

Sidi & Crowley

81 LSO - 166

HOUSE BILL 197

HOUSE BILL 197

Title:

AN ACT to create W.S. 20-6-101 through 20-6-108 relating to support of children and spouses; providing definitions; providing for a duty to support natural, adopted or step-children and spouses; providing for civil actions to enforce the duty to support; and providing for an effective date.

Introduced by: *Calvin A. Sidi, Ellen Crowley*

DATE	ACTION	DATE	ACTION
JAN 14 1987	READ FIRST TIME		
	REFERRED TO COM. NO. <u>1</u>		
	DELIVERED TO COM. NO. <u>1</u>		
FEB 3 1987	RETURNED		
	Recommended Amend and Do Pass <i>9244 144.</i>		
FEB 10 1987	CONSIDERED IN COM OF WHOLE		
	Standing Com. Amendment <i>4B197H31/A</i>		
	ADOPTED		
	RECOMMENDED DO <u>PASS</u>		
FEB 11 1987	READ SECOND TIME		
FEB 22 1987	READ THIRD TIME		
	Amended as follows <i>4B197H31/A</i>		
	32 PASSED ADOPTED <i>Approved 30, Opposed 0, Absent 0</i>		
	Sent to Senate		
2-12-81	Received - sent to HSO		
	for engrossing		
2-12-81	ENGROSSED		
2-13-81	Sent to Senate		
2-13-81	Received in House		
	Read. into Bill		
	Referred to Com. No. <u>1</u>		
	Delivered to Com. No. <u>1</u>		
2-23-81	STANDING COMM. REPORT		
	DO PASS		

913197

Spur Reading

Date 2/12/81

Roll Call of the House
of the FORTY-SIXTH LEGISLATURE
of Wyoming

	Ayes	Noes	Excused	Absent		Ayes	Noes	Excused	Absent
63 ARNOLD	✓	✓			30 PHELAN		✓		
62 ASAY	✓				29 PROSSER	✓			
61 BRYANT	✓				28 PUGH		✓		
60 BUDD		✓			27 RATLIFF		✓		
59 BURNETT					26 ROTH		✓		
58 BURNS		✓			25 SALISBURY		✓		
57 BYRD		✓			24 SANDERS	✓			
56 CHAMBERLAIN	✓				23 SCHWOPE	✓			
55 CROSS	✓				22 SCOTT, C	✓			
54 CROWLEY	✓				21 SCOTT, D.		✓		
53 CURRY	✓				20 SHREVE		✓		
52 DONLEY	✓				19 SIDI		✓		
51 DUSL	✓				18 SIMONS				
50 EDWARDS	✓				17 SIMPSON				
49 ESKENS	✓				16 SMITH	✓			
48 GETTER		✓			15 SORENSEN	✓			
47 HANSEN		✓			14 STAUFFER	✓			
46 HEMMERT	✓			⓪	13 STEWART		✓		
45 JENSEN		✓			12 STRAND		✓		
44 JONES		✓			11 TARTER	✓			
43 KINNISON	✓				10 THOMPSON	✓			
42 LARSON, T.		✓			9 THORSON		✓		
41 LUMMIS	✓				8 TIPTON	✓			
40 MacMILLAN		✓			7 TROWBRIDGE	✓			
39 MARTON		✓			6 URBIGKIT		✓		
38 McARTHUR	✓				5 VINICH		✓		
37 McILVAIN	✓				4 WALLIS		✓		
36 MEENAN		✓			3 WIEDERSPAHN	✓			
35 MICHELI	✓				2 WINNINGER		✓		
34 MICHIE	✓				1 MR. SPEAKER		✓		
33 MURPHY		✓			PRESENT _____				
32 ODDE	✓								
31 PERRY		✓							

AYES 32
 NOES 30
 EXCUSED _____
 ABSENT _____
 TOTAL 62
 LESS _____

THE LEGISLATURE OF THE STATE OF WYOMING

House of Representatives

Cheyenne, February 1....., 19.. 81

HB197H51

Mr. Speaker:

Your Committee No. 1..... on..... JUDICIARY.....

to whom was referred..... H.B. No. 197.....

respectfully reports same back to the House with the recommendation that it

DO PASS with the following amendments:

