

HB 1652 -- Criminal Nonsupport Courts

Sponsor: Walton

This bill allows a circuit court to establish a court division for disposition of cases involving criminal nonsupport. A criminal nonsupport division will have the authority to refer defendants for criminal nonsupport education, vocational or employment training, or to work programs. After successful completion of a court-ordered training program or commencement of support payments, the defendant may have the charges, petition, or penalty against him or her dismissed, reduced, or modified. An eight-member Criminal Nonsupport Divisions Coordinating Commission will be established to coordinate and allocate resources made available through the newly created Criminal Nonsupport Division Resources Fund. The bill also creates new penalties for any person convicted of criminal nonsupport as follows:

- (1) A first offense will result in a suspended imposition of sentence and an appropriate period of probation;
- (2) A second offense will result in a suspended execution of sentence and an appropriate period of probation; and
- (3) A third or subsequent offense will be punished within the range for the class of offense that the defendant was convicted of as provided by law.

During any period that a nonviolent defendant is incarcerated for criminal nonsupport, the court will, if the defendant is ready, willing, and able to be gainfully employed and except for good cause shown, place the defendant on work release in order to satisfy the defendant's obligation to pay support.