

HOUSE BILL

025

HOUSE BILL 025

HB0025 Child support enforcement-standing and authority.

AN ACT relating to child support enforcement services; expanding eligibility requirements as specified; providing the department of family services a right to appear in any judicial proceeding involving the establishment, enforcement and modification of support obligations; authorizing the department to petition for review and adjustment of a child support order whether or not the order was based on a hearing, stipulation or other written agreement; and providing for an effective date.

Introduced by:

Fred Dandy

HOUSE ACTION ON HOUSE BILL

- 1/12 Introduced
Aye ___ No ___ Ex ___ Ab ___
- Read First Time and Ref. to Committee No. 10
- Failed Introduction
Aye ___ No ___ Ex ___ Ab ___
- 1/13 Returned from Committee No. 10
with Recommendation:
 Do Pass; Amend & Do Pass; Do Not Pass;
 W/O Recomm; Re-Refer to Committee No. _____
- 1/1 Re-referred to Committee No. _____
- 1/1 Returned from Committee No. _____
with Recommendation:
 Do Pass; Amend & Do Pass; Do Not Pass;
 W/O Recomm; Re-Refer to Committee No. _____
- 1/15 Considered in Comm. of Whole
 Amended
 Recommended Do Pass
 Failed Comm. of Whole
 Indefinitely Postponed
 Other: _____
- 1/18 Read Second Time
 Amended
 Do Pass
 Do Not Pass
 Accelerated to 3rd Rdg.
- 1/19 Read Third Time
 Amended
 Passed Failed
Aye 31 No 21 Ex 0 Ab 0
 Held for Reconsideration
 Motion to Reconsider
 Passed Failed
Aye ___ No ___ Ex ___ Ab ___
- 1/ Third Reading Vote
(On Reconsideration)
 Passed Failed
Aye ___ No ___ Ex ___ Ab ___
- 1/19 Sent to Senate (No Amendments)
- 1/19 Sent to LSO for Engrossing
- 1/19 ENGROSSED
- 1/21 Sent to Senate

SENATE ACTION ON HOUSE BILL

- 1/26 Received. Read First Time.
Referred to Committee No. 10
- 2/10 Returned from Committee No. _____
with Recommendation:
 Do Pass; Amend & Do Pass; Do Not Pass;
 W/O Recomm; Re-Refer to Committee No. _____
- 1/ Re-referred to Committee No. _____
- 1/ Returned from Committee No. _____
with Recommendation:
 Do Pass; Amend & Do Pass; Do Not Pass;
 W/O Recomm; Re-Refer to Committee No. _____
- 2/19 Considered in Comm. of Whole
 Amended
 Recommended Do Pass
 Failed Comm. of Whole
 Indefinitely Postponed
 Other: _____
- 2/19 Read Second Time
 Amended
 Do Pass
 Do Not Pass
 Accelerated to 3rd Rdg.
- 2/22 Read Third Time
 Amended
 Passed Failed
Aye ___ No ___ Ex ___ Ab ___
 Held for Reconsideration
 Motion to Reconsider
 Passed Failed
Aye ___ No ___ Ex ___ Ab ___
- 2/22 Third Reading Vote
(On Reconsideration)
 Passed Failed
Aye ___ No ___ Ex ___ Ab ___
- 2/22 Sent to House
- 2/23 Sent for Enrolling
HEA No. 66
- 2/25 Signed by Speaker
- 2/26 Signed by President
- 2/27 Approved by Governor
Chapter No. 117

FIFTY-FIFTH WYOMING STATE LEGISLATURE
HOUSE OF REPRESENTATIVES
GENERAL SESSION
1999

SEQUENCE : 4010

JANUARY 19 1999

BILL : HB0025
AMENDMENT:

10:51 AM

MOVED BY :
TITLE1 :
TITLE2 :
ACTION : THIRD READING REGULAR

SECONDED BY:

