

# Department of Finance and Administration

## Legislative Impact Statement

**Bill: SB311**

**Bill Subtitle: TO AMEND THE LIMITATIONS PERIOD FOR WHEN A PETITION FOR AN INITIAL ORDER OF CHILD SUPPORT MAY BE SOUGHT AND THE PERIOD OF TIME FOR WHICH RETROACTIVE CHILD SUPPORT MAY BE AWARDED.**

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### **Basic Change :**

**Sponsors: Sen. Clark and Rep. Haak**

SB311 would limit an award for retroactive child support in an initial order to no earlier than the date on which the payor parent was served with a complaint or motion. The bill would repeal existing law that permits an adult child to whom support was owed as a minor to seek a judgment from their non-payor parent.

### **Revenue Impact :**

None.

### **Taxpayer Impact :**

The timeframe during which a parent may be required to reimburse their child's custodial parent or caretaker for past care of the child would be reduced. An adult child would not be able recover support owed by their non-payor parent while he or she was a minor.

### **Resources Required :**

No significant resources required.

### **Time Required :**

Adequate time is provided for implementation.

### **Procedural Changes :**

Office of Child Support Enforcement (OCSE) procedures and training would require updating.

### **Other Comments :**

None.

### **Legal Analysis :**

SB311 conflicts with § 9-10-111 which provides that in establishing paternity of a child, and if claimed by the mother, the court shall grant judgment of not less than \$10 per month retroactive from the birth of the child to age 18. SB311 may also conflict with § 9-14-236(a)(4)(D) and (b) which provide that a person for whom support was ordered is entitled to seek recovery of accrued child support within five years of reaching their majority. It is recommended that SB311 be amended to resolve these conflicts.