

HCS HB 643 -- CRIMINAL NONSUPPORT

SPONSOR: Nasheed (May)

COMMITTEE ACTION: Voted "do pass" by the Committee on Urban Issues by a vote of 4 to 3.

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 substitute defines "arrearage" to include reductions or abatements in support obligations as well as amounts waived by the custodial parent and specifies that criminal nonsupport will be a class D felony if the total arrearage is in excess of 18 months; but when the Missouri unemployment rate has remained at 6% or lower for six consecutive months, the limit on the aggregate of 18 monthly payments will return to 12 monthly payments.

Currently, a court is allowed to set a limit of 50% of the defendant's adjusted gross income after deduction of payroll taxes and certain medical insurance on the total of current support and satisfaction of arrears. The substitute requires the court to use the 50% limit.

If a person pays all current support obligations and all periodic payments toward satisfaction of arrears for an additional 24 consecutive months, the court may expunge the person's record of a criminal nonsupport conviction.

FISCAL NOTE: Estimated Net Income on General Revenue Fund of Unknown in FY 2012, FY 2013, and FY 2014. Estimated Net Effect on Other State Funds of an income of Unknown to a cost of Unknown in FY 2012, FY 2013, and FY 2014.

PROPONENTS: Supporters say that parents who are caught in bad economic circumstances are being charged with a felony when they fall behind in child support payments making it more difficult for them to get a job. This approach penalizes fathers that do the right thing and stay in the court system instead of just leaving town to avoid payment.

Testifying for the bill were Representative May; Michael Russo, Fathers-4-Justice; and Jack Dillender.

OPPONENTS: There was no opposition voiced to the committee.