ANDERSON, J....	A	NAGEL.....	A
ANDERSON, R....	A	NELSON.....	A
BADGETT.....	A	NICHOLAS.....	N
BAKER.....	N	OSBORN.....	A
BERRY.....	N	PARADY.....	A
BOSWELL.....	N	PASENEAUX.....	A
BURNS.....	A	PHILP.....	A
CASADY.....	N	RARDIN.....	A
CHILDERS.....	A	REESE.....	N
COHEE.....	A	ROBINSON.....	N
DEEGAN.....	A	ROSE, J.....	N
DIERCKS.....	A	ROSE, T.....	A
ESQUIBEL.....	N	ROSS.....	N
EYRE.....	A	ROUNDS.....	N
FLEMING.....	A	RYCKMAN.....	N
HAGEMAN.....	A	SAMUELSON.....	N
HESSENTHALER...	A	SHIVLER.....	A
HINES.....	A	SIMONS.....	A
HUCKFELDT.....	N	SIMPSON.....	A
ILLOWAY.....	A	SMITH.....	A
JOHNSON, L.....	N	STAFFORD.....	A
JOHNSON, W.....	N	TANNER.....	N
LANDON.....	A	TEMPEST.....	A
LAW.....	A	TIPTON.....	A
LUTHI.....	A	TOMASSI.....	A
MCGRAW.....	N	WASSERBURGER...	A
MCMURTREY.....	A	WILLFORD.....	A
MCOMIE.....	A	WOSTENBERG.....	N
MEULI.....	N	ZANETTI.....	N
MORGAN.....	A	BEBOUT, MR SPKR	A

VOTE REQ: MAJORITY OF MEMBERSHIP REQUIRED

AYES : 39
NOES : 21
EXCUSED : 0
ABSENT : 0
CONFLICT: 0

A=AYE N=NO E=EXCUSED
X=ABSENT C=CONFLICT

55TH WYOMING STATE LEGISLATURE
GENERAL SESSION 1999

SENATE

SEQUENCE : 324

FEBRUARY 22 1999

BILL : HB0025
AMENDMENT:

10:25 AM

MOVED BY :
TITLE1 :
TITLE2 :
ACTION : THIRD READING--CONSENT

SECONDED BY:

BARTON..... A
BOGGS..... A
CASE..... A
CATHCART..... A
COE..... A
DECARIA..... A
DEVIN..... A
ERB..... A
GEIS..... A
GOODENOUGH..... A
HANES..... A
HARRIS..... A
HAWKS..... A
HINCHEY..... N
JOB..... A
KINNISON..... A
KUNZ..... A
LARSON..... A
MASSIE..... A
MEIER..... A
MILLER..... A
MOCKLER..... A
PECK..... A
ROBERTS..... A
SCHIFFER..... A
SCOTT..... A
SESSIONS..... A
VASEY..... A
YOUNGBAUER..... A
PRES.TWIFORD... A

VOTE REQ: MAJORITY OF MEMBERSHIP REQUIRED

AYES : 29
NOES : 1
EXCUSED : 0
ABSENT : 0
CONFLICT: 0

A=AYE N=NO E=EXCUSED
X=ABSENT C=CONFLICT

FIFTY-FIFTH WYOMING STATE LEGISLATURE
HOUSE OF REPRESENTATIVES
GENERAL SESSION
1999

SEQUENCE : 4359

FEBRUARY 23 1999

BILL : HB0025
AMENDMENT:

10:19 AM

MOVED BY : REP. PARADY
TITLE1 : MESSAGE NO. 342
TITLE2 :
ACTION : CONCUR IN AMENDMENTS OF OPPOSITE HOUSE

SECONDED BY:

ANDERSON, J....	A	NAGEL.....	A
ANDERSON, R....	A	NELSON.....	A
BADGETT.....	A	NICHOLAS.....	A
BAKER.....	A	OSBORN.....	A
BERRY.....	A	PARADY.....	A
BOSWELL.....	A	PASENEAUX.....	A
BURNS.....	A	PHILP.....	A
CASADY.....		RARDIN.....	A
CHILDERS.....	A	REESE.....	A
COHEE.....	A	ROBINSON.....	A
DEEGAN.....	A	ROSE, J.....	A
DIERCKS.....	A	ROSE, T.....	A
ESQUIBEL.....	A	ROSS.....	A
EYRE.....	A	ROUNDS.....	A
FLEMING.....	A	RYCKMAN.....	A
HAGEMAN.....	A	SAMUELSON.....	A
HESSENTHALER...	A	SHIVLER.....	A
HINES.....	A	SIMONS.....	A
HUCKFELDT.....	N	SIMPSON.....	A
ILLOWAY.....	A	SMITH.....	A
JOHNSON, L.....	A	STAFFORD.....	A
JOHNSON, W.....	A	TANNER.....	A
LANDON.....	A	TEMPEST.....	A
LAW.....		TIPTON.....	A
LUTHI.....	A	TOMASSI.....	A
MCGRAW.....	A	WASSERBURGER...	A
MCMURTREY.....	A	WILLFORD.....	A
MCOMIE.....	A	WOSTENBERG.....	N
MEULI.....	A	ZANETTI.....	A
MORGAN.....	A	BEBOUT, MR SPKR	A

