SENATE FILE 23A,

Title"

AN ACT to create W.S. 20-3-105 relating to income assignments to enforce child support; requiring the court to order assignments in specified circumstances; and providing for an effective date.

Introduced by:

Oux Corney

DATE	ACTION	D/	TE	ACTION
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Roll Call of the Senate of the FORTY-FIFTH LEGISLATURE of Wyoming

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	Excused	Absent	Ayes	Noes
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19 MURRAY			1	·
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7 STAFFORD	, i jag seema o		and the second of the second	िः का सम्बद्धाः क
6 STROOCK			المنتهدة	
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4 TRUE			تهمنا	ı
3 TURNER	1 .		إسا	_
2 ZIMMER			400	
1 MR. PRESIDENT			1	
PRESENT			S	1
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ABSENT .

Date 7/1/82 **Roll Call of the Senate** of the FORTY-FIFTH LEGISLATURE of Wyoming Ayes Excused Absent Noes 31 ARNEY 1 30 BOYLE 29 BUSSART 28 CHRISTENSEN 27 CUNDALL 26 DAILY 150 25 DOWNING 24 FRISBY **23 GEIS** 22 MAJHANOVICH 21 MCDANIEL 20 MOORE 19 MURRAY 18 NICHOLAS 17 NICHOLS 1.5 16 NORRIS بهوس 15 NORTHRUP 14 NOVOTNY 13 PARKS 12 PECK 11 PROFFIT 10 RECTOR 9 SADLER 8 SEDAR 7 STAFFORD 6 STROOCK **5 TAGGART**

AYES _____

EXCUSED _____ABSENT ____

4 TRUE

3 TURNER

2 ZIMMER

PRESENT _

1 MR. PRESIDENT

I Ja 3 A under n: Considerate Date 3/3/80

Roll Call of the House

of the FORTY-FIFTH LEGISLATURE of Wyoming

	Ayes	Noes	Excused	Absent		Ayes	Noes	Excused	Absent
63 ARNOLD	a minim				28 O'NEIL		-		
62 ASAY					27 ORRISON			Grand	,
61 BRAGG					26 PERRY		Carried To	ı	
60 BRYANT	بسين				25 PHELAN	- Parker			
59 BURNETT			,		24 PROSSER				
58 CHAMBERLAIN					23 ROTH			-	
57 CROSS					22 SALISBURY	-			
56 CROWLEY	سن				21 SANDERS		THE PARTY OF THE P		
55 CURRY	الب	•		, -	20 SCHWOPE	-			
54 DONLEY	,				19 C. SCOTT	-			
53 DUSL		-			18 D. SCOTT			·	
52 EDWARDS	(Garage)			1	17 SHREVE				1
51 ESKENS Hyath	i				16 SIDI				,,,,,,
50 GARBER					15 SIMONS		-		
49 GETTER Walky)	,		14 SMITH		Water .		1
48 GROPP					13 SPICER	-			
47 HANSEN	Tarabara a				12 STAUFFER		-		
46 HEMMERT					11 STRAND	-			, , , , , , , , , , , , , , , , , , ,
45 HUNTER)			10 TARTER				
44 HURSH					9 THORSON		,		
43 JENNINGS		-			8 TROWBRIDGE	-			-
42 JENSEN		-Market			7 TUGMAN	-			
41 JONES					6 URBIGKIT				
40 KINNISON					5 VINICH	<u></u>			
39 LARSON					4 WIEDERSPAHN				
38 LUMMIS					3 WILKINS Of			2	
37 MacMILLAN	Market .				2 WINNINGER /	<u></u>		4	
36 MARTON					1 MR. SPEAKER				
35 McILVAIN	-				*:				9.
34 McMILLAN				,	PRESENT	· ·	AYES	۸	31
33 MEENAN				4.5.	· · · · · · · · · · · · · · · · · · ·	,	NOE	<u> </u>	<u>"</u>
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Roll Call of the House

of the FORTY-FIFTH LEGISLATURE of Wyoming

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59 BURNETT					24 PROSSER	+	 		<u> </u>
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55 CURRY	-				20 SCHWOPE		<u> -</u>	·	
54 DONLEY	`	-	<u> </u>		19 C. SCOTT				<u> </u>
53 DUSL	•				18 D. SCOTT	ļ <u>.</u>			· ·
52 EDWARDS					17 SHREVE	<u> </u>	-		ļ
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50 GARBER (/	-				15 SIMONS				ļ
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3/3/80

