

ASSEMBLY BILL NO. 1—COMMITTEE OF THE WHOLE

FEBRUARY 24, 2010

Declared an Emergency Measure

SUMMARY—Requires certain employers to electronically transfer to the State certain income withheld from employees pursuant to support orders. (BDR 3-10)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to support orders; requiring certain employers to electronically transfer to the State the income withheld from employees pursuant to support orders; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 This bill requires employers with 50 or more employees to electronically
2 transfer to the State the income withheld from employees pursuant to support
3 orders.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** NRS 31A.090 is hereby amended to read as
2 follows:

3 31A.090 1. A notice to withhold income is binding upon
4 any employer of an obligor to whom it is mailed. To reimburse the
5 employer for the employer's costs in making the withholding, the
6 employer may deduct \$3 from the amount paid the obligor each time
7 the employer makes a withholding.

8 2. Except as otherwise provided in subsection 3, if an employer
9 receives notices to withhold income for more than one employee,
10 the employer may consolidate the amounts of money that are
11 payable to:

12 (a) The enforcing authority and pay those amounts with one
13 check; and



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1 (b) The State Treasurer and pay those amounts with one check,
2 ➔ but the employer shall attach to each check a statement
3 identifying by name and social security number each obligor for
4 whom payment is made and the amount transmitted for that obligor.

5 3. If the provisions of NRS 353.1467 apply, the employer shall
6 make payment to the enforcing authority or the State Treasurer, as
7 applicable, by way of any method of electronic transfer of money
8 allowed by the enforcing authority or the State Treasurer. *If an*
9 *employer has 50 or more employees, the employer shall make*
10 *payment to the Division of Welfare and Supportive Services by*
11 *way of any method of electronic transfer of money allowed by the*
12 *Division.* If an employer makes ~~such~~ payment by way of electronic
13 transfer of money ~~H~~ *pursuant to this subsection*, the employer shall
14 transmit separately the name and appropriate identification number,
15 if any, of each obligor for whom payment is made and the amount
16 transmitted for that obligor.

17 4. An employer shall cooperate with and provide relevant
18 information to an enforcing authority as necessary to enable it to
19 enforce an obligation of support. A disclosure made in good faith
20 pursuant to this subsection does not give rise to any action for
21 damages resulting from the disclosure.

22 5. As used in this section, "electronic transfer of money" has
23 the meaning ascribed to it in NRS 353.1467.

24 **Sec. 2.** This act becomes effective on July 1, 2010.

