

CONFERENCE COMMITTEE REPORT

HB 204

2015 Regular Session

Foil

June 10, 2015

To the Honorable Speaker and Members of the House of Representatives and the Honorable President and Members of the Senate.

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning House Bill No. 204 by Representative Foil, recommend the following concerning the Engrossed bill:

1. That Senate Floor Amendment No. 1 proposed by Senator Claitor and adopted by the Senate on May 26, 2015, be adopted.
2. That Senate Floor Amendment No. 1 proposed by Senator Murray and adopted by the Senate on May 26, 2015, be rejected.
3. That the following amendments to the Engrossed bill be adopted:

AMENDMENT NO. 1

On page 4, after line 30, insert the following:

"Section 3. The provisions of this Act shall become effective August 1, 2016."

Respectfully submitted,

Representative Franklin J. Foil

Senator Ben Nevers

Representative Neil C. Abramson

Senator Edwin R. Murray

Representative Lowell C. Hazel

Senator Dan Claitor

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)]

CONFERENCE COMMITTEE REPORT DIGEST

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Keyword and oneliner of the instrument as it left the House

CHILDREN/CARE: Provides relative to adult children with disabilities

Report adopts Senate amendments to:

1. Require the major child or his tutor or curator to obtain and submit to the Dept. of Children and Family Services a judgment ordering continuation of support for the child prior to the child reaching the age of majority if DCFS is to continue to provide support enforcement services.

Report rejects Senate amendments which would have:

1. Required a person receiving child support on behalf of an adult child with disabilities, who is participating in the DHH New Opportunity Waiver Program, to direct and deliver the child support to the waiver program for deposit.

Report amends the bill to:

1. Add an effective date of August 1, 2016.

Digest of the bill as proposed by the Conference Committee

Present law provides for guidelines to be used in the determination of child support and provides for the deviation from the child support guidelines in certain circumstances.

Proposed law retains present law and provides an additional deviation for child support awarded to adult children with disabilities.

Present law provides for the continuation of child support to children with developmental disabilities until the age of 22.

Proposed law retains present law and provides for the extension of child support to unmarried children who are incapable of self-support and who require substantial care and personal supervision because of an intellectual or physical disability. Provides that disability does not include substance abuse or addiction.

Proposed law provides that the court may place the award in trust or order the creation of a trust.

Present law provides for subject matter jurisdiction.

Proposed law retains present law and adds subject matter jurisdiction for proceedings for support of an adult child with a disability.

Present law provides for venue and for the use of summary proceedings to obtain the legal custody of a minor child or to establish a support obligation.

Proposed law changes present law so that it will also apply to an adult child with a disability.

Proposed law provides that a major child or his tutor or curator obtain and submit to the Dept. of Children and Family Services a judgment ordering continuation of support for the child prior to the child reaching the age of majority as a condition of DCFS continuing to provide support enforcement services, pursuant to proposed law.

Effective Aug. 1, 2016.