Roll Call of the House

of the FORTY-FIFTH LEGISLATURE of Wyoming

	Ayes	Noes	Excused	Absent		Ayes	Noes	Excused	Absent
63 ARNOLD				A W	28 O'NEIL				
62 ASAY	•				27 ORRISON			· Comment	•
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50 GARBER					15 SIMONS		-		
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34 McMILLAN					PRESENT		AYES		
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32 MICHELI		-				,	EXCL		<u> </u>
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Date 3/3/80

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	Ayes	Noes	Excused	Absent		Ayes	Noes	Excused	Absent
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THE LEGISLATURE OF THE STATE OF WYOMING

Service

Cheyenne, February 20 , 19.80

Mr. President

Your Committee No. 1 Judiciary
to whom was referred SF No. 23
respectfully reports same back to the Sepate with the recommendation that

1t DO PASS with the following amendment: 6FZ365//P
SUBSTITUTE SF-23 WITH SF-23A

AN ACT to create W.S. 29-3-105 relating to income assignments to enforce child support; requiring the court to order assignments in specified circumstances; and providing for an effective date.

AYES: Senators Arney, Nicholas, Nichols, Norris, True

9-20-80 Q.C.

Rex O. Arney,

THE LEGISLATURE OF THE STATE OF WYOMING

Senate

			Cheyenne, February 20 , 19 80
Mr. President:			
Your Committee No	1	on	Judiciary
to whom was referred	SF	. No	23
respectfully reports same back	to the	Senate wi	th the recommendation that

it DO PASS with the following amendment:

SUBSTITUTE SF23 with SF23A /

SF23881/A

AN ACT to create W.S. 20-3-105 relating to income assignments to enforce child support; requiring the court to order assignments in specified circumstances; and providing for an effective date.

AYES: Senators Arney, Micholas, Michola, Morris, True

AYES: Senators Arney, Nicholas, Nichols, Norris, True

Porroved by Senate Attorney
9-20-80

a.a.

SF2355//A

Rex O. Arney,

Chairman

SF23AHS1/

TO ENGROSSED COPY

Page 2-line 17

After "satisfied" insert "including those for notice and an opportunity for hearing pursuant to Wyoming rules of civil procedure".

Page 2-line 19

After "order" insert "deemed appropriate by the court".
-CROWLEY, CHAIRMAN

ADOPTED

THE LEGISLATURE OF THE STATE OF WYOMING

House of Representatives

Mr. S	pea	ker	j :				Cheyenne,	<u> Absurant</u>	<u>3, 19</u>	
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Chairman

ENGROSSED

1980

STATE OF WYOMING

80LS0-085/eng

SENATS FILE NO. _23A_

Wage assignment for child support.

Sponsored by: Senator ARNEY

A BILL

for

- 1 AN ACT to create W.S. 20-3-105 relating to income assign-
- 2 ments to enforce child support; requiring the court to
- 3 order assignments in specified circumstances; and provid-
- 4 ing for an effective date.
- 5 Be It Enacted by the Legislature of the State of Wyoming:
- 6 Section 1. W.S. 20-3-105 is created to read:
- 7 20-3-105. Enforcement of child support orders.
- 8 (a) A court of competent jurisdiction shall order an
- 9 execution Boainst the income, earned or to be earned, of a

