

House Amendments to Senate Bill No. 2082

TO THE SECRETARY OF THE SENATE:

THIS IS TO INFORM YOU THAT THE HOUSE HAS ADOPTED THE AMENDMENTS SET OUT BELOW:

AMENDMENT NO. 1

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

19 **SECTION 1.** The following shall be codified as Section
20 43-19-36, Mississippi Code of 1972:

21 43-19-36. (1) For the purposes of this section, the
22 following terms shall be defined as provided in this subsection:

23 (a) "Incarcerated or involuntarily institutionalized"
24 includes, but is not limited to, involuntary confinement to a
25 federal or state prison or correctional facility, a county jail, a
26 juvenile detention center or a mental health facility. This term
27 does not include probation or work release, and the one hundred
28 eighty (180) consecutive days excludes credit for time served
29 before sentencing.

30 (b) "Child support obligation" means the payment due on
31 the current child support order, an arrears payment on a
32 preexisting arrears balance, or interest on arrears.

33 (c) "Suspension" means a child support obligation being
34 administratively set to Zero Dollars (\$0.00) for the period in
35 which the person owing support is incarcerated or involuntarily

36 institutionalized, and prevents the accrual of arrears during that
37 period of incarceration.

38 (2) Child support obligations shall be suspended, by
39 operation of law, for any period exceeding one hundred eighty
40 (180) consecutive days in which the person ordered to pay support
41 is incarcerated or involuntarily institutionalized, unless the
42 person owing support has the means to pay support in accordance
43 with the guidelines established in Sections 43-19-101 and
44 43-19-103 while incarcerated or involuntarily institutionalized.

45 (3) The child support obligation will resume the first day
46 of the month following the expiration of sixty (60) days after the
47 date the noncustodial parent is released from incarceration, and
48 the noncustodial parent's child support order and obligation will
49 become enforceable on that date. This section does not preclude a
50 person owing support from seeking a modification of the child
51 support order based on a change in circumstances or other
52 appropriate reason.

53 (4) (a) The Department of Human Services enforcing a child
54 support order under Title IV-D of the Social Security Act (42 USC
55 Section 651 et seq.) may, upon written notice of the proposed
56 adjustment to the obligor and the obligee, administratively adjust
57 the arrears balance for an order for child support suspended under
58 subsection (2) of this section if all of the following occur:

59 (i) The department verifies that arrears were
60 accrued in violation of this section;

61 (ii) The department verifies that the person owing
62 support has the means to pay the support; and

63 (iii) Neither the support obligor nor obligee
64 objects in writing within thirty (30) days of receipt of the
65 notice of proposed adjustment by the department.

66 (b) If either the support obligor or obligee objects to
67 the administrative adjustment set forth in this subsection, the
68 department shall file a petition with the court for a
69 determination of the arrears balance.

70 (c) The department may perform this adjustment without
71 regard to whether it was enforcing the child support order at the
72 time the parent owing support qualified for relief under this
73 section.

74 (5) This section does not prohibit the department or a party
75 from petitioning a court for a determination of child support or
76 arrears amounts.

77 (6) This section applies to every child support obligation
78 in which the person who is ordered to pay is incarcerated for one
79 hundred eighty (180) consecutive days after the enactment of this
80 section.

81 **SECTION 2.** Section 93-11-65, Mississippi Code of 1972, is
82 amended as follows:

83 93-11-65. (1) (a) In addition to the right to proceed
84 under Section 93-5-23, Mississippi Code of 1972, and in addition
85 to the remedy of habeas corpus in proper cases, and other existing
86 remedies, the chancery court of the proper county shall have

87 jurisdiction to entertain suits for the custody, care, support and
88 maintenance of minor children and to hear and determine all such
89 matters, and shall, if need be, require bond, sureties or other
90 guarantee to secure any order for periodic payments for the
91 maintenance or support of a child. In the event a legally
92 responsible parent has health insurance available to him or her
93 through an employer or organization that may extend benefits to
94 the dependents of such parent, any order of support issued against
95 such parent may require him or her to exercise the option of
96 additional coverage in favor of such children as he or she is
97 legally responsible to support. Proceedings may be brought by or
98 against a resident or nonresident of the State of Mississippi,
99 whether or not having the actual custody of minor children, for
100 the purpose of judicially determining the legal custody of a
101 child. All actions herein authorized may be brought in the county
102 where the child is actually residing, or in the county of the
103 residence of the party who has actual custody, or of the residence
104 of the defendant. Process shall be had upon the parties as
105 provided by law for process in person or by publication, if they
106 be nonresidents of the state or residents of another jurisdiction
107 or are not found therein after diligent search and inquiry or are
108 unknown after diligent search and inquiry; provided that the court
109 or chancellor in vacation may fix a date in termtime or in
110 vacation to which process may be returnable and shall have power
111 to proceed in termtime or vacation. Provided, however, that if
112 the court shall find that both parties are fit and proper persons

