

HB 524 -- LICENSE SUSPENSIONS

SPONSOR: Neely

This bill requires a notice of intent to suspend a license to be sent to the obligor by certified mail at the last known address after due diligence to determine the obligor's address. If a hearing for license suspension due to the obligor's support arrearage is requested, the obligor shall be required to present evidence of his or her ability to pay the arrearage or to present evidence as to whether the license suspension would impose a significant hardship to the obligor, his or her employees, any legal dependents residing in the obligor's household, or persons, businesses, or other entities served by the obligor.

If an obligor fails to show cause to why license suspension may not be appropriate, it is current law that the obligor's defenses and objections shall be considered to be without merit. The bill repeals that provision. Currently, if an action involves an arrearage, there are limited issues that may be considered. The bill repeals that limitation and instead specifies that the Director of Revenue shall, in determining whether license suspension is appropriate under the circumstances, consider and issue finding of fact and conclusions of law on those issues, as specified in the bill.

If the court or director, after hearing, determines the obligor has not failed to comply with the monthly support obligation and an arrearage amount greater than or equal to three months' support payments or \$2500, whichever is less, the court or director must not issue an order suspending the obligor's license and shall not order the obligor to refrain from engaging in the licensed activity. If an order is in place, the court must stay the order.