

Assembly Bill No. 27–Committee on Judiciary

CHAPTER.....

AN ACT relating to child support; revising provisions of the Uniform Interstate Family Support Act governing the issuance of certain orders redirecting child support; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

In 1997, Nevada enacted the Uniform Interstate Family Support Act to establish procedures and jurisdictional requirements regarding the issuance, enforcement and modification of interstate child-support and spousal-support orders that are consistent with the procedures and requirements of other states. (Chapter 489, Statutes of Nevada 1997, at pages 2311-29) Existing law requires: (1) a support-enforcement agency of this State to request a tribunal of this State to issue a child-support order and an income-withholding order that redirect certain support, if requested by a support-enforcement agency in another state; and (2) a tribunal to redirect the support to the support-enforcement agency in another state and issue an income-withholding order or administrative notice, reflecting the redirection, if neither the parent owing support, nor the parent receiving support, nor the child reside in this State. (NRS 130.317, 130.319) As an alternative to this requirement, this bill allows a support-enforcement agency of this State to issue orders redirecting support under such circumstances, in conformity with an option proposed by the Uniform Law Commission under the 2008 amendments to the Uniform Interstate Family Support Act.

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

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

Section 1. NRS 130.307 is hereby amended to read as follows:

130.307 1. A support-enforcement agency of this State, upon request, shall provide services to a petitioner in a proceeding under this chapter.

2. A support-enforcement agency of this State that is providing services to the petitioner shall:

(a) Take all steps necessary to enable an appropriate tribunal of this State, another state or a foreign country to obtain jurisdiction over the respondent;

(b) Request an appropriate tribunal to set a date, time and place for a hearing;

(c) Make a reasonable effort to obtain all relevant information, including information as to the income and property of the parties;

(d) Within 5 days, exclusive of Saturdays, Sundays and legal holidays, after receipt of notice in a record from an initiating,



responding or registering tribunal, send a copy of the notice to the petitioner;

(e) Within 5 days, exclusive of Saturdays, Sundays and legal holidays, after receipt of communication in a record from the respondent or his or her attorney, send a copy of the communication to the petitioner; and

(f) Notify the petitioner if jurisdiction over the respondent cannot be obtained.

3. A support-enforcement agency of this State that requests registration of a child-support order in this State for enforcement or for modification shall make reasonable efforts:

(a) To ensure that the order to be registered is the controlling order; or

(b) If two or more child-support orders exist and the identity of the controlling order has not been determined, to ensure that a request for such a determination is made in a tribunal having jurisdiction to do so.

4. A support-enforcement agency of this State that requests registration and enforcement of a support order, arrears or judgment stated in a foreign currency shall convert the amounts stated in the foreign currency into the equivalent amounts in dollars under the applicable official or market exchange rate as publicly reported.

5. A support-enforcement agency of this State shall **issue or** request a tribunal of this State to issue a child-support order and an income-withholding order that redirect payment of current support, arrears and interest if requested to do so by a support-enforcement agency of another state pursuant to a law similar to NRS 130.319.

6. This chapter does not create or negate a relationship of attorney and client or other fiduciary relationship between a support-enforcement agency or the attorney for the agency and the natural person being assisted by the agency.

Sec. 2. NRS 130.319 is hereby amended to read as follows:

130.319 1. A support-enforcement agency or tribunal of this State shall disburse promptly any amounts received pursuant to a support order, as directed by the order. The agency or tribunal shall furnish to a requesting party or tribunal of another state or a foreign country a certified statement by the custodian of the record of the amounts and dates of all payments received.

2. If neither the obligor, nor the obligee who is a natural person, nor the child resides in this State, upon request from a support-enforcement agency of this State or another state, a **support-enforcement agency or** tribunal of this State shall:



(a) Direct that the support payment be made to the support-enforcement agency in the state in which the obligee is receiving services; and

(b) Issue and send to the employer of the obligor a conforming income-withholding order or an administrative notice of change of payee, reflecting the redirected payments.

3. A support-enforcement agency of this State receiving redirected payments from another state pursuant to a law similar to subsection 2 shall furnish to a requesting party or tribunal of the other state a certified statement by the custodian of the record of the amount and dates of all payments received.

Sec. 3. This act becomes effective on July 1, 2021.

