

**HB 1308 – Suspension of Professional Licenses**  
**House Judiciary**  
**February 6, 2023**  
**Rep. Shannon Roers Jones**

HB 1308 would prohibit the cancellation of a person's occupational or professional license for non-payment of child support. While the bill also strikes out some language related to hunting or fishing licenses, you'll note that that authority is added back on lines 18-19 on page 1, and on line 6 on page 2. We are not looking to change that authority.

There are strong policy considerations for removing the right for the child support division to automatically suspend a person's professional license for non-payment. The most obvious reason being that a person needs to have income to be able to make payments towards their child support obligations. Additionally, there are the workforce considerations. We know that nationwide we have a shortage of skilled workers in professions that frequently require a license, for example nurses, psychologists, plumbers, doctors, electricians, cosmetologists, funeral directors, law enforcement, or even appraisers. If we make it more difficult for people to work in those professions, not only are we making it more difficult for them to make their child support payments, but we are also reducing the workforce available to fill positions in an already shallow pool of potential employees.

Now I understand that the child support enforcement team would like to keep all available tools in their toolbox to compel non-payers to set up a payment plan. But obligors who are willfully evading any efforts to collect child support are not generally working under a professional license. In many of those instances, obligors are working in a position where they will be paid in cash and not have their support payments withheld.

You will hear that we need to keep this law in place or we will lose our federal TANF funding. The federal requirement for maintaining TANF, is that we have a policy, not that it's the same policy as is currently in law. While it takes more work than the current process, nothing prevents the child support enforcement department from imposing contempt sanctions for obligors who willfully refuse to comply with the court's order under N.D.C.C. Chapter 27-10.

There is one amendment that I need to propose to this bill and that is that we modify Chapter 50-09-08.6 to amend the administrative process, as well as the judicial process. That was an oversight in the original drafting and without that amendment the bill will not achieve its intended purpose.