113 to have custody of the children, and that either party is able to
114 adequately provide for the care and maintenance of the children,
115 the chancellor may consider the preference of a child of twelve
116 (12) years of age or older as to the parent with whom the child
117 would prefer to live in determining what would be in the best
118 interest and welfare of the child. The chancellor shall place on
119 the record the reason or reasons for which the award of custody
120 was made and explain in detail why the wishes of any child were or
121 were not honored.

122 (b) An order of child support shall specify the sum to
123 be paid weekly or otherwise. In addition to providing for support
124 and education, the order shall also provide for the support of the
125 child prior to the making of the order for child support, and such
126 other expenses as the court may deem proper.

127 (c) The court may require the payment to be made to the
128 custodial parent, or to some person or corporation to be
129 designated by the court as trustee, but if the child or custodial
130 parent is receiving public assistance, the Department of Human
131 Services shall be made the trustee.

132 (d) The noncustodial parent's liabilities for past
133 education and necessary support and maintenance and other expenses
134 are limited to a period of one (1) year next preceding the
135 commencement of an action.

136 (2) Provided further, that where the proof shows that both
137 parents have separate incomes or estates, the court may require

138 that each parent contribute to the support and maintenance of the
139 children in proportion to the relative financial ability of each.

140 (3) Except as otherwise provided in Section 1 of this act
141 for persons who are incarcerated or involuntarily
142 institutionalized, whenever the court has ordered a party to make
143 periodic payments for the maintenance or support of a child, but
144 no bond, sureties or other guarantee has been required to secure
145 such payments, and whenever such payments as have become due
146 remain unpaid for a period of at least thirty (30) days, the court
147 may, upon petition of the person to whom such payments are owing,
148 or such person's legal representative, enter an order requiring
149 that bond, sureties or other security be given by the person
150 obligated to make such payments, the amount and sufficiency of
151 which shall be approved by the court. The obligor shall, as in
152 other civil actions, be served with process and shall be entitled
153 to a hearing in such case.

154 (4) When a charge of abuse or neglect of a child first
155 arises in the course of a custody or maintenance action pending in
156 the chancery court pursuant to this section, the chancery court
157 may proceed with the investigation, hearing and determination of
158 such abuse or neglect charge as a part of its hearing and
159 determination of the custody or maintenance issue as between the
160 parents, as provided in Section 43-21-151, notwithstanding the
161 other provisions of the Youth Court Law. The proceedings in
162 chancery court on the abuse or neglect charge shall be
163 confidential in the same manner as provided in youth court

164 proceedings, and the chancery court shall appoint a guardian ad
165 litem in such cases, as provided under Section 43-21-121 for youth
166 court proceedings, who shall be an attorney. In determining
167 whether any portion of a guardian ad litem's fee shall be assessed
168 against any party or parties as a cost of court for reimbursement
169 to the county, the court shall consider each party's individual
170 ability to pay. Unless the chancery court's jurisdiction has been
171 terminated, all disposition orders in such cases for placement
172 with the Department of Human Services shall be reviewed by the
173 court or designated authority at least annually to determine if
174 continued placement with the department is in the best interest of
175 the child or the public.

176 (5) Each party to a paternity or child support proceeding
177 shall notify the other within five (5) days after any change of
178 address. In addition, the noncustodial and custodial parent shall
179 file and update, with the court and with the state case registry,
180 information on that party's location and identity, including
181 social security number, residential and mailing addresses,
182 telephone numbers, photograph, driver's license number, and name,
183 address and telephone number of the party's employer. This
184 information shall be required upon entry of an order or within
185 five (5) days of a change of address.

186 (6) In any case subsequently enforced by the Department of
187 Human Services pursuant to Title IV-D of the Social Security Act,
188 the court shall have continuing jurisdiction.

189 (7) In any subsequent child support enforcement action
190 between the parties, upon sufficient showing that diligent effort
191 has been made to ascertain the location of a party, due process
192 requirements for notice and service of process shall be deemed to
193 be met with respect to the party upon delivery of written notice
194 to the most recent residential or employer address filed with the
195 state case registry.

