

HOUSE BILL NO. HB0021

Child support enforcement-amendments.

Sponsored by: Representative(s) Ross

A BILL

for

1 AN ACT relating to child support enforcement; amending
2 notice and payor requirements as specified to comply with
3 federal law; and providing for an effective date.

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5 *Be It Enacted by the Legislature of the State of Wyoming:*

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7 **Section 1.** W.S. 20-2-309 by creating a new subsection
8 (c) and by renumbering (c) and (d) as (d) and (e) and
9 20-6-218(b) are amended to read:

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11 **20-2-309. Contents of orders; change of address or**
12 **employment; income withholding entered; payment.**

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14 (c) In any subsequent enforcement action brought
15 under this chapter in which the parties were previously
16 ordered to provide the clerk of the court with their
17 current residential, mailing and employer's address, the

1 court, upon sufficient showing to the satisfaction of the
2 court that a diligent effort has been made to ascertain the
3 location of a party, shall deem state due process
4 requirements for notice and service of process to be met
5 upon delivery of written notice to the most recent
6 residential or employer address of that party filed with
7 the clerk of the district court and the state case registry
8 pursuant to the requirements of this section provided:

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10 (i) An affidavit attesting to the diligent
11 effort to locate the party is filed with the court at the
12 time of filing the subsequent enforcement action; and

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14 (ii) Delivery of the written notice to the most
15 recent residential or employer address of the party is made
16 by personal service or by certified mail.

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18 ~~(e)~~(d) Upon entry of any order for the support of a
19 child under this section the court shall also enter an
20 income withholding order as provided by W.S. 20-6-204.

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22 ~~(d)~~(e) All child support payments shall be paid to
23 the clerk of the district court.

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1 **20-6-218. Penalties.**

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3 (b) Payors shall pay in compliance with the
4 instructions specified in the notice to payor and in
5 accordance with the duties specified in W.S. 20-6-212. No

6 payor shall use the existence of an income withholding
7 order authorized by this act as grounds to discharge,
8 discipline or otherwise penalize an obligor or as grounds
9 to refuse to employ a person. Any payor who violates this
10 subsection is subject to a civil penalty in an amount the
11 court determines of not more than two hundred dollars
12 (\$200.00). The penalty shall be collected from the violator
13 and distributed by the court to the county public school
14 fund. Before the court imposes a civil penalty, the payor
15 accused of a violation shall be notified, in writing, of
16 the specific nature of the alleged violation and the time
17 and place, at least ten (10) days from the date of the
18 notice, when a hearing of the matter shall be held. After
19 hearing or upon failure of the accused to appear at the
20 hearing, the court shall determine the amount of the civil
21 penalty to be imposed in accordance with the limitation in
22 this subsection.

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1 **Section 2.** This act is effective July 1, 2002.

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(END)