

Regular Session, 2012

HOUSE BILL NO. 224

BY REPRESENTATIVE ARMES

1 AN ACT

2 To amend and reenact R.S. 46:236.3(E)(1)(a), (G), and (O), relative to child support  
3 enforcement; to provide for withholdings for support; to provide with respect to civil  
4 liability of persons who honor an income assignment order; and to provide for  
5 related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 46:236.3(E)(1)(a), (G), and (O) are hereby amended and reenacted  
8 to read as follows:

9 §236.3. Enforcement of support by income assignment

10 \* \* \*

11 E.(1)(a) Upon receipt of a notice to withhold, the payor of income shall  
12 withhold from the income of the obligor the amount ordered for support, as it  
13 becomes due, together with an additional sum, determined by the obligee, subject to  
14 the limitations provided by R.S. 13:3881, to discharge the past due amount, and shall  
15 continue the withholding each pay period or each singular or periodic payment until  
16 further order of the court or until the requirements in Subparagraph ~~(1)~~(b) of this  
17 ~~Subsection~~ Paragraph have been met. The ~~employer or~~ payor of income ~~must~~ shall  
18 implement withholding no later than the first pay period or first singular or periodic  
19 payment that occurs following receipt of the notice of income assignment and ~~must~~  
20 shall remit amounts withheld within seven days.

21 \* \* \*

22 G. Any person whose income is assigned under the provisions of this Section  
23 shall advise the court of any change in his employment during the effective period  
24 of assignment and shall advise the court of the name and address of any new

1           ~~employer or~~ payor of any singular or periodic payment of income. The information  
 2           required herein shall be filed with the clerk of court on a form which shall be  
 3           developed and distributed by the Department of Children and Family Services. The  
 4           ~~employer or~~ payor of a person whose income is assigned under the provisions of this  
 5           Section shall inform the assignee in writing within ten days when the obligor  
 6           terminates employment or the payment of income terminates and provide the  
 7           obligor's last known address and the name and address of the obligor's new  
 8           employer, if known. Any person who violates the provisions of this Subsection may  
 9           be found guilty of contempt of court.

\*       \*       \*

11                   O. ~~An employer~~ A payor who complies with a notice to withhold issued in  
 12           accordance with this Section shall not be subject to civil liability to any person or  
 13           agency with regard to the ~~employer's~~ payor's withholding of support from the  
 14           obligor's income.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_