- Page 1 line 1 delete "and to".
- Page 1 line 2 delete "repeal W.S. 14-2-204".
- Page 2 line 5 delete ", " and delete "or a stepchild".
- Page 2 line 13 ~~after "means"~~ insert "a minor child by one's husband or wife by a former marriage";
delete "any child with a step-".
- Page 2 line 14 delete "parent".
- Page 2 line 15 delete "ceremonially" and insert "who is not the child's natural or adoptive parent but who is".
- Page 2 line 17 delete line through "parent".
- Page 3 line 5 insert ", " after "spouse" and; delete balance of line and insert "minor child or stepchild".
- Page 3 line 9 delete ^{hr 51} "of" and insert "or".
- Page 4 line 9 after "or" delete balance of line.
- Page 4 line 10 delete "sion thereof" and insert "county division of public assistance and social services".
- Page 4 line 12 after "or" delete balance of line.
- Page 4 line 13 delete "thereof" and insert "or county division of public assistance and social services".
- Page 4 line 21 delete "not".
- Page 5 line 2 delete "a defendant" and insert "an obligor".
- Page 5 line 3 delete "reasonable".
- Page 5 lines 14, 15 and 16 delete.

THE LEGISLATURE OF THE STATE OF WYOMING

House of Representatives

Cheyenne, February 1, 19 81

Mr. Speaker:

Your Committee No. 1 on JUDICIARY

to whom was referred H.B. No. 197

PAGE TWO - amendments continued

Page 6 line 1 *Delete "3" insert "2"* / *delete* after "effective" ~~strike~~ balance of line and insert "July 1, 1981".

Page 6 lines 2, 3 and 4 delete.

AYES

Chamberlain
Hansen
Lummis
McCarthy
Odds
Tipton
Trowbridge
Wiederspahn
Crowley

NOES

0

EXCUSED

Scott, C.

Ellen Crowley

Ellen Crowley

Chairman

ENGROSSED

1981

STATE OF WYOMING

81LS0-166/eng

HOUSE BILL NO. 127

Stepparent responsibilities.

Sponsored by: Representatives SIDI and CROWLEY

A BILL

for

1 AN ACT to create W.S. 20-6-101 through 20-6-108 relating
2 to support of children and spouses; providing definitions;
3 providing for a duty to support natural, adopted or step-
4 children and spouses; providing for civil actions to
5 enforce the duty to support; and providing for an effec-
6 tive date.

7 Be It Enacted by the Legislature of the State of Wyoming:

8 Section 1. W.S. 20-6-101 through 20-6-108 are
9 created to read:

10

CHAPTER 6

1 UNIFORM CIVIL LIABILITY FOR SUPPORT

2 20-6-101. Definitions.

3 (a) As used in this act:

4 (i) "Child" means any minor who is either a
5 natural or adopted child;6 (ii) "Obligee" means any person to whom a duty
7 of support is owed;8 (iii) "Obligor" means any person owing a duty
9 of support;10 (iv) "State" includes any state, territory or
11 possession of the United States, the District of Columbia
12 and the Commonwealth of Puerto Rico;13 (v) "Stepchild" means a minor child by one's
14 husband or wife by a former marriage;15 (vi) "Stepparent" means a person who is not
16 the child's natural or adoptive parent but who is married
17 to a child's natural or adoptive custodial parent;18 (vii) "This act" means W.S. 20-6-101 through
19 20-6-109.

1 20-6-102. Duty of support; liability.

2 (a) Every person whose income or other resources are
3 sufficient to provide for his reasonable subsistence
4 compatible with decency or health owes a duty to support
5 or contribute to the support of his spouse, minor child or
6 stepchild when in need.

7 (b) An obligor present in this state has the duty of
8 support as provided by this act regardless of the presence
9 or residence of the obligee.

10 20-6-103. Jurisdiction. Any district court has
11 jurisdiction of proceedings brought under this act.

12 20-6-104. Amount of support.

13 (a) When determining the amount due for support the
14 court shall consider all relevant factors including:

15 (i) The ages and standard of living of the
16 parties;

17 (ii) The relative wealth and income of the
18 parties;

19 (iii) The earning ability of the obligor;

20 (iv) The earning ability of the obligee;

1 (v) The responsibility of the obligor for the
2 support of additional persons.

3 20-6-105. Modification of order. The court which
4 first ordered the support requirement shall retain juris-
5 diction to modify or vacate the order of support as jus-
6 tice requires.