196 (8) (a) The duty of support of a child terminates upon the
197 emancipation of the child. Unless otherwise provided for in the
198 underlying child support judgment, emancipation shall occur when
199 the child:

- 200 (i) Attains the age of twenty-one (21) years, or
- 201 (ii) Marries, or
- 202 (iii) Joins the military and serves on a full-time
203 basis, or
- 204 (iv) Is convicted of a felony and is sentenced to
205 incarceration of two (2) or more years for committing such
206 felony; * * *

207 (b) Unless otherwise provided for in the underlying
208 child support judgment, the court may determine that emancipation
209 has occurred and no other support obligation exists when the
210 child:

- 211 (i) Discontinues full-time enrollment in school
212 having attained the age of eighteen (18) years, unless the child
213 is disabled, or

214 (ii) Voluntarily moves from the home of the
215 custodial parent or guardian, establishes independent living
216 arrangements, obtains full-time employment and discontinues
217 educational endeavors prior to attaining the age of twenty-one
218 (21) years, or

219 (iii) Cohabits with another person without the
220 approval of the parent obligated to pay support; * * *

221 (c) The duty of support of a child who is incarcerated
222 but not emancipated shall be suspended for the period of the
223 child's incarceration.

224 (9) A determination of emancipation does not terminate any
225 obligation of the noncustodial parent to satisfy arrearage
226 existing as of the date of emancipation; the total amount of
227 periodic support due prior to the emancipation plus any periodic
228 amounts ordered paid toward the arrearage shall continue to be
229 owed until satisfaction of the arrearage in full, in addition to
230 the right of the person for whom the obligation is owed to execute
231 for collection as may be provided by law.

232 (10) Upon motion of a party requesting temporary child
233 support pending a determination of parentage, temporary support
234 shall be ordered if there is clear and convincing evidence of
235 paternity on the basis of genetic tests or other evidence, unless
236 the court makes written findings of fact on the record that the
237 award of temporary support would be unjust or inappropriate in a
238 particular case.

239 (11) Custody and visitation upon military temporary duty,
240 deployment or mobilization shall be governed by Section 93-5-34.

241 **SECTION 3.** Section 93-11-71, Mississippi Code of 1972, is
242 amended as follows:

243 93-11-71. (1) Except as otherwise provided in Section 1 of
244 this act for persons who are incarcerated or involuntarily
245 institutionalized, whenever a court orders any person to make
246 periodic payments of a sum certain for the maintenance or support
247 of a child, and whenever such payments as have become due remain
248 unpaid for a period of at least thirty (30) days, a judgment by
249 operation of law shall arise against the obligor in an amount
250 equal to all payments that are then due and owing.

251 (a) A judgment arising under this section shall have
252 the same effect and be fully enforceable as any other judgment
253 entered in this state. A judicial or administrative action to
254 enforce the judgment may be begun at any time; and

255 (b) Such judgments arising in other states by operation
256 of law shall be given full faith and credit in this state.

257 (2) Any judgment arising under the provisions of this
258 section shall operate as a lien upon all the property of the
259 judgment debtor, both real and personal, which lien shall be
260 perfected as to third parties without actual notice thereof only
261 upon enrollment on the judgment roll. The department or attorney
262 representing the party to whom support is owed shall furnish an
263 abstract of the judgment for periodic payments for the maintenance
264 and support of a child, along with sworn documentation of the

265 delinquent child support, to the circuit clerk of the county where
266 the judgment is rendered, and it shall be the duty of the circuit
267 clerk to enroll the judgment on the judgment roll. Liens arising
268 under the provisions of this section may be executed upon and
269 enforced in the same manner and to the same extent as any other
270 judgment.

271 (3) Notwithstanding the provisions in subsection (2) of this
272 section, any judgment arising under the provisions of this section
273 shall subject the following assets to interception or seizure
274 without regard to the entry of the judgment on the judgment roll
275 of the situs district or jurisdiction and such assets shall apply
276 to all child support owed including all arrears:

277 (a) Periodic or lump-sum payments from a federal, state
278 or local agency, including unemployment compensation, workers'
279 compensation and other benefits;

280 (b) Winnings from lotteries and gaming winnings that
281 are received in periodic payments made over a period in excess of
282 thirty (30) days;

283 (c) Assets held in financial institutions;

284 (d) Settlements and awards resulting from civil
285 actions;

286 (e) Public and private retirement funds, only to the
287 extent that the obligor is qualified to receive and receives a
288 lump-sum or periodic distribution from the funds;

289 (f) Lump-sum payments as defined in Section 93-11-101;

290 and

291 (g) Unclaimed property as described in Section 89-12-1
292 et seq.