VOTE REQ: MAJORITY OF MEMBERSHIP REQUIRED

AYES : 56
NOES : 2
EXCUSED : 2
ABSENT : 0
CONFLICT: 0

A=AYE N=NO E=EXCUSED
X=ABSENT C=CONFLICT

THE LEGISLATURE OF THE STATE OF WYOMING

House of Representatives


Cheyenne, January 13, 1999

Mr. Speaker:

Your
Committee No. 10 on LABOR, HEALTH & SOCIAL SERVICES to whom was referred
HB0025 respectfully reports same back to the House with the
 recommendation that it
DO PASS with the following amendment(s): (SEE SCHEDULE A)

	AYES	NOES	ABSENT	EXCUSED	CONFLICT
McMURTREY	X				
LANDON	X				
FLEMING	X				
MEULI	X				
ZANETTI	X				
OSBORN	X				
ROSS	X				
PARADY	X				
HUCKFELDT		X			

AYES = 8
 NOES = 1
 ABSENT = 0
 EXCUSED = 0
 CONFLICT = 0
 TOTAL = 9

.....

 Chairman

BILL JACKET

SCHEDULE A

- 1
- 2 Page 3-line 4 After "when" delete balance of line".
- 3
- 4 Page 3-line 5 Delete the line through "interest" insert
- 5 "any obligee or obligor makes application for
- 6 IV-D services". PARADY, CHAIRMAN

C

- 1
- 2 ✓ Page 3-line 4 ✓ After "when" delete balance of line".
- 3
- 4 ✓ Page 3-line 5 ✓ Delete the line through "interest" insert
- 5 "any obligee or obligor makes application for
- 6 "IV-D services". PARADY, CHAIRMAN

HB0025HW001/A

C

1
2 ✓ Page 4-line 12 ✓ Strike "or" insert "and". WOSTENBERG

A

C

- 1 ✓ Page 1-line 5 ✓ After ";" delete balance of the line.
- 2
- 3 ✓ Page 1-lines 6 and 7 ✓ Delete.
- 4
- 5 ✓ Page 1-line 8 ✓ Delete the line through ";".
- 6
- 7 ✓ Page 3-line 10 ✓ After "┘" delete balance of the line.
- 8
- 9 ✓ Page 3-lines 11 and 12 ✓ Delete.
- 10
- 11 ✓ Page 3-line 13 ✓ Delete "proof" insert "The department shall
- 12 certify".
- 13
- 14 ✓ Page 4-line 1 ✓ After "adjustment" delete balance of the
- 15 line.
- 16
- 17 ✓ Page 4-line 2 ✓ Delete.
- 18
- 19 ✓ Page 4-line 3 ✓ Delete the line through "parties". SIMPSON

THE LEGISLATURE OF THE STATE OF WYOMING

Senate

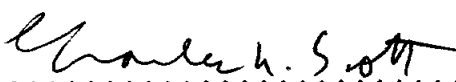
Cheyenne, February 9, 1999

Mr. President:

Your
Committee No. 10 on LABOR, HEALTH & SOCIAL SERVICES to whom was referred
HB0025ENG respectfully reports same back to the Senate with the
 recommendation that it
DO PASS with the following amendment(s): (SEE SCHEDULE A)

	AYES	NOES	ABSENT	EXCUSED	CONFLICT
MASSIE	X				
ROBERTS	X				
SCOTT	X				
BOGGS	X				
MEIER		X			

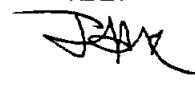
AYES = 4
 NOES = 1
 ABSENT = 0
 EXCUSED = 0
 CONFLICT = 0
 TOTAL = 5

.....

 Senator Charles K. Scott, Chairman

Schedule A

HB0025SS001

- 1 [TO ENGROSSED COPY]
2
3 Page 1-line 10 Delete "," insert "and".
4
5 Page 1-line 11 Delete "and 20-6-306(a)".
6
7 Page 3-lines 14 through 25 Delete.
8
9 Page 4-lines 1 through 20 Delete. SCOTT, CHAIRMAN



[TO ENGROSSED COPY]

1
2
3
4
5
6
7
8
9

✓ Page 1-line 10 ✓ Delete ", " insert "and".

✓ Page 1-line 11 ✓ Delete "and 20-6-306(a)".

✓ Page 3-lines 14 through 25 ✓ Delete.

✓ Page 4-lines 1 through 20 ✓ Delete. SCOTT, CHAIRMAN



SENATE
WYOMING STATE LEGISLATURE

Message No.342

CONCURRENCE REQUESTED

Mr. Speaker:

February 22, 1999

H.B. No. 0025 Child support enforcement-standing and
authority.

