

ENROLLMENT(S)



(5)


COUNCIL OF THE DISTRICT OF COLUMBIA

D.C. LAW 11-87

**"Child Support Enforcement and Licensing
Compliance Amendment Act of 1995".**

Pursuant to Section 412 of the District of Columbia Self-Government and Governmental Reorganization Act, P.L. 93-198 "the Act", the Council of the District of Columbia adopted Bill No. 11-225 on first and second readings, October 10, 1995 and November 7, 1995 respectively. Following the signature of the Mayor on November 27, 1995, pursuant to Section 404(e) of "the Act", and was assigned Act No. 11-158 and published in the December 8, 1995, edition of the D.C. Register (Vol. 42 page 6767) and transmitted to Congress on December 13, 1995 for a 30-day review, in accordance with Section 602(c)(1) of the Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional Review Period has expired, and therefore, cites this enactment as D.C. Law 11-87, effective February 13, 1996.


DAVID A. CLARKE
Chairman of the Council

Dates Counted During the 30-day Congressional Review Period:

Dec. 13,14,15,18,19,20,21,22,27
Jan. 3,4,5,8,9,22,23,24,25,26,29,30,31
Feb. 1,2,5,6,7,8,9,12

ENROLLED ORIGINAL

AN ACT
D.C. ACT 11-158

*Codification
District of
Columbia
Code
1996 Supp.*

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

NOVEMBER 27, 1995

To amend section 16-916 of the District of Columbia Code to notify the Mayor of a support payment delinquency and to amend the District of Columbia Child Support Enforcement Amendment Act of 1985 to implement additional sanctions against an obligor who fails to pay child support.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA,
That this act may be cited as the "Child Support Enforcement and Licensing Compliance Amendment Act of 1995".

Sec. 2. Section 16-916(e) of the District of Columbia Code is amended by adding a new paragraph (3) to read as follows:

Section
16-916

"(3) Where the Clerk of the Court determines that a parent is delinquent in child support payments in an amount equal to at least 60 days of child support payments, the Clerk of the Court shall notify the Mayor of the parent's name, social security number, court docket number, and the amount of the support payment delinquency."

Sec. 3. Section 26 of the District of Columbia Child Support Enforcement Amendment Act of 1985, effective February 24, 1987 (D.C. Law 6-166; D.C. Code § 30-525), is amended as follows:

Section
30-525

(a) Subsection (a) is amended by inserting the phrase "an individual who is owed overdue support or" after the phrase "request by".

(b) A new section 26a is added to read as follows:

"Sec. 26a. Sanctions.

"(a) Notwithstanding any other law or regulation, no car registration or driver's license shall be renewed or issued to an obligor who is receiving income and who owes overdue child support in an amount equal to at least 60 days of support. A car registration or driver's license that has been issued to an obligor who is receiving income and who owes overdue child support in an amount equal to at least 60 days of support payments shall be revoked.

"(b) Notwithstanding any other law or regulation, no professional or business license

ENROLLED ORIGINAL

shall be renewed or issued in the District to an obligor who is receiving income and who owes overdue child support in an amount equal to at least 60 days of support payments. A professional or business license that has been issued to an obligor who is receiving income and who owes overdue child support shall be revoked. As used in this subsection, the term "professional or business license" includes any approval, certificate, registration, permit, statutory exemption, or other form of permission to practice a profession or to operate a business, as granted by a commission or a professional licensing body of the government of the District of Columbia.

"(c) Prior to an act to deny issuance or renewal, or an act to revoke, the car registration, driver's license, or professional or business license of an obligor who is receiving income and who owes overdue child support, the Mayor must provide 30-days written notice to the obligor. The notice shall specify:

"(1) The amount of arrears owed;

"(2) How, when, and where the notice can be contested;

"(3) That the licensing authority will deny issuance or renewal, or revoke the registration or license 30 days after the issuance of the notice unless the arrearage is paid in full, or the obligor agrees to a payment schedule that requires the obligor to make monthly child support payments toward overdue support in an amount equal to 25% of the obligor's current monthly child support obligation as long as the obligor is receiving income; and

"(4) That failure to comply with the agreed to payment schedule shall result in the denial of an issuance or renewal, or a revocation, of the obligor's registration or license.