293 (4) Notwithstanding the provisions of subsections (1) and
294 (2) of this section, upon disestablishment of paternity granted
295 pursuant to Section 93-9-10 and a finding of clear and convincing
296 evidence, including negative DNA testing that the obligor is not
297 the biological father of the child or children for whom support
298 has been ordered, the court shall disestablish paternity and may
299 forgive any child support arrears of the obligor for the child or
300 children determined by the court not to be the biological child or
301 children of the obligor, if the court makes a written finding
302 that, based on the totality of the circumstances, the forgiveness
303 of the arrears is equitable under the circumstances.

304 (5) In any case in which a child receives assistance from
305 block grants for Temporary Assistance for Needy Families (TANF),
306 and the obligor owes past-due child support, the obligor, if not
307 incapacitated, may be required by the court to participate in any
308 work programs offered by any state agency.

309 (6) A parent who receives social security disability
310 insurance payments who is liable for a child support arrearage and
311 whose disability insurance benefits provide for the payment of
312 past due disability insurance benefits for the support of the
313 minor child or children for whom the parent owes a child support
314 arrearage shall receive credit toward the arrearage for the
315 payment or payments for the benefit of the minor child or children

316 if the arrearage accrued after the date of disability onset as
317 determined by the Social Security Administration.

318 **SECTION 4.** Section 93-5-23, Mississippi Code of 1972, is
319 amended as follows:

320 93-5-23. When a divorce shall be decreed from the bonds of
321 matrimony, the court may, in its discretion, having regard to the
322 circumstances of the parties and the nature of the case, as may
323 seem equitable and just, make all orders touching the care,
324 custody and maintenance of the children of the marriage, and also
325 touching the maintenance and alimony of the wife or the husband,
326 or any allowance to be made to her or him, and shall, if need be,
327 require bond, sureties or other guarantee for the payment of the
328 sum so allowed. Orders touching on the custody of the children of
329 the marriage shall be made in accordance with the provisions of
330 Section 93-5-24. For the purposes of orders touching the
331 maintenance and alimony of the wife or husband, "property" and "an
332 asset of a spouse" shall not include any interest a party may have
333 as an heir at law of a living person or any interest under a
334 third-party will, nor shall any such interest be considered as an
335 economic circumstance or other factor. The court may afterwards,
336 on petition, change the decree, and make from time to time such
337 new decrees as the case may require. However, where proof shows
338 that both parents have separate incomes or estates, the court may
339 require that each parent contribute to the support and maintenance
340 of the children of the marriage in proportion to the relative
341 financial ability of each. In the event a legally responsible

342 parent has health insurance available to him or her through an
343 employer or organization that may extend benefits to the
344 dependents of such parent, any order of support issued against
345 such parent may require him or her to exercise the option of
346 additional coverage in favor of such children as he or she is
347 legally responsible to support.

348 Except as otherwise provided in Section 1 of this act for
349 persons who are incarcerated or involuntarily institutionalized,
350 whenever the court has ordered a party to make periodic payments
351 for the maintenance or support of a child, but no bond, sureties
352 or other guarantee has been required to secure such payments, and
353 whenever such payments as have become due remain unpaid for a
354 period of at least thirty (30) days, the court may, upon petition
355 of the person to whom such payments are owing, or such person's
356 legal representative, enter an order requiring that bond, sureties
357 or other security be given by the person obligated to make such
358 payments, the amount and sufficiency of which shall be approved by
359 the court. The obligor shall, as in other civil actions, be
360 served with process and shall be entitled to a hearing in such
361 case.

362 At the discretion of the court, any person found in contempt
363 for failure to pay child support and imprisoned therefor may be
364 referred for placement in a state, county or municipal
365 restitution, house arrest or restorative justice center or
366 program, provided such person meets the qualifications prescribed
367 in Section 99-37-19.

368 Whenever in any proceeding in the chancery court concerning
369 the custody of a child a party alleges that the child whose
370 custody is at issue has been the victim of sexual or physical
371 abuse by the other party, the court may, on its own motion, grant
372 a continuance in the custody proceeding only until such allegation
373 has been investigated by the Department of Human Services. At the
374 time of ordering such continuance, the court may direct the party
375 and his attorney making such allegation of child abuse to report
376 in writing and provide all evidence touching on the allegation of
377 abuse to the Department of Human Services. The Department of
378 Human Services shall investigate such allegation and take such
379 action as it deems appropriate and as provided in such cases under
380 the Youth Court Law (being Chapter 21 of Title 43, Mississippi
381 Code of 1972) or under the laws establishing family courts (being
382 Chapter 23 of Title 43, Mississippi Code of 1972).