The House Bill listed above passed on third reading in
an amended form as follows by the vote indicated.

HB0025SS001/AE

[TO ENGROSSED COPY]

Page 1-line 10	Delete "," insert "and".
Page 1-line 11	Delete "and 20-6-306(a)".
Page 3-lines 14 through 25	Delete.
Page 4-lines 1 through 20	Delete. SCOTT, CHAIRMAN

Ayes 29 Noes 1 Excused 0 Absent 0

Sincerely,



Liv C. Hanes
Senate Chief Clerk

Bill Jacket Attached

AMENDMENT LIST

DATE 1-15-99 BILL NO. HB0025 Circle One: COW 2nd 3rd

HS001/A

HW001/A

AMENDMENT LIST

DATE 2-18-97

BILL NO. HR 25

Circle One: COW 2nd 3rd

55001/A Scott

HOUSE BILL NO. HB0025

Child support enforcement-standing and authority.

Sponsored by: Joint Labor, Health and Social Services
Interim Committee

A BILL

for

1 AN ACT relating to child support enforcement services;
2 expanding eligibility requirements as specified; providing
3 the department of family services a right to appear in any
4 judicial proceeding involving the establishment, enforcement
5 and modification of support obligations; and providing for
6 an effective date.

7

8 *Be It Enacted by the Legislature of the State of Wyoming:*

9

10 **Section 1.** W.S. 20-6-105(a)(i) and (ii), 20-6-106(m)
11 by creating a new paragraph (xv) and 20-6-306(a) are amended
12 to read:

13

14 **20-6-105. Eligibility for services; fees for services.**

15

16 (a) Child support enforcement services shall be
17 provided to:

1

2 (i) Those recipients of aid under the personal
3 opportunities with employment responsibilities (POWER)
4 program who, as a condition of eligibility under federal
5 law, are required to assign their rights to support to, and
6 cooperate with, the department in the establishment of
7 parentage and the establishment, enforcement and
8 modification of support obligations; and

9

10 (ii) Any eligible obligee or obligor ~~residing in~~
11 ~~Wyoming~~ without regard to income or the receipt of public
12 assistance benefits. Eligibility ~~for assistance in~~
13 ~~enforcement of support obligations~~ shall be subject to
14 reasonable standards established by the department. These
15 standards shall take into account Title IV-D and other
16 applicable federal regulations and the earnings, income and
17 other resources already available to support the person. ~~for~~
18 ~~whom a support obligation exists.~~

19

20 **20-6-106. Powers and duties of department regarding**
21 **collection of support.**

22

23 (m) The department may:

24

1 (xv) Appear in any judicial proceeding on behalf
2 of the state when any obligee or obligor makes application
3 for IV-D services, in order to establish, enforce or modify
4 a child support order, spousal support order or medical
5 support order provided the department shall not be required
6 to participate in visitation, custody, property settlement
7 or other issues between the parties. The department shall
8 certify that the obligee, obligor or child has applied for
9 or is receiving Title IV-D services. Initial pleadings
10 filed by the department or its contractors shall state that
11 the action is being taken pursuant to this act or Title
12 IV-D.

13

14 **20-6-306. Adjustment of child support orders.**

15

16 (a) Any party, or the department of family services in
17 the case of child support orders being enforced by the child
18 support enforcement section, may petition for a review and
19 adjustment of any child support order that was entered more
20 than six (6) months prior to the petition or which has not
21 been adjusted within six (6) months from the date of filing
22 of the petition for review and adjustment. The petition
23 shall allege that, in applying the presumptive child support
24 established by this article, the support amount will change
25 by twenty percent (20%) or more per month from the amount of

1 the existing order. The court shall require the parents to
2 complete a verified financial statement on forms approved by
3 the Wyoming supreme court, and shall apply the presumptive
4 child support set out in this article in conducting the
5 review and adjustment. If, upon applying the presumptive
6 child support to the circumstances of the parents ~~or~~and
7 child at the time of the review, the court finds that the
8 support amount would change by twenty percent (20%) or more
9 per month from the amount of the existing order, the court
10 shall consider there to be a change of circumstances
11 sufficient to justify the modification of the support order.
12 The provisions of this section do not preclude a party or
13 assignee from bringing an action for modification of a
14 support order, based upon a substantial change of
15 circumstances, at any time. The commencement of aid under
16 the personal opportunities with employment responsibilities
17 (POWER) program, medical benefits under Title XIX of the
18 Social Security Act, food stamps and supplemental security
19 income (SSI) shall be considered a substantial change of
20 circumstances requiring modification of child support.

