

HOUSE COMMITTEE AMENDMENTS

2022 Regular Session

Amendments proposed by House Committee on Civil Law and Procedure to Engrossed Senate Bill No. 489 by Senator Jackson

1 AMENDMENT NO. 1

2 On page 1, line 2, after "reenact" delete the remainder of the line and insert:

3 "R.S. 9:315.32(A), relative to child"

4 AMENDMENT NO. 2

5 On page 1, delete lines 8 through 17 in their entirety and on page 2, delete lines 1 through
6 19 in their entirety and insert the following:

7 "Section 1. R.S. 9:315.32(A) is hereby amended and reenacted to read as follows:

8
9 §315.32. Order of suspension of license; noncompliance with support order;
10 contempt of court

11 A.(1)(a) In or ancillary to any action to make past-due child support
12 executory, for in an action for contempt of court for failure to comply with an order
13 of support, or in a criminal neglect of family proceeding, the court on its own motion
14 or upon motion of an obligee or the department ~~shall, unless the court determines~~
15 ~~good cause exists,~~ may issue an order of suspension of a license or licenses of any
16 obligor who is not in compliance with an order of child support. The court shall give
17 specific written and oral reasons supporting its determination ~~of good cause~~
18 ~~including a finding as to the particular facts and circumstances that warrant a~~
19 ~~determination not to suspend a license or licenses of an obligor who is not in~~
20 ~~compliance with an order of child support~~ to issue the order of suspension. The
21 reasons shall become part of the record of the proceeding.

22 (b) The court shall not issue an order for a suspension of a license
23 pursuant to this Paragraph unless it finds that a properly issued immediate
24 income assignment or garnishment of wages did not result in the withholding
25 or seizure of income and the obligor has not otherwise made payment toward
26 the obligation of child support.

27 ~~(b)~~ (c) An order suspending a license to operate a motor vehicle may provide
28 specific time periods for the suspension at the court's discretion.

29 (2)(a) In or ancillary to any child support or paternity proceeding, the court
30 on its own motion or upon motion of any party or the department may issue an order
31 of suspension of a license of any person who is guilty of contempt of court for failure
32 to comply with a subpoena or warrant.

33 ~~(b) Provided that before~~ Before the issuance of an order for a suspension of
34 a license of any person in, or ancillary to, any paternity proceeding where paternity
35 has not yet been established, the court shall notify such person by personal service.

36 (3) If an obligor's failure to appear or failure to comply with an order
37 of support is due to incarceration as defined in R.S. 9:311.1 the court shall not
38 suspend the obligor's license.

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