383 If after investigation by the Department of Human Services or
384 final disposition by the youth court or family court allegations
385 of child abuse are found to be without foundation, the chancery
386 court shall order the alleging party to pay all court costs and
387 reasonable attorney's fees incurred by the defending party in
388 responding to such allegation.

389 The court may investigate, hear and make a determination in a
390 custody action when a charge of abuse and/or neglect arises in the
391 course of a custody action as provided in Section 43-21-151, and
392 in such cases the court shall appoint a guardian ad litem for the
393 child as provided under Section 43-21-121, who shall be an

394 attorney. Unless the chancery court's jurisdiction has been
395 terminated, all disposition orders in such cases for placement
396 with the Department of Human Services shall be reviewed by the
397 court or designated authority at least annually to determine if
398 continued placement with the department is in the best interest of
399 the child or public.

400 The duty of support of a child terminates upon the
401 emancipation of the child. The court may determine that
402 emancipation has occurred pursuant to Section 93-11-65.

403 Custody and visitation upon military temporary duty,
404 deployment or mobilization shall be governed by Section 93-5-34.

405 **SECTION 5.** Section 43-19-101, Mississippi Code of 1972, is
406 amended as follows:

407 43-19-101. (1) The following child-support award guidelines
408 shall be a rebuttable presumption in all judicial or
409 administrative proceedings regarding the awarding or modifying of
410 child-support awards in this state:

411	Number Of Children	Percentage Of Adjusted Gross Income
412	Due Support	That Should Be Awarded For Support
413	1	14%
414	2	20%
415	3	22%
416	4	24%
417	5 or more	26%

418 (2) The guidelines provided for in subsection (1) of this
419 section apply unless the judicial or administrative body awarding

420 or modifying the child-support award makes a written finding or
421 specific finding on the record that the application of the
422 guidelines would be unjust or inappropriate in a particular case
423 as determined under the criteria specified in Section 43-19-103.

424 (3) The amount of "adjusted gross income" as that term is
425 used in subsection (1) of this section shall be calculated as
426 follows:

427 (a) Determine gross income from all potential sources
428 that may reasonably be expected to be available to the absent
429 parent including, but not limited to, the following: wages and
430 salary income; income from self-employment; income from
431 commissions; income from investments, including dividends,
432 interest income and income on any trust account or property;
433 absent parent's portion of any joint income of both parents;
434 workers' compensation, disability, unemployment, annuity and
435 retirement benefits, including an Individual Retirement Account
436 (IRA); any other payments made by any person, private entity,
437 federal or state government or any unit of local government;
438 alimony; any income earned from an interest in or from inherited
439 property; any other form of earned income; and gross income shall
440 exclude any monetary benefits derived from a second household,
441 such as income of the absent parent's current spouse;

442 (b) Subtract the following legally mandated deductions:

443 (i) Federal, state and local taxes. Contributions
444 to the payment of taxes over and beyond the actual liability for
445 the taxable year shall not be considered a mandatory deduction;

446 (ii) Social security contributions;
447 (iii) Retirement and disability contributions
448 except any voluntary retirement and disability contributions;
449 (c) If the obligated parent is subject to an existing
450 court order for another child or children, subtract the amount of
451 that court-ordered support;
452 (d) If the absent parent is also the parent of another
453 child or other children residing with him, then the court may
454 subtract an amount that it deems appropriate to account for the
455 needs of said child or children;
456 (e) Compute the total annual amount of adjusted gross
457 income based on paragraphs (a) through (d) of this subsection,
458 then divide this amount by twelve (12) to obtain the monthly
459 amount of adjusted gross income.
460 Upon conclusion of the calculation of paragraphs (a) through
461 (e) of this subsection, multiply the monthly amount of adjusted
462 gross income by the appropriate percentage designated in
463 subsection (1) of this section to arrive at the amount of the
464 monthly child-support award.
465 (4) In cases in which the adjusted gross income as defined
466 in this section is more than One Hundred Thousand Dollars
467 (\$100,000.00) or less than Ten Thousand Dollars (\$10,000.00), the
468 court shall make a written finding in the record as to whether or
469 not the application of the guidelines established in this section
470 is reasonable. The court shall take into account the basic

471 subsistence needs of the obligated parent who has a limited
472 ability to pay.

