

HOUSE BILL NO. 444

INTRODUCED BY J. BROWN, BERGENE, CHRISTIAENS

BY REQUEST OF THE DEPARTMENT OF REVENUE

IN THE HOUSE

January 23, 1985	Introduced and referred to Committee on Judiciary.
February 8, 1985	Committee recommend bill do pass. Report adopted. Bill printed and placed on members' desks.
February 9, 1985	Second reading, pass consideration.
February 11, 1985	Motion pass consideration.
February 12, 1985	Second reading, do pass. Considered correctly engrossed.
February 13, 1985	Third reading, passed. Transmitted to Senate.

IN THE SENATE

February 14, 1985	Introduced and referred to Committee on Judiciary.
March 28, 1985	Committee recommend bill be concurred in as amended. Report adopted.
March 30, 1985	Second reading, concurred in.
April 1, 1985	Third reading, concurred in. Ayes, 44; Noes, 3. Returned to House with amendments.

IN THE HOUSE

April 2, 1985	Received from Senate.
April 5, 1985	Second reading, amendments not concurred in.
April 8, 1985	On motion, Conference Committee requested.
April 9, 1985	Conference Committee appointed.
April 19, 1985	Conference Committee reported.
April 20, 1985	Second reading, Conference Committee report adopted. Third reading, Conference Committee report adopted.
April 22, 1985	Conference Committee report adopted by Senate.
April 23, 1985	Sent to enrolling. Reported correctly enrolled.

1 House BILL NO. 444
 2 INTRODUCTION BY J. Brown Bergne
 3 BY REQUEST OF THE DEPARTMENT OF REVENUE

1 bill number material in section 1 of this act is void.

-End-

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 5 A BILL FOR AN ACT ENTITLED: "AN ACT TO REQUIRE CHILD
 6 SUPPORT ORDERS TO STATE THAT IF THE PERSON OBLIGATED UNDER
 7 THE ORDER TO PAY SUPPORT IS DELINQUENT IN THE PAYMENTS, HIS
 8 INCOME WILL BE SUBJECT TO WITHHOLDING PROCEDURES."

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 10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

11 Section 1. Mandatory inclusions in support orders.
 12 Each district court judgment or order establishing a child
 13 support obligation under this title, whether temporary or
 14 final, and each modification of an existing order for child
 15 support entered after [the effective date of this act] must
 16 include a statement that if the obligor is delinquent in the
 17 payment of support, the obligor's income is subject to
 18 income withholding procedures under chapter 5, part 3, of
 19 this title [or ___ Bill No. ___, LC 436].

20 Section 2. Codification instruction. Section 1 is
 21 intended to be codified as an integral part of Title 40,
 22 chapter 4, and the provisions of Title 40, chapter 4, apply
 23 to section 1.

24 Section 3. Coordination instruction. If ___ Bill
 25 No. ___ [LC 436] is not passed and approved, the bracketed



APPROVED BY COMMITTEE
ON JUDICIARY

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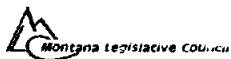
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STANDING COMMITTEE REPORT

SENATE

March 28 19 85

MR. PRESIDENT

We, your committee on.....JUDICIARY.....

having had under consideration.....HOUSE BILL..... No. 444

third reading copy (blue)
color

(Senator Brown)

NOTICE OF INCOME WITHHOLDING PROCEDURE INCLUDED IN ALL CHILD SUPPORT ORDERS

Respectfully report as follows: That.....HOUSE BILL..... No. 444

be amended as follows:

1. Title, line 5.
Following: " "AN ACT"
Strike: "TO REQUIRE"
Insert: "PROVIDING FOR"

2. Page 1, line 15.
Following: "act1"
Strike: "must"
Insert: "may"

3. Page 1, line 16.
Following: "include a"
Insert: "warning"

4. Page 1, line 17.
Following: "income"
Strike: "is"
Insert: "may be"

5. Page 1, line 19.
Following: "436]."
Insert: "Failure to include a warning statement in a judgment or order does not preclude the use of withholding procedures."

AND AS AMENDED

BE CONCURRED IN

~~XXXXXXXX~~

~~XXXXXXXX~~


.....
Senator Joe Mazurek

Chairman.

HOUSE BILL NO. 444

INTRODUCED BY J. BROWN, BERGENE, CHRISTIAENS

BY REQUEST OF THE DEPARTMENT OF REVENUE

A BILL FOR AN ACT ENTITLED: "AN ACT TO--REQUIRE PROVIDING FOR CHILD SUPPORT ORDERS TO STATE THAT IF THE PERSON OBLIGATED UNDER THE ORDER TO PAY SUPPORT IS DELINQUENT IN THE PAYMENTS, HIS INCOME WILL BE SUBJECT TO WITHHOLDING PROCEDURES."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Mandatory inclusions in support orders.

Each district court judgment or order establishing a child support obligation under this title, whether temporary or final, and each modification of an existing order for child support entered after [the effective date of this act] must MAY include a WARNING statement that if the obligor is delinquent in the payment of support, the obligor's income is MAY BE subject to income withholding procedures under chapter 5, part 3, of this title or House Bill No. 443. FAILURE TO INCLUDE A WARNING STATEMENT IN A JUDGMENT OR ORDER DOES NOT PRECLUDE THE USE OF WITHHOLDING PROCEDURES.

Section 2. Codification instruction. Section 1 is intended to be codified as an integral part of Title 40, chapter 4, and the provisions of Title 40, chapter 4, apply

to section 1.

Section 3. Coordination instruction. If House Bill No. 443 is not passed and approved, the bracketed bill number material in section 1 of this act is void.

-End-

REFERENCE BILL



CONFERENCE COMMITTEE REPORT

Report No. 1

.....April 19 19... 85.

MR. SPEAKER

We, your _____ Conference Committee on

House Bill 444, reference copy (salmon),

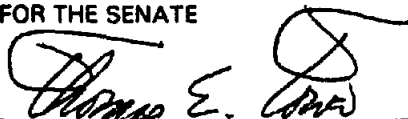
met and considered Senate Judiciary Committee amendments, dated March 28

We recommend as follows:

1. Page 1, line 17.
Strike: "MAY"
Insert: "must"

And that this Conference Committee report be adopted.

FOR THE SENATE

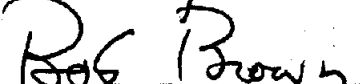


TOWE, CHM.

ECK



BOB BROWN



ADOPT REJECT

FOR THE HOUSE


BRADLEY


JAN BROWN


GRADY


O'HARA

OK

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 19 is MAY BE subject to income withholding procedures under
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