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HOUSE FLOOR AMENDMENTS

2021 Regular Session

Amendments proposed by Representative Wilford Carter to Engrossed House Bill No. 449
by Representative Wilford Carter

1 AMENDMENT NO. 1

2 On page 1, line 2, after "reenact" delete the remainder of the line and delete line 3 in its
3 entirety and insert "R.S. 9:311(C)(3), 311.1, and 315.11(C)(2), and to repeal R.S. 9:315.27,
4 relative to the suspension of child support obligations;"

5 AMENDMENT NO. 2

6 On page 1, line 4, after "provide for" and before "during" change "reduction" to "suspension"

7 AMENDMENT NO. 3

8 On page 1, line 4, after "remove" delete the remainder of the line and at the beginning of
9 line 5, delete "suspension and"

10 AMENDMENT NO. 4

11 On page 1, at the end of line 12, insert the following: "provide for the continuation of child
12 support beyond the termination date; to"

13 AMENDMENT NO. 5

14 On page 1, delete lines 16 and 17 in their entirety and insert "Section 1. R.S. 9:311(C)(3),
15 311.1, and 315.11(C)(2) are hereby amended and reenacted to read as follows:"

16 AMENDMENT NO. 6

17 On page 2, line 1, after "or" and before "of" delete "reduction" and insert "suspension"

18 AMENDMENT NO. 7

19 On page 2, delete lines 4 through 16 in their entirety

20 AMENDMENT NO. 8

21 On page 2, at the end of line 29, change "reduced" to "suspended"

22 AMENDMENT NO. 9

23 On page 3, delete lines 7 through 12 in their entirety

24 AMENDMENT NO. 10

25 On page 3, line 14, after "§311.1." and before "support" delete "Reduction of child" and
26 insert "Child"

1 AMENDMENT NO. 11

2 On page 3, at the end of line 14, change the colon ":" to a semi-colon ";"

3 AMENDMENT NO. 12

4 On page 3, line 19, after "shall be" and before "when" delete "reduced" and insert
5 "suspended"

6 AMENDMENT NO. 13

7 On page 4, between lines 9 and 10 insert the following:

8 ~~"(3)~~ (4) "Suspension" means the modification of a child support order to zero
9 dollars during the period of an obligor's incarceration."

10 AMENDMENT NO. 14

11 On page 6, line 3, after "The" and before "of the" delete "reduction" and insert "suspension"

12 AMENDMENT NO. 15

13 On page 6, line 4, after "affidavit." delete the remainder of the line and delete line 5 and 6
14 in their entirety

15 AMENDMENT NO. 16

16 On page 6, at the beginning of line 13, insert "suspension or a"

17 AMENDMENT NO. 17

18 On page 6, between lines 20 and 21, insert the following:

19 "G.(1) ~~An order of support~~ A child support order suspended in accordance
20 with this Section shall resume by operation of law on the first day of the second full
21 month after the obligor's release from incarceration.

22 (2) An order that suspends ~~an obligor's order of support~~ a child support order
23 because of the obligor's incarceration shall contain a provision that the previous
24 order will be reinstated on the first day of the second full month after the obligor's
25 release from incarceration.

26 (3) (a)(i) If the obligor is released from incarceration while the child is a
27 minor, upon the obligor's release the Department of Children and Family Services
28 or either party shall petition the court prior to the first day of the second full month
29 after the obligor's release from incarceration for a modification hearing to establish
30 the terms of the previously suspended child support order. Unless the terms of the
31 order of support have been otherwise modified, the suspended order of support shall
32 resume at the same terms that existed before the suspension.

33 (ii) At the modification hearing, the court may continue the award beyond the
34 termination date provided by R.S. 9:315.22. If the court extends the child support
35 award, the amount of support shall be established using the child support guidelines.
36 Any continuation of a child support award extended pursuant to this Subsection shall
37 not exceed the amount of time the child support order was suspended.

38 (b) If the obligor is released from incarceration after the child has reached
39 the age of majority, the custodial party or the child may petition the court to establish
40 an award of support for the period of suspension within twenty-four months of the
41 obligor's release from incarceration. The amount of support shall be established
42 using the child support guidelines. Any child support award established pursuant to
43 this Subsection shall not exceed the amount of time the child support order was
44 suspended."

1 AMENDMENT NO. 18

2 On page 7, at the beginning of line 4, delete "G." and insert "H."

3 AMENDMENT NO. 19

4 On page 7, at the beginning of line 7, delete "H." and insert "I."

5 AMENDMENT NO. 20

6 On page 7, delete lines 19 through 28 in their entirety and on page 8, delete lines 1 through
7 24 in their entirety and insert the following:

8 "Section 2. R.S. 9:315.27 is hereby repealed in its entirety."

9 AMENDMENT NO. 21

10 On page 7, at the beginning of line 5, change "Section 2." to "Section 3."