

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1093

Page 1, line 6, replace "subsection" with "subsections 1 and"

Page 1, line 18, remove "or under a law or procedure"

Page 1, line 19, remove "substantially similar to"

Page 1, line 23, after "law" insert "or procedure"

Page 1, line 24, remove "or under a law or procedure substantially"

Page 2, line 1, remove "similar to"

Page 2, line 3, overstrike the third "the"

Page 2, line 4, overstrike "Commonwealth of" and after the comma insert "the United States Virgin Islands,"

Page 2, line 5, overstrike "'state'"

Page 2, line 9, replace "or the procedures under" with an underscored comma

Page 2, line 10, after "Act" insert an underscored comma

Page 3, line 18, overstrike "each individual party has" and insert immediately thereafter "all of the parties who are individuals have" and overstrike "consent" and insert immediately thereafter "consents"

Page 4, line 18, replace "is controlling" with "controls" and after "be" insert "so"

Page 4, line 28, replace "is controlling" with "controls"

Page 4, line 29, after "be" insert "so"

Page 5, line 2, after "child" insert "controls and" and after "be" insert "so"

Page 5, line 4, replace "is controlling" with "controls" and after "be" insert "so"

Page 5, line 8, replace "must" with "shall" and replace "is controlling" with "controls"

Page 5, line 9, after "be" insert "so"

Page 5, line 12, after "be" insert "so"

Page 5, line 14, replace "Every" with "The requesting party shall give notice of the request to each" and replace "a" with "the"

Page 5, remove line 15

Page 5, line 17, after "the" insert "controlling", remove "that must be", overstrike "recognized", and remove "as controlling"

Page 5, line 19, replace "in accordance with" with "under"

Page 5, line 20, remove "child"

Page 5, line 21, remove "support"

Page 5, line 22, remove "child support" and replace "include" with "state"

Page 5, line 24, replace the first "the" with "an"

Page 5, line 25, replace "that" with "the"

Page 5, line 26, replace "Failure" with "A party who obtains the order and fails to file a certified copy is subject to appropriate sanctions by a tribunal in which the issue of failure to file arises. The failure to file does not affect the validity or enforceability of the controlling order."

Page 5, remove lines 27 through 30

Page 6, line 14, replace "documents" with "document"

Page 8, line 14, replace the first "the" with "an income-withholding", after "employer" insert "shall", and remove "shall"

Page 8, line 18, after "as" insert "otherwise"

Page 8, line 20, replace ", as applicable, that" with "which"

Page 8, line 21, remove "the"

Page 9, line 1, replace the first "arrear" with "arrearages" and replace the second "arrear" with "arrearages"

Page 9, line 3, replace "The" with "An"

Page 9, line 7, replace "time periods" with "times"

Page 9, line 8, replace "income-withholding" with "withholding"

Page 9, line 9, replace "the" with "an"

Page 9, line 10, after "multiple" insert "income-withholding", after "orders" insert "with respect", and remove "withhold support from"

Page 9, line 11, replace "is deemed to have satisfied" with "satisfies" and after "if" insert "the employer complies with"

Page 9, line 13, remove "is complied with"

Page 9, line 16, replace "any" with "an" and after "withholding" insert "of"

Page 10, line 2, remove the underscored semicolon

Page 10, line 17, overstrike "the date of mailing or personal"

Page 10, line 18, overstrike "service of the"

Page 10, line 27, replace "Subsection" with "Subsections 1 and"

Page 10, line 28, replace "is" with "are"

Page 10, after line 28, insert:

- "1. A nonregistering party seeking to contest the validity or enforcement of a registered order in this state shall request a hearing within twenty days after ~~the date of mailing or personal service of~~ notice of the registration. The nonregistering party may seek to vacate the registration, to assert any defense to an allegation of noncompliance with the registered order, or to contest the remedies being sought or the amount of any alleged arrearages pursuant to section 14-12.2-41."

Page 11, line 7, remove "unless section 14-12.2-46.1 applies,"

Page 11, line 8, overstrike the first comma and insert immediately thereafter "section 14-12.2-46.1 does not apply and" and overstrike the second comma

Page 11, line 15, overstrike "An individual party or the" and insert immediately thereafter "The" and after "child" insert ", or a party who is an individual,"

Page 11, line 16, after "tribunal" insert "of this state", overstrike "individual", after "parties" insert "who are individuals", overstrike "a", and overstrike "consent" and insert immediately thereafter "consents"

Page 11, line 17, overstrike "providing that" and insert immediately thereafter "for" and overstrike "may" and insert immediately thereafter "to"

Page 11, line 19, replace "which" with "that" and after "enacted" insert "a law or established procedures substantially similar to the procedures under"

Page 11, line 20, remove "written", after "consent" insert "otherwise required", replace the second "the" with "an", and remove "party"

Page 11, line 29, replace "is" with "controls"

Page 11, line 30, remove "controlling" and after "be" insert "so"

Page 11, line 31, remove "nonmodifiable" and after "order" insert "which are nonmodifiable"

Page 12, line 2, overstrike the second "of" and insert immediately thereafter "having"

Page 12, line 23, after "modify" insert "child"

Page 12, line 25, after "all" insert "of", remove "individual", and after "parties" insert "who are individuals"

Page 12, line 28, replace "as provided in" with "under" and after "apply" insert "the provisions of"

Page 12, line 29, after "14-12.2-12" insert ", sections 14-12.2-35 through 14-12.2-46.2, and the procedural and substantive law of this state" and after "the" insert "proceeding for"

Page 12, line 30, remove "proceeding"

Page 13, line 1, replace "and the tribunal shall apply the" with an underscored period

Page 13, remove line 2

Page 13, line 5, replace "which" with "that"

Page 13, line 6, replace "that" with "the"

Page 13, line 7, replace "Failure of the party obtaining the order to file a certified copy as required subjects" with "A party who obtains the order and fails to file a certified copy is subject to appropriate sanctions by a tribunal in which the issue of failure to file arises. The failure to file does not affect the validity or enforceability of the modified order of the new tribunal having continuing, exclusive jurisdiction."

Page 13, remove lines 8 through 10

Page 13, line 16, remove "or under a law or procedure substantially similar to"

Page 13, line 21, overstrike "and" and insert immediately thereafter an underscored comma and after "14-17" insert ", and the rules of this state on choice of law"

Renumber accordingly