

SENATE FILE NO. SF0075

Child support enforcement amendments.

Sponsored by: Senator(s) Ross and Representative(s) Throne

A BILL

for

1 AN ACT relating to child support; requiring notice as
2 specified to department of family services upon admission
3 of a decedent's will to probate or issuance of letters of
4 administration in an intestate decedent's estate; providing
5 that a finding of physical placement in a child support
6 order shall not be considered a disposition of custody;
7 modifying procedures related to actions suspending driver's
8 licenses for nonpayment of child support; and providing for
9 an effective date.

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

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13 **Section 1.** W.S. 2-7-205(a)(ii), (iii) and by creating
14 a new paragraph (iv), 20-2-201 by creating a new subsection
15 (h) and 20-6-111(f)(intro) are amended to read:

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1 **2-7-205. Parties entitled to receive.**

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3 (a) A true copy of the notice required in W.S.
4 2-7-201 shall be mailed by ordinary United States mail,
5 first class, to:

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7 (ii) Each creditor of the decedent whose
8 identity is reasonably ascertainable by the personal
9 representative within the time limited in the notice to
10 creditors. The mailing shall be made not later than thirty
11 (30) days prior to the expiration of three (3) months after
12 the first publication of the notice in the newspaper; ~~and~~

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14 (iii) The state department of health if the
15 decedent received medical assistance pursuant to W.S.
16 42-4-101 through 42-4-114; ~~and~~ and

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18 (iv) The department of family services if the
19 decedent or any heir at law of the decedent, if known, is
20 the obligor on a child support order being enforced by the
21 department.

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1 **20-2-201. Disposition and maintenance of children in**
2 **decree or order; access to records.**

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4 (h) A court finding of physical placement of a child
5 in a child support order shall not be considered a
6 disposition of custody under this section.

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8 **20-6-111. Driver's license suspension; nonpayment of**
9 **child support; administrative hearings.**

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11 (f) The department may determine that a driver's
12 license suspension may be better achieved through an
13 administrative suspension if the obligor owes more than
14 ~~five thousand dollars (\$5,000.00)~~ two thousand five hundred
15 dollars (\$2,500.00) in unpaid child support and the obligor
16 has not made a full monthly child support payment either
17 voluntarily or through income withholding for a period of
18 at least ninety (90) consecutive days prior to the
19 determination. The department shall notify the obligor by
20 ~~certified first class~~ certified first class mail, ~~with return receipt requested,~~
21 or by personal service if notification by ~~certified first~~ certified first
22 class mail was unsuccessful, that the obligor is in arrears
23 in a child support obligation and that the obligor's

1 driver's license as defined in W.S. 31-7-102(a)(xxv) shall
2 be suspended by the department of transportation sixty (60)
3 days after the date the obligor receives the notice unless
4 the obligor:

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6 **Section 2.** This act is effective July 1, 2015.

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(END)