

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 penalty may not be added to a delinquent installment of child support in certain circumstances when the delinquency was not caused by the responsible parent; 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:

- 1 **Section 1.** NRS 125B.095 is hereby amended to read as
2 follows:
3 125B.095 1. Except as otherwise provided in *this section and*
4 NRS 125B.012, if an installment of an obligation to pay support for
5 a child which arises from the judgment of a court becomes
6 delinquent in the amount owed for 1 month's support, a penalty
7 must be added by operation of this section to the amount of the
8 installment. This penalty must be included in a computation of
9 arrearages by a court of this State and may be so included in a
10 judicial or administrative proceeding of another state. *A penalty*
11 *must not be added to the amount of the installment pursuant to*
12 *this subsection if the court finds that the employer of the*
13 *responsible parent or the district attorney or other public agency*
14 *in this State that enforces an obligation to pay support for a child*
15 *caused the payment to be delinquent.*



1 2. The amount of ~~the~~ a penalty *added to an installment*
2 *pursuant to this section* is *equal to* 10 percent ~~per annum, or~~
3 ~~portion thereof, that~~ of the *amount of the* installment *for child*
4 *support that* remains unpaid ~~it~~ *after the last day of the calendar*
5 *month. The penalty may be added only one time to the amount*
6 *that remains unpaid, and no additional penalty or interest may be*
7 *applied to any unpaid portion of the penalty or the installment*
8 *pursuant to this section.* Each district attorney or other public
9 agency in this State undertaking to enforce an obligation to pay
10 support for a child shall enforce the provisions of this section.