- 1 parent subject to a judgment or order for child support
- 2 if:
- 3 (i) The judgment or order for child support
- 4 was issued by a Wyoming court or a court of another state
- 5 which authorizes reciprocal enforcement of Wyoming judg-
- 6 ments and orders;
- 7 (ii) A request for income assignment is filed
- 8 either by:
- 9 (A) The custodial parent; or
- 10 (3) The state of Wyoming when the sup-
- 11 port rights of a child who is eligible for aid to families
- 12 with dependent children (42 U.S.C. 601-511) have been
- 13 assigned to the state;
- 14 (iii) Child support payments under the judg-
- 15 ment or order are more than thirty (30) days overdue; and
- 16 (iv) All constitutional and statutory proce-
- 17 dural requirements are satisfied.
- (b) The order shall issue for the amount of the sup-
- 19 port order but not more than fifty percent (50%) of the
- 20 income of the parent subject to the child support order.

- (c) An order issued under subsection (a) of this section shall constitute an assignment of income and any employer of the parent whose income is subject to assignment under the provisions of this section shall pay the amount required by such order according to the terms of the order. For costs incurred in administering the income assignment, the employer may deduct two dollars (\$2.00) for each payment made pursuant to the order. This deduction shall not be taken from the child support payment.
- 10 (d) No employer shall use any assignment authorized
 11 by this section as grounds for the dismissal of an
 12 employee.
 - (e) As used in this section, "income" means all wages, salaries, commissions and any other compensation to which the defaulting parent is entitled including, but not limited to, pensions, annuities, or retirement or disability or death or other benefits, or returns of contributions and interest thereon from the United States government, any state, or any county, city or other political subdivisions, or from any retirement, disability or annuity system established by any of them.
- (f) As used in this section "employer" shall include, but is not limited to, the United States covern-

- 1 ment. the state of Wyoming and all city, county and polit-
- 2 ical subdivisions.
- 3 Section 2. This act is effective June 2, 1980.
- 4 (END)

SUBSTITUTE STAIR WILL STAIR.

V 3723801/A

AN ACT to create 4.3. 20-3-105 relating to income assignments to enforce child support; requiring the court to order assignments in specified circumstances; and providing for an effective date.

AYED: Benatora Arany, Middolas, Sichola, Morris, Trac

YOUR COMMITTEE NO. 1 ON JUDICIARY TO WHOM WAS REFERRED SENATE FILE NO. 23 RESPECTFULLY REPORTS SAME BACK TO THE SENATE WITH THE RECOMMENDATION THAT IT DO PASS WITH THE FOLLOWING AMENDMENT: $\frac{\text{DELETE ENTIRE SF-23 AND INSERT}}{\text{SF-23A}}$

1980

STATE OF WYOMING

80LSO-085SS/S1 NOT ADOPTED

SENATE FILE NO. 23A

Wage assignment for child support.

Sponsored by: Senator ARNEY

A BILL

for

- 1 AN ACT to create W.S. 20-3-105 relating to income assign-
- 2 ments to enforce child support; requiring the court to
- 3 order assignments in specified circumstances; and provid-
- 4 ing for an effective date.
- 5 Be It Enacted by the Legislature of the State of Wyoming:
- 6 Section 1. W.S. 20-3-105 is created to read:
- 7 20-3-105. Enforcement of child support orders.
- 8 (a) A court of competent jurisdiction shall order an
- 9 execution against the income, earned or to be earned, of a

- 1 parent subject to a judgment or order for child support
- 2 if:
- 3 (i) The judgment or order for child support
- 4 was issued by a Wyoming court or a court of another state
- 5 which authorizes reciprocal enforcement of Wyoming judg-
- 6 ments and orders;
- 7 (ii) A request for income assignment is filed
- 8 either by:
- 9 (A) The custodial parent; or
- 10 (B) The state of Wyoming when the sup-
- 11 port rights of a child who is eligible for aid to families
- 12 with dependent children (42 U.S.C. 601-611) have been
- 13 assigned to the state;
- 14 (iii) Child support payments under the judg-
- ment or order are more than thirty (30) days overdue; and
- 16 (iv) All constitutional and statutory proce-
- 17 dural requirements are satisfied.
- 18 (b) The order shall issue for the amount of the sup-
- 19 port order but not more than fifty percent (50%) of the
- 20 income of the parent subject to the child support order.

