effective date of the modification; and

11 [(4)] **(3)** shall recognize the modifying order of the other state, upon registration, for the
12 purpose of enforcement.

**454.982. (a) If a foreign country or political subdivision that is a state will not or
2 may not modify its order under its laws, a tribunal of this state may assume jurisdiction
3 to modify the child support order and bind all individuals subject to the personal
4 jurisdiction of the tribunal whether or not the consent to modification of a child support
5 order otherwise required of the individual under section 454.973 has been given or whether
6 the individual seeking modification is a resident of this state or of the foreign country or
7 political subdivision.**

8 **(b) An order issued under this section is the controlling order.**

454.983. [(a)] A [tribunal] **court** of this state **authorized to determine parentage of
2 a child** may serve as [an initiating or] a responding tribunal in a proceeding **to determine
3 parentage** brought under sections 454.850 to [454.997] **454.999** or a law or procedure
4 substantially similar to sections 454.850 to [454.997, or a law or procedure substantially similar
5 to the uniform reciprocal enforcement of support act, or the revised uniform reciprocal
6 enforcement of support act to determine that the petitioner is a parent of a particular child or to
7 determine that a respondent is a parent of that child] **454.999**.

8 [(b) In a proceeding to determine parentage, a responding tribunal of this state shall apply
9 the procedural and substantive law of this state and the rules of this state on choice of law.]

454.989. (a) Before making demand that the governor of another state surrender an
2 individual charged criminally in this state with having failed to provide for the support of an
3 obligee, the governor of this state may require a prosecutor of this state to demonstrate that at
4 least sixty days previously the obligee had initiated proceedings for support pursuant to sections
5 454.850 to [454.997] **454.999** or that the proceeding would be of no avail.

6 (b) If, under sections 454.850 to [454.997] **454.999** or a law substantially similar to
7 sections 454.850 to [454.997, the uniform reciprocal enforcement of support act, or the revised
8 uniform reciprocal enforcement of support act] **454.999**, the governor of another state makes a
9 demand that the governor of this state surrender an individual charged criminally in that state
10 with having failed to provide for the support of a child or other individual to whom a duty of
11 support is owed, the governor may require a prosecutor to investigate the demand and report
12 whether a proceeding for support has been initiated or would be effective. If it appears that a
13 proceeding would be effective but has not been initiated, the governor may delay honoring the
14 demand for a reasonable time to permit the initiation of a proceeding.

15 (c) If a proceeding for support has been initiated and the individual whose rendition is
16 demanded prevails, the governor may decline to honor the demand. If the petitioner prevails and
17 the individual whose rendition is demanded is subject to a support order, the governor may
18 decline to honor the demand if the individual is complying with the support order.

454.991. [Sections 454.850 to 454.997 shall be applied and construed to effectuate its
2 general purpose to make uniform] **1. In applying and construing sections 454.850 to 454.999**
3 **consideration must be given to the need to promote uniformity of** the law with respect to [the
4 subject of sections 454.850 to 454.997] **its subject matter** among states [enacting] **that enact**
5 it.

6 **2. The provisions of sections 454.850 to 454.999 shall become effective July 1, 2008,**
7 **or upon its passage and approval, whichever later occurs.**

8

2 [454.993. Sections 454.850 to 454.997 may be cited as the "Uniform
Interstate Family Support Act".]

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