

FIRST REGULAR SESSION

# HOUSE BILL NO. 1047

## 98TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE ZERR.

2276H.011

D. ADAM CRUMBLISS, Chief Clerk

### AN ACT

To amend chapter 454, RSMo, by adding thereto one new section relating to state debt owed by noncustodial parents.

*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Chapter 454, RSMo, is amended by adding thereto one new section, to be known as section 454.1760, to read as follows:

**454.1760. 1. Notwithstanding any provision of this chapter to the contrary, the department of social services shall establish a pilot program which would allow eligible noncustodial parents to reduce their amount of state debt, as defined in section 454.465, owed based on participation in the program.**

**2. The goals of the pilot program shall include, but not be limited to:**

**(1) Empowering noncustodial parents with the necessary resources to achieve gainful employment;**

**(2) Encouraging noncustodial parents to be engaged with their children; and**

**(3) Encouraging noncustodial parents to take financial responsibility for their children's well-being.**

**3. The pilot program shall allow for a reduction in the amount of state debt owed by a noncustodial parent based upon the number of hours of participation in the program to be determined by the department. In no event shall the amount of state debt owed be reduced by more than two thousand dollars.**

**4. The pilot program shall not:**

**(1) Change the noncustodial parent's monthly child support obligations;**

**(2) Compromise any arrears owed to the custodial parent; or**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

18           **(3) Compromise any spousal support arrears.**

19           **5. Eligible noncustodial parents who participate in the pilot program and who**  
20 **continually demonstrate good faith efforts to achieve the goals established by the program**  
21 **under subsection 2 of this section shall not be subject to prosecution for criminal**  
22 **nonsupport during their participation in the program. Upon completing the program, the**  
23 **noncustodial parent shall not be subject to prosecution for criminal nonsupport for a term**  
24 **of one year beginning on the date of program completion.**

25           **6. If at any time the department determines that a noncustodial parent is not**  
26 **demonstrating good faith efforts to achieve the goals established by the program, the**  
27 **noncustodial parent shall be removed from the program, shall not receive a reduction in**  
28 **the amount of state debt owed, and shall not be allowed to reenter the program.**

29           **7. One year following the promulgation of rules and regulations implementing the**  
30 **provisions of this section, the department shall submit a report to the general assembly,**  
31 **and such report shall contain the number of noncustodial parents who completed the**  
32 **program and obtained gainful employment, the number of noncustodial parents who**  
33 **completed the program and continually met their child support obligations, the number**  
34 **of noncustodial parents who were removed from the program, the number of custodial**  
35 **parents who voluntarily left the program prior to completion, and any recommendations**  
36 **of the department for eliminating, reducing, modifying, or continuing the program.**

37           **8. Within one hundred eighty days of August 28, 2015, the department shall**  
38 **promulgate rules and regulations to implement the provisions of this section. Any rule or**  
39 **portion of a rule, as that term is defined in section 536.010, that is created under the**  
40 **authority delegated in this section shall become effective only if it complies with and is**  
41 **subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This**  
42 **section and chapter 536 are nonseverable, and if any of the powers vested with the general**  
43 **assembly under chapter 536 to review, to delay the effective date, or to disapprove and**  
44 **annul a rule are subsequently held unconstitutional, then the grant of rulemaking**  
45 **authority and any rule proposed or adopted after August 28, 2015, shall be invalid and**  
46 **void.**

47           **9. The provisions of this section shall expire on August 28, 2018.**

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