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SENATE BILL NO. 489

BY SENATOR JACKSON

2	To amend and reenact R.S. 9:315.32(A), relative to child support; to provide for penalties;
3	to provide for failure to comply with a subpoena, warrant, or court order in child
4	support or paternity proceedings; to provide for the suspension of certain licenses;
5	to provide for an effective date; and to provide for related matters.
6	Be it enacted by the Legislature of Louisiana:
7	Section 1. R.S. 9:315.32(A) is hereby amended and reenacted to read as follows:
8	§315.32. Order of suspension of license; noncompliance with support order;
9	contempt of court
10	A.(1)(a) In or ancillary to any action to make past-due child support
11	executory, for in an action for contempt of court for failure to comply with an order
12	of support, or <u>in</u> a criminal neglect of family proceeding, the court on its own motion
13	or upon motion of an obligee or the department shall, unless the court determines
14	good cause exists, may issue an order of suspension of a license or licenses of any
15	obligor who is not in compliance with an order of child support. The court shall give
16	specific written and oral reasons supporting its determination of good cause
17	including a finding as to the particular facts and circumstances that warrant a
18	determination not to suspend a license or licenses of an obligor who is not in
19	compliance with an order of child support to issue the order of suspension. The
20	reasons shall become part of the record of the proceeding.
21	(b) The court shall not issue an order for a suspension of a license
22	pursuant to this Paragraph unless it finds that a properly issued immediate
23	income assignment or garnishment of wages did not result in the withholding
24	or seizure of income and the obligor has not otherwise made payment toward
25	the obligation of child support.

AN ACT

SB NO. 489 ENROLLED 1 (b)(c) An order suspending a license to operate a motor vehicle may provide 2 specific time periods for the suspension at the court's discretion. 3 (2)(a) In or ancillary to any child support or paternity proceeding, the court 4 on its own motion or upon motion of any party or the department may issue an order 5 of suspension of a license of any person who is guilty of contempt of court for failure to comply with a subpoena or warrant. 6 7 (b) Provided that before Before the issuance of an order for a suspension of a license of any person in, or ancillary to, any paternity proceeding where paternity 8 9 has not yet been established, the court shall notify such person by personal service. 10 (3) If an obligor's failure to appear or failure to comply with an order 11 of support is due to incarceration as defined in R.S. 9:311.1 the court shall not 12 suspend the obligor's license. 13 14 Section 2. This Act shall become effective upon signature by the governor or, if not 15 signed by the governor, upon expiration of the time for bills to become law without signature 16 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become 17 18 effective on the day following such approval. PRESIDENT OF THE SENATE SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____