473 (5) (a) Imputation of income shall not be based upon a
474 standard amount in lieu of fact-gathering. In the absence of
475 specific sufficient evidence of past earnings and employment
476 history to use as the measure of an obligated parent's ability to
477 pay, the recommended child-support obligation amount should be
478 based on available information about the specific circumstances of
479 the obligated parent. This can include, but is not limited to,
480 such factors as assets, residence, job skills, educational
481 attainment, literacy, age, health, criminal record and other
482 employment barriers, and record of seeking work, as well as the
483 local job market, the availability of employers willing to hire
484 the obligated parent, prevailing earnings level in the local
485 community, and other relevant factors in the case.

486 (b) The court may not consider incarceration as
487 intentional or voluntary unemployment, or underemployment when
488 establishing or modifying a child support order.

489 (6) Unless extended or waived, the Department of Human
490 Services shall review the appropriateness of these guidelines
491 beginning January 1, 1994, and every four (4) years thereafter and
492 report its findings to the Legislature no later than the first day
493 of the regular legislative session of that year. The Legislature
494 shall thereafter amend these guidelines when it finds that
495 amendment is necessary to ensure that equitable support is being
496 awarded in all cases involving the support of minor children.

497 (7) All orders involving support of minor children, as a
498 matter of law, shall include reasonable medical support. Notice
499 to the obligated parent's employer that medical support has been
500 ordered shall be on a form as prescribed by the Department of
501 Human Services. In any case in which the support of any child is
502 involved, the court shall make the following findings either on
503 the record or in the judgment:

504 (a) The availability to all parties of health insurance
505 coverage for the child(ren);

506 (b) The cost of health insurance coverage to all
507 parties.

508 The court shall then make appropriate provisions in the
509 judgment for the provision of health insurance coverage for the
510 child(ren) in the manner that is in the best interests of the
511 child(ren). If the court requires the custodial parent to obtain
512 the coverage then its cost shall be taken into account in
513 establishing the child-support award. If the court determines
514 that health insurance coverage is not available to any party or
515 that it is not available to either party at a cost that is
516 reasonable as compared to the income of the parties, then the
517 court shall make specific findings as to such either on the record
518 or in the judgment. In that event, the court shall make
519 appropriate provisions in the judgment for the payment of medical
520 expenses of the child(ren) in the absence of health insurance
521 coverage.

522 **SECTION 6.** This act shall take effect and be in force from
523 and after July 1, 2023, and shall stand repealed on June 30, 2023.

**Further, amend by striking the title in its entirety and
inserting in lieu thereof the following:**

1 AN ACT TO CREATE NEW SECTION 43-19-36, MISSISSIPPI CODE OF
2 1972, TO PROVIDE THAT CHILD SUPPORT OBLIGATIONS SHALL BE SUSPENDED
3 BY OPERATION OF LAW FOR PERSONS ORDERED TO PAY CHILD SUPPORT WHO
4 ARE INCARCERATED OR INVOLUNTARILY INSTITUTIONALIZED FOR MORE THAN
5 180 DAYS, WITH CERTAIN EXCEPTIONS; TO PROVIDE THAT THE CHILD
6 SUPPORT OBLIGATION WILL RESUME 60 DAYS AFTER THE NONCUSTODIAL
7 PARENT IS RELEASED FROM INCARCERATION, AND THE NONCUSTODIAL
8 PARENT'S CHILD SUPPORT ORDER AND OBLIGATION WILL BECOME
9 ENFORCEABLE ON THAT DATE; TO AUTHORIZE THE DEPARTMENT OF HUMAN
10 SERVICES WHEN ENFORCING A CHILD SUPPORT ORDER TO ADMINISTRATIVELY
11 ADJUST THE ARREARS BALANCE FOR AN ORDER FOR CHILD SUPPORT THAT WAS
12 SUSPENDED BECAUSE OF INCARCERATION OR INSTITUTIONALIZATION UNDER
13 CERTAIN CONDITIONS; TO AMEND SECTIONS 93-11-65, 93-11-71 AND
14 93-5-23, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING
15 SECTION; TO AMEND SECTION 43-19-101, MISSISSIPPI CODE OF 1972, TO
16 PROVIDE HOW INCARCERATION OF A PARENT SHOULD BE CONSIDERED FOR
17 CHILD SUPPORT; AND FOR RELATED PURPOSES.

HR26\SB2082A.J

Andrew Ketchings
Clerk of the House of Representatives