- (c) An order issued under subsection (a) of this 1 section shall constitute an assignment of income and any 2 3 employer of the parent whose income is subject to assignment under the provisions of this section shall pay the 4 amount required by such order according to the terms of 5 the order. For costs incurred in administering the income 6 7 assignment, the employer may deduct two dollars (\$2.00) for each payment made pursuant to the order. This deduc-8 tion shall not be taken from the child support payment. 9
- 10 (d) No employer shall use any assignment authorized 11 by this section as grounds for the dismissal of an 12 employee.
- (e) As used in this section, "income" means all 13 wages, salaries, commissions and any other compensation to 14 which the defaulting parent is entitled including, but not 15 16 limited to, pensions, annuities, or retirement or disabil-17 ity or death or other benefits, or returns of contributions and interest thereon from the United States govern-18 ment, any state, or any county, city or other political 19 20 subdivisions, or from any retirement, disability or annu-21 ity system established by any of them.
- 22 (f) As used in this section "employer" shall include, but is not limited to, the United States govern-

- 1 ment, the state of Wyoming and all city, county and polit-
- 2 ical subdivisions.
- 3 Section 2. This act is effective June 2, 1980.
- 4 (END)

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	INTRODU	CED
1980	0 STATE OF WYOMING 80LSO-	-085.01
	SENATE FILE NO. 23	
Wage	e assignment for child support.	
Spons	nsored by: Senator ARMEY A BILL	
	for	
1		ssign-
2	ments to enforce child support; authorizing the cou	
3	order assignments in specified circumstances; and pr	
4	ing for an effective date.	0.14
5	Be It Enacted by the Legislature of the State of Wyo	ming:
6	Section 1. W.S. 20-3-105 is created to read:	
7	20-3-105. Enforcement of child support orders.	
8	(a) A court of competent jurisdiction may orde	r an
9	execution against the wages, earned or to be earned,	of a

- 1 parent subject to a judgment or order for child support
- 2 if:
- 3 (i) The judgment or order for child support
- 4 was issued by a Wyoming court or a court of another state
- 5 which authorizes reciprocal enforcement of Wyoming judg-
- 6 ments and orders;
- 7 (ii) A request for wage assignment is filed
- 8 either by:
- 9 (A) The custodial parent; or
- 10 (B) The state of Wyoming when the sup-
- 11 port rights of a child who is eligible for aid to families
- 12 with dependent children (42 U.S.C. 601-611) have been
- 13 assigned to the state;
- 14 (iii) Child support payments under the judg-
- ment or order are more than sixty (60) days overdue;
- 16 (iv) The court issues the execution in a con-
- 17 tempt proceeding against the parent subject to the child
- 18 support order and all constitutional and statutory proce-
- 19 dural requirements are satisfied; and
- 20 (v) The execution issues the amount of the
- 21 support order but not more than fifty percent (50%) of the

- 1 wages of the parent subject to the child support order.
- 2 (b) An order of execution issued under subsection
- 3 (a) of this section operates as an assignment and shall
- 4 bind any present or future employer of the defaulting
- 5 parent upon whom a copy of the order is served. For costs
- 6 incurred in administering the wage assignment, the
- 7 employer may deduct one dollar (\$1.00) for each payment
- 8 made pursuant to the order.
- 9 (c) No employer shall use any assignment authorized
- 10 by this section as grounds for the dismissal of an
- 11 employee.
- 12 Section 2. This act is effective June 2, 1980.
- 13 (END)

Anticipated REVENUE to:	Fiscal Year 19	Fiscal Year 19
TOTAL ESTIMATED REVENUE		
Anticipated COST to:	Fiscal Year 19	Fiscal Year 19
Anticipated <u>COST</u> to:	Fiscal Year 19	Fiscal Year 19
Anticipated <u>COST</u> to:	Fiscal Year 19	Fiscal Year 19
Anticipated <u>COST</u> to:	Fiscal Year 19	Fiscal Year 19

No apparent fiscal or personnel impact.