

ASSEMBLY BILL NO. 473—COMMITTEE ON JUDICIARY

MARCH 28, 2005

Referred to Committee on Judiciary

SUMMARY—Revises certain provisions governing payment of child support. (BDR 11-1373)

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 child support; providing that a responsible parent who is delinquent in the payment of certain installments to pay support for a child is not required to pay a penalty if he will experience an undue hardship if required to pay the penalty; revising the manner in which the penalty is imposed; and providing other matters properly relating thereto.

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

Section 1. NRS 125B.095 is hereby amended to read as follows:

125B.095 1. Except as otherwise provided in NRS 125B.012, if an installment of an obligation to pay support for a child which arises from the judgment of a court becomes delinquent in the amount owed for 1 month's support, a penalty must be added by operation of this section to the amount of the installment ~~It~~ *unless the court finds that the responsible parent will experience an undue hardship if required to pay the amount of the penalty.* This penalty must be included in a computation of arrearages by a court of this State and may be so included in a judicial or administrative proceeding of another state.

2. ~~The amount of the penalty is~~ *If imposed, a 10 percent per annum, or portion thereof, that the penalty must be applied at the end of each calendar month against the amount of an* installment



- 1 *or portion of an installment that* remains unpaid ~~H~~ *in the month in*
- 2 *which it was due.* Each district attorney or other public agency in
- 3 this State undertaking to enforce an obligation to pay support for a
- 4 child shall enforce the provisions of this section.

