

HOUSE BILL NO. 447

1/23 Introduced
1/23 Referred to Judiciary
1/30 Hearing
2/05 Committee Report-Bill Pass As Amended
2/08 Rereferred to Judiciary
2/19 Committee Report-Bill Pass As Amended
2/21 2nd Reading Pass
2/22 3rd Reading Pass

Transmitted to Senate

2/25 Referred to Judiciary
3/27 Hearing
3/29 Adverse Committee Report
3/29 Bill Killed

1 HOUSE BILL NO. 447
 2 INTRODUCTION BY J. Brown Byrne
 3 BY REQUEST OF THE DEPARTMENT OF REVENUE

4
 5 A BILL FOR AN ACT ENTITLED: "AN ACT TO PERMIT THE
 6 ATTACHMENT OR GARNISHMENT OF WORKERS' COMPENSATION BENEFITS
 7 FOR THE PAYMENT OF CERTAIN CHILD SUPPORT OBLIGATIONS;
 8 AMENDING SECTION 39-71-743, MCA."

9
 10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

11 Section 1. Section 39-71-743, MCA, is amended to read:

12 "39-71-743. Assignment or attachment of payments. (1)
 13 No payments under this chapter shall be assignable, subject
 14 to attachment or garnishment, or be held liable in any way
 15 for debts, except:

16 (a) as provided in 71-3-1118; or

17 (b) for debts created by the nonpayment of child
 18 support whenever:

19 (i) the support obligation is established by order of
 20 a court of competent jurisdiction or order of an
 21 administrative process authorized by state law; and

22 (ii) the order is being enforced by the department of
 23 revenue or other public agency pursuant to Title IV-D of the
 24 Social Security Act.

25 (2) After determination that the claim is covered

1 under the Workers' Compensation Act or Occupational Disease
 2 Act of Montana, the liability for payment of the claim is
 3 the responsibility of the appropriate workers' compensation
 4 insurer. No fee or charge shall be payable by the injured
 5 worker for treatment of injuries sustained if liability is
 6 accepted by the insurer."

7 NEW SECTION. Section 2. Extension of authority. Any
 8 existing authority of the departments of revenue or labor to
 9 make rules on the subject of the provisions of this act is
 10 extended to the provisions of this act.

-End-



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 INTRODUCED BILL
 HB 447

APPROVED BY COMMITTEE
ON JUDICIARY

HOUSE BILL NO. 447

INTRODUCED BY J. BROWN, BERGENE, CHRISTIAENS

BY REQUEST OF THE DEPARTMENT OF REVENUE

A BILL FOR AN ACT ENTITLED: "AN ACT TO PERMIT THE
ATTACHMENT OR GARNISHMENT OF WORKERS' COMPENSATION BENEFITS
FOR THE PAYMENT OF CERTAIN CHILD SUPPORT OBLIGATIONS;
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to attachment or garnishment, or be held liable in any way
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(b) for ~~debts--created--by--the~~ nonpayment of child
support whenever:

(i) the support obligation is established by order of
a court of competent jurisdiction or order of an
administrative process authorized by state law; and

(ii) the order is being enforced by the department of
revenue or other public agency pursuant to Title IV-D of the
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under the Workers' Compensation Act or Occupational Disease
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the responsibility of the appropriate workers' compensation
insurer. No fee or charge shall be payable by the injured
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NEW SECTION. Section 2. Extension of authority. Any
existing authority of the departments of revenue or labor to
make rules on the subject of the provisions of this act is
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-End-

SECOND READING

1 HOUSE BILL NO. 447
 2 INTRODUCED BY J. BROWN, BERGENE, CHRISTIAENS
 3 BY REQUEST OF THE DEPARTMENT OF REVENUE
 4
 5 A BILL FOR AN ACT ENTITLED: "AN ACT TO PERMIT THE
 6 ATTACHMENT OR GARNISHMENT OF NO MORE THAN 50% OF WORKERS'
 7 COMPENSATION BENEFITS FOR THE PAYMENT OF CERTAIN CHILD
 8 SUPPORT OBLIGATIONS; AMENDING SECTION 39-71-743, MCA."

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11 Section 1. Section 39-71-743, MCA, is amended to read:
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13 No payments under this chapter shall be assignable, subject
14 to attachment or garnishment, or be held liable in any way
15 for debts, except:

16 (a) as provided in 71-3-1118; or

17 (b) TO THE EXTENT OF 50% OF ANY PAYMENT UNDER THIS
18 CHAPTER for debts-created-by-the nonpayment of child support
19 whenever:

20 (i) the support obligation is established by order of
21 a court of competent jurisdiction or order of an
22 administrative process authorized by state law; and

23 (ii) the order is being enforced by the department of
24 revenue or other public agency pursuant to Title IV-D of the
25 Social Security Act.

1 (2) After determination that the claim is covered
 2 under the Workers' Compensation Act or Occupational Disease
 3 Act of Montana, the liability for payment of the claim is
 4 the responsibility of the appropriate workers' compensation
 5 insurer. No fee or charge shall be payable by the injured
 6 worker for treatment of injuries sustained if liability is
 7 accepted by the insurer."

8 NEW SECTION. Section 2. Extension of authority. Any
 9 existing authority of the departments of revenue or labor to
 10 make rules on the subject of the provisions of this act is
 11 extended to the provisions of this act.

-End-

SECOND READING

SECOND PRINTING HB 447
as amended



HOUSE BILL NO. 447

INTRODUCED BY J. BROWN, BERGENE, CHRISTIAENS

BY REQUEST OF THE DEPARTMENT OF REVENUE

A BILL FOR AN ACT ENTITLED: "AN ACT TO PERMIT THE ATTACHMENT OR GARNISHMENT OF NO MORE THAN 50% OF WORKERS' COMPENSATION BENEFITS FOR THE PAYMENT OF CERTAIN CHILD SUPPORT OBLIGATIONS; AMENDING SECTION 39-71-743, MCA."

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(a) as provided in 71-3-1118; or

(b) TO THE EXTENT OF 50% OF ANY PAYMENT UNDER THIS CHAPTER for debts-created-by-the nonpayment of child support whenever:

(i) the support obligation is established by order of a court of competent jurisdiction or order of an administrative process authorized by state law; and

(ii) the order is being enforced by the department of revenue or other public agency pursuant to Title IV-D of the Social Security Act.

(2) After determination that the claim is covered under the Workers' Compensation Act or Occupational Disease Act of Montana, the liability for payment of the claim is the responsibility of the appropriate workers' compensation insurer. No fee or charge shall be payable by the injured worker for treatment of injuries sustained if liability is accepted by the insurer."

NEW SECTION. Section 2. Extension of authority. Any existing authority of the departments of revenue or labor to make rules on the subject of the provisions of this act is extended to the provisions of this act.

-End-

THIRD READING

