

HB 643 -- Criminal Nonsupport

Sponsor: May

Currently, criminal nonsupport is a class D felony if the total arrearage is in excess of 12 monthly payments due under any order of support. This bill specifies that criminal nonsupport will be a class D felony if the total arrearage is in excess of \$10,000.

The bill also specifies that good cause for knowingly failing to provide adequate child support includes any reduction or abatement of a support obligation for the period of time from the filing of a modification until it is awarded if a reduction or abatement of the support obligation is applied to that time period.

If a person pays all current child support obligations and all periodic payments toward satisfaction of arrears for 12 consecutive months, the court must order an abatement of 25% of the total arrearage existing at the time he or she entered into repayment for the arrearage. If a person pays all current support obligations and all periodic payments toward satisfaction of arrears for an additional 24 consecutive months, the court must abate any remaining arrearage and may expunge the person's record of a criminal nonsupport conviction.