7 20-6-106. Enforcement of rights.

8 (a) The obligee may enforce his right of support
9 against the obligor. The state or county division of
10 public assistance and social services may proceed on
11 behalf of the obligee to enforce his right of support
12 against the obligor.

13 (b) Whenever the state or county division of public
14 assistance and social services furnishes support to an
15 obligee, it succeeds to the rights of the obligee to whom
16 the support was furnished to secure reimbursement and to
17 obtain continuing support.

18 (c) If a child is supported in any way by public
19 assistance funds, the director of the county division of
20 public assistance and social services making the support
21 payments, may request the county attorney to file an

1 action pursuant to this act. Costs may be assessed
2 against an obligor for filing fees or service of process.

3 (d) The measure of recovery from an obligor is the
4 value of the care or support which has been furnished to
5 an obligee by the petitioner. Additionally, the court may
6 make other suitable orders for future care or support of
7 the child.

8 20-6-107. Evidence of husband and wife. Laws provid-
9 ing for privileged communications between husband and wife
10 are inapplicable to actions brought under this act.

11 20-6-108. Rights additional to those now existing;
12 interpretation; citation. The rights herein created are in
13 addition to any other rights provided by law.

14 Section 2. This act is effective July 1, 1981.

15 (END)

REVISOR'S AMENDMENT FORM

HOUSE BILL NO. 197

SENATE FILE NO. _____

ENGROSSING AMENDMENTS:

Page 5 line 12 delete (a)

ENROLLING AMENDMENTS:


Ralph E. Thomas

In accordance with W.S. 8-1-105 and 28-8-105.

Stored as:

Copy on file in Bill Jacket and Legislative Service Office.

House of Intro
 ___ To Com No. ___
 ___ Stand Report Do ___ Amd ___ Not ___
 ___ Com Whole Do ___ Amd ___ Not ___
 ___ 2nd Reading Amd ___
 ___ 3rd Reading Amd ___ Pass ___ Fail ___

Second House
 ___ To Com No. ___
 ___ Stand Report Do ___ Amd ___ Not ___
 ___ Com Whole Do ___ Amd ___ Not ___
 ___ 2nd Reading Amd ___
 ___ 3rd Reading Amd ___ Pass ___ Fail ___

INTRODUCED

1981

STATE OF WYOMING

81LSO-166.01

HOUSE BILL NO. 197

Steparent responsibilities.

Sponsored by: Representatives SIDI and CROWLEY

A BILL

for

1 AN ACT to create W.S. 20-6-101 through 20-6-108; and to
 2 repeal W.S. 14-2-204 relating to support of children and
 3 spouses; providing definitions; providing for a duty to
 4 support natural, adopted or stepchildren and spouses; pro-
 5 viding for civil actions to enforce the duty to support;
 6 and providing for an effective date.

7 Be It Enacted by the Legislature of the State of Wyoming:

8 Section 1. W.S. 20-6-101 through 20-6-108 are
 9 created to read:

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HB 197

1 UNIFORM CIVIL LIABILITY FOR SUPPORT

2 20-6-101. Definitions.

3 (a) As used in this act:

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5 natural, or adopted child or a stepchild;

6 (ii) "Obligee" means any person to whom a duty
7 of support is owed;

8 (iii) "Obligor" means any person owing a duty
9 of support;

10 (iv) "State" includes any state, territory or
11 possession of the United States, the District of Columbia
12 and the Commonwealth of Puerto Rico;

13 (v) "Stepchild" means any child with a step-
14 parent;

15 (vi) "Stepparent" means a person ceremonially
16 married to a child's natural or adoptive custodial parent
17 who is not the child's natural or adoptive parent;

18 (vii) "This act" means W.S. 20-6-101 through
19 20-6-109.

1 20-6-102. Duty of support; liability.

2 (a) Every person whose income or other resources are
3 sufficient to provide for his reasonable subsistence
4 compatible with decency or health owes a duty to support
5 or contribute to the support of his spouse or children
6 when in need.

7 (b) An obligor present in this state has the duty of
8 support as provided by this act regardless of the presence
9 of residence of the obligee.

10 20-6-103. Jurisdiction. Any district court has
11 jurisdiction of proceedings brought under this act.

12 20-6-104. Amount of support.

