

HOUSE BILL NO. 1308

Introduced by

Representatives Roers Jones, Bahl, Satrom, VanWinkle, Vetter

Senator Hogue

1 A BILL for an Act to amend and reenact section 14-08.1-06 of the North Dakota Century Code,
2 relating to suspension of recreational licenses for delinquent child support payments; and to
3 provide for retroactive application.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1. AMENDMENT.** Section 14-08.1-06 of the North Dakota Century Code is
6 amended and reenacted as follows:

7 **14-08.1-06. Suspension of ~~occupational, professional, or recreational~~ license for**
8 **nonpayment of child support or failure to obey subpoena.**

9 When considering a contempt citation against a child support obligor who is in arrears in
10 child support in an amount greater than three times the monthly child support obligation and the
11 obligor is not current in a court-established plan to repay the unpaid child support arrears, or
12 who has failed, after receiving appropriate notice, to comply with a subpoena relating to a
13 paternity or child support matter, the court shall address and make specific findings on the issue
14 of whether the obligor has or may obtain an ~~occupational, professional, or recreational~~
15 ~~certificate, permit, or license that the court may withhold or suspend.~~ The court may withhold or
16 ~~suspend any~~ certificate, permit, or license issued by ~~or on behalf of the state or any of its~~
17 ~~licensing authorities or occupational or professional boards, which the obligor is required to~~
18 ~~obtain prior to engaging in the obligor's occupation or profession~~ lottery, by tag, or electronically
19 by the director of the game and fish department. The court may withhold or suspend any
20 certificate, permit, or license issued by lottery ~~or~~ by tag, or electronically by the director of the
21 game and fish department, which the obligor is required to obtain prior to engaging in a
22 recreational activity. Following a decision to withhold or suspend an obligor's certificate, permit,
23 or license for failure to pay child support, the court shall notify the obligor that the decision
24 becomes final thirty days after the notification unless the obligor satisfies or makes

1 arrangements to pay the entire outstanding payment due. Following a decision to withhold or
2 suspend an obligor's certificate, permit, or license for failure to comply with a subpoena relating
3 to a paternity or child support matter, the court shall notify the obligor that the decision becomes
4 final unless the obligor complies with the subpoena within a time set by the court. The court
5 shall notify the ~~appropriate licensing authority, occupational or professional board, or the~~
6 ~~director of the game and fish department~~director of the game and fish department of the court's
7 decision to withhold or suspend an obligor's certificate, permit, or license. A certificate, permit,
8 or license withheld or suspended by an order issued under this section may be reissued only by
9 order of the court. An appeal by an obligor who has had a certificate, permit, or license
10 suspended under this section is an appeal from the court's order and may not be appealed to
11 the ~~licensing authority, occupational or professional board, or the~~ director of the game and fish
12 department.

13 **SECTION 2. RETROACTIVE APPLICATION.** This Act applies retroactively to child support
14 arrears accrued before the effective date of this Act.