21

22 **Section 2.** This act is effective July 1, 1999.

23

24

(END)

INTRODUCED

HOUSE BILL NO. HB0025

Child support enforcement-standing and authority.

Sponsored by: Joint Labor, Health and Social Services
Interim Committee

A BILL

for

1 AN ACT relating to child support enforcement services;
2 expanding eligibility requirements as specified; providing
3 the department of family services a right to appear in any
4 judicial proceeding involving the establishment, enforcement
5 and modification of support obligations; authorizing the
6 department to petition for review and adjustment of a child
7 support order whether or not the order was based on a
8 hearing, stipulation or other written agreement; and
9 providing for an effective date.

10

11 *Be It Enacted by the Legislature of the State of Wyoming:*

12

13 **Section 1.** W.S. 20-6-105(a)(i) and (ii), 20-6-106(m)
14 by creating a new paragraph (xv) and 20-6-306(a) are amended
15 to read:

16

17 **20-6-105. Eligibility for services; fees for services.**

1

2 (a) Child support enforcement services shall be
3 provided to:

4

5 (i) Those recipients of aid under the personal
6 opportunities with employment responsibilities (POWER)
7 program who, as a condition of eligibility under federal
8 law, are required to assign their rights to support to, and
9 cooperate with, the department in the establishment of
10 parentage and the establishment, enforcement and
11 modification of support obligations; and

12

13 (ii) Any eligible obligee or obligor ~~residing in~~
14 ~~Wyoming~~ without regard to income or the receipt of public
15 assistance benefits. Eligibility ~~for assistance in~~
16 ~~enforcement of support obligations~~ shall be subject to
17 reasonable standards established by the department. These
18 standards shall take into account Title IV-D and other
19 applicable federal regulations and the earnings, income and
20 other resources already available to support the person, ~~for~~
21 ~~whom a support obligation exists.~~

22

23 **20-6-106. Powers and duties of department regarding**
24 **collection of support.**

25

1 (m) The department may:

2

3 (xv) Appear in any judicial proceeding on behalf
4 of the state when it is a real party in interest, or on
5 behalf of a non-Title IV-D party in interest, in order to
6 establish, enforce or modify a child support order, spousal
7 support order or medical support order provided the
8 department shall not be required to participate in
9 visitation, custody, property settlement or other issues
10 between the parties. Any appearance under this paragraph
11 shall be deemed initiated and maintained in the public
12 interest and the department shall not be required to provide
13 proof that the obligee, obligor or child has applied for or
14 is receiving Title IV-D services. Initial pleadings filed
15 by the department or its contractors shall state that the
16 action is being taken pursuant to this act or Title IV-D.

17

18 **20-6-306. Adjustment of child support orders.**

19

20 (a) Any party, or the department of family services in
21 the case of child support orders being enforced by the child
22 support enforcement section, may petition for a review and
23 adjustment of any child support order that was entered more
24 than six (6) months prior to the petition or which has not
25 been adjusted within six (6) months from the date of filing

1 of the petition for review and adjustment whether or not the
2 order was based on a hearing, stipulation or other written
3 agreement of the parties. The petition shall allege that,
4 in applying the presumptive child support established by
5 this article, the support amount will change by twenty
6 percent (20%) or more per month from the amount of the
7 existing order. The court shall require the parents to
8 complete a verified financial statement on forms approved by
9 the Wyoming supreme court, and shall apply the presumptive
10 child support set out in this article in conducting the
11 review and adjustment. If, upon applying the presumptive
12 child support to the circumstances of the parents or child
13 at the time of the review, the court finds that the support
14 amount would change by twenty percent (20%) or more per
15 month from the amount of the existing order, the court shall
16 consider there to be a change of circumstances sufficient to
17 justify the modification of the support order. The
18 provisions of this section do not preclude a party or
19 assignee from bringing an action for modification of a
20 support order, based upon a substantial change of
21 circumstances, at any time. The commencement of aid under
22 the personal opportunities with employment responsibilities
23 (POWER) program, medical benefits under Title XIX of the
24 Social Security Act, food stamps and supplemental security

1 income (SSI) shall be considered a substantial change of
2 circumstances requiring modification of child support.

3

4 **Section 2.** This act is effective July 1, 1999.

5

6

(END)

Child support enforcement-standing and
authority.

99LSO-0136.C2

FISCAL NOTE

No significant fiscal or personnel impact.

HB 25