"(d) The Mayor shall provide the obligor with the opportunity to demonstrate why his or her registration or license should not be denied or revoked under this section. The only issues to be determined are as follows:

"(1) Whether the person named in the court notice is a licensee or applicant, has his or her car registered in the District of Columbia, and seeks to have a car registration issued or renewed;

"(2) Whether the arrearage has been paid in full, or whether a payment schedule has been agreed to and complied with;

"(3) Whether the obligor is currently receiving income; and

"(4) Whether the driver's license or car registration or professional or business license should be revoked, or the issuance or renewal should be denied.

"(e) If the Clerk of the Court has notified the Mayor that an obligor is receiving income and owes overdue child support in an amount equal to at least 60 days of support, and the obligor presents no evidence under subsection (d) of this section that the arrearage has been paid in full, or that a payment schedule has been agreed to and complied with, the obligor's license or registration shall be revoked, or the request for the issuance or renewal of a license or registration shall be denied.

"(f) If the obligor under this act is a member of the District of Columbia Bar, the Clerk of the Court shall send written notice to the Board of Professional Responsibility so that appropriate action may be taken."

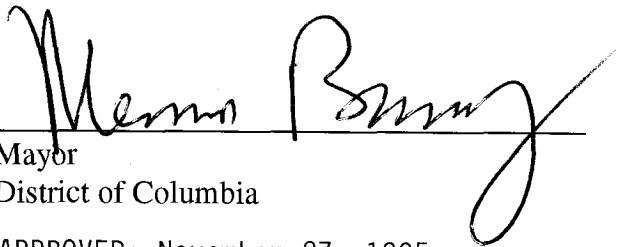
ENROLLED ORIGINAL

Sec. 4. Enactment of this act should have a positive fiscal impact. The District retains 50% of all monies collected for child support on behalf of Aid to Families with Dependent Children recipients, which totaled \$4,627,506 in FY 1994. Furthermore, the federal government makes incentive payments to the District for cost-effective child support collection programs. In FY 1994, the District received \$1,085,000 as incentive payments from the federal government. Increasing the District's ability to increase child support collections by the enactment of this act should increase the amount of revenue the child support program generates for the District, and reduce the number of children living in poverty.

Sec. 5. This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), approval by the Financial Responsibility and Management Assistance Authority as provided in section 203(a) of the District of Columbia Financial Responsibility and Management Assistance Authority Act of 1995, approved April 17, 1995 (109 Stat. 116; D.C. Code § 47-392.3(c)), and a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Self-Government and Governmental Reorganization Act, approved December 24, 1973 (87 Stat. 813; D.C. Code § 1-233(c)(1)), and publication in the District of Columbia Register.



Chairman
Council of the District of Columbia



Mayor
District of Columbia

APPROVED: November 27, 1995



COUNCIL OF THE DISTRICT OF COLUMBIA

COUNCIL PERIOD ELEVEN

RECORD OF OFFICIAL COUNCIL VOTE

Docket No.

B11-225

[] ITEM ON CONSENT CALENDAR

X) ACTION & DATE ADOPTED FIRST READING, 10-10-95

X) VOICE VOTE APPROVED, CHAIRMAN CLARKE VOTED YES, BRAZIL VOTED NO
RECORDED VOTE ON REQUEST

ABSENT EVANS AND RAY

[] ROLL CALL VOTE - Result _____

| Councilmember | Aye | Nay | NV | AB | Councilmember | Aye | Nay | NV | AB | Councilmember | Aye | Nay | NV | AB |
|---------------|-----|-----|----|----|---------------|-----|-----|----|----|---------------|-----|-----|----|----|
| Chmn. Clarke | | | | | Jarvis | | | | | Smith, Jr. | | | | |
| Brazil | | | | | Lightfoot | | | | | Thomas, Sr. | | | | |
| Chavous | | | | | Mason | | | | | Whittington | | | | |
| Cropp | | | | | Patterson | | | | | | | | | |
| Evans | | | | | Ray | | | | | | | | | |

X - Indicates Vote

AB - Absent

NV - Present not Voting

CERTIFICATION RECORD

Charles J. ...
Secretary to the Council

November 9, 1995
Date

[] ITEM ON CONSENT CALENDAR

X) ACTION & DATE ADOPTED FINAL READING, 11-07-95

X) VOICE VOTE APPROVED
RECORDED VOTE ON REQUEST

ABSENT JARVIS AND THOMAS

[] ROLL CALL