

2017 Regular Session

HOUSE BILL NO. 238

BY REPRESENTATIVE BILLIOT

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

MTR VEHICLE/DRIVER LIC: Authorizes a request to suspend a license for nonpayment of child support to be made electronically

1 AN ACT

2 To amend and reenact R.S. 9:315.44(A)(introductory paragraph) and to enact R.S.
3 9:315.44(C) and 315.46(D), relative to license suspension for failure to pay child
4 support; to authorize the electronic transmission of a certification of noncompliance
5 to licensing authorities; to authorize an interagency agreement with a licensing
6 authority to facilitate the development, implementation, and use of a transmission
7 system; to authorize the electronic transmission of a compliance release certificate
8 to licensing authorities; and to provide for related matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 9:315.44(A)(introductory paragraph) is hereby amended and
11 reenacted and R.S. 9:315.44(C) and 315.46(D) are hereby enacted to read as follows:

12 §315.44. Certification of noncompliance

13 A. The department may certify ~~in writing~~ to the licensing authority that a
14 licensee is not in compliance with an order of support in the event of any of the
15 following:

16 * * *

17 C. The certification shall be in writing unless the department and licensing
18 authority agree that the department will transmit the certification in an electronic
19 format. The department may enter into an interagency agreement with a licensing

1 authority to facilitate the development, implementation, and use of a transmission
2 system.

3 * * *

4 §315.46. Subsequent compliance with support order; compliance and partial
5 compliance releases

6 * * *

7 D. Any certificate issued pursuant to this Section shall be in writing unless
8 the department and licensing authority agree that the department will transmit the
9 certification in an electronic format in accordance with R.S. 9:315.44(C).

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 238 Engrossed

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Abstract: Authorizes the Dept. of Children and Family Services (DCFS) to send a request to suspend a license for nonpayment of child support or a compliance release certificate electronically to licensing authorities.

Present law authorizes DCFS to certify in writing to a licensing authority that a licensee is not in compliance with an order of support for the suspension of the individual's license.

Proposed law retains present law but provides an exception to the requirement that the certification be in writing if DCFS and the licensing authority agree that DCFS will transmit the certification in an electronic format. Further authorizes DCFS to enter into an interagency agreement with a licensing authority to facilitate the development, implementation, and use of a transmission system.

Present law requires DCFS to issue a compliance release certificate indicating that an individual is eligible to have his license reissued at the request of a licensee who is in subsequent compliance with an order of support.

Proposed law requires the certificate to be in writing unless DCFS and the licensing authority agree that DCFS will transmit the certification in an electronic format.

(Amends R.S. 9:315.44(A)(intro. para.); Adds R.S. 9:315.44(C) and 315.46(D))