13 (a) When determining the amount due for support the
14 court shall consider all relevant factors including:

15 (i) The ages and standard of living of the
16 parties;

17 (ii) The relative wealth and income of the
18 parties;

19 (iii) The earning ability of the obligor;

20 (iv) The earning ability of the obligee;

1 (v) The responsibility of the obligor for the
2 support of additional persons.

3 20-6-105. Modification of order. The court which
4 first ordered the support requirement shall retain juris-
5 diction to modify or vacate the order of support as jus-
6 tice requires.

7 20-6-106. Enforcement of rights.

8 (a) The obligee may enforce his right of support
9 against the obligor. The state or any political subdivi-
10 sion thereof may proceed on behalf of the obligee to
11 enforce his right of support against the obligor.

12 (b) Whenever the state or a political subdivision
13 thereof furnishes support to an obligee, it succeeds to
14 the rights of the obligee to whom the support was fur-
15 nished to secure reimbursement and to obtain continuing
16 support.

17 (c) If a child is supported in any way by public
18 assistance funds, the director of the county division of
19 public assistance and social services making the support
20 payments, may request the county attorney to file an
21 action pursuant to this act. Costs may not be assessed

1 against an obligor for filing fees or service of process.

2 (d) The measure of recovery from a defendant is the
3 reasonable value of the care or support which has been
4 furnished to an obligee by the petitioner. Additionally,
5 the court may make other suitable orders for future care
6 or support of the child.

7 20-6-107. Evidence of husband and wife. Laws provid-
8 ing for privileged communications between husband and wife
9 are inapplicable to actions brought under this act.

10 20-6-108. Rights additional to those now existing;
11 interpretation; citation.

12 (a) The rights herein created are in addition to
13 any other rights provided by law.

14 (b) This act may be cited as the "Uniform Civil
15 Liability for Support Act".

16 Section 2. W.S. 14-2-204 is repealed.

1 Section 3. This act is effective immediately upon
2 completion of all acts necessary for a bill to become law
3 as provided by Article 4, Section 8 of the Wyoming Con-
4 stitution.

5

(END)

FISCAL NOTE

NET SAVINGS

Anticipated REVENUE to:	Fiscal Year 19 82	Fiscal Year 19 83
General Fund	\$457,944.00	\$457,944.00
Federal Fund	\$457,944.00	\$457,944.00
TOTAL ESTIMATED REVENUE	\$915,888.00	\$915,888.00
Anticipated COST to:	Fiscal Year 19	Fiscal Year 19
TOTAL ESTIMATED COST		

1. A Department of Health and Social Services official indicated the savings resulting from this measure would be partially offset by the creation of an unemployed parent aid to families with dependent children program. The implementation of the unemployed parent program would be necessary to provide assistance to families with incomes at or below poverty income level.

2. No apparent personnel impact.

HB197

- ✓ Page 1-line 1 // Delete "; and to".
- ✓ Page 1-line 2 // Delete "repeal W.S. 14-2-204".
- ✓ Page 2-line 5 // Delete ", " and delete "or a stepchild".
- ✓ Page 2-line 13 // Delete "any child with a step-" insert "a minor child by one's husband or wife by a former marriage".
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- ✓ Page 3-line 5 // After "spouse" insert ", "; delete balance of line and insert "minor child or stepchild".
- ✓ Page 3-line 9 // Delete first "of" insert "or".
- ✓ Page 4-line 9 // After "or" delete balance of line.
- ✓ Page 4-line 10 // Delete "sion thereof" and insert "county division of public assistance and social services".
- ✓ Page 4-line 12 // After "or" delete balance of line.
- ✓ Page 4-line 13 // Delete "thereof" insert "or county division of public assistance and social services".
- ✓ Page 4-line 21 // Delete "not".
- ✓ Page 5-line 2 // Delete "a defendant" insert "an obligor".
- ✓ Page 5-line 3 // Delete "reasonable".
- ✓ Page 5-lines 14 through 16 // Delete.
- ✓ Page 6-line 1 // Delete "3" insert "2"; after "effective" delete balance of line and insert "July 1, 1981".
- ✓ Page 6-lines 2 through 4 // Delete. -CROWLEY, CHAIRMAN

ADOPTED

- ✓ Page 4-line 12 // Delete "or". -SIDI

ey

ADOPTED