

RÉSUMÉ DIGEST

ACT 772 (SB 489)

2022 Regular Session

Jackson

Prior law provided that in or ancillary to any action to make past-due child support executory, for contempt of court for failure to comply with an order of support, or in a criminal neglect of family proceeding, the court on its own motion or upon motion of an obligee or the Dept. of Children and Family Services shall, unless the court determines good cause exists, issue an order of suspension of a license or licenses of any obligor who is not in compliance with an order of child support. Prior law further required the court to give specific written and oral reasons supporting its determination of good cause which shall become a record of the proceeding.

New law changes prior law and provides that in such actions the court may order the suspension of a license or licenses and removes the requirement for a good cause finding to issue the order of suspension.

New law provides that the court shall not order the suspension of a license unless it finds that a properly issued immediate income assignment or garnishment of wages did not result in the withholding or seizure of income and the obligor has not otherwise made payment toward the obligation of child support.

Existing law provides that an order suspending a license to operate a motor vehicle may provide specific time periods for the suspension at the court's discretion. New law retains existing law.

Existing law provides that in or ancillary to any child support or paternity proceeding, the court on its own motion or upon motion of any party or the Dept. of Children and Family Services may issue an order of suspension of a license of any person who is guilty of contempt of court for failure to comply with a subpoena or warrant. New law retains existing law.

Existing law provides that before the issuance of an order for a suspension of a license of any person in, or ancillary to, any paternity proceeding where paternity has not yet been established, the court shall notify such person by personal service. New law retains existing law.

New law provides that if an obligor's failure to appear or failure to comply with an order of support is due to incarceration, the court shall not suspend the obligor's license.

Effective June 18, 2022.

(Amends R.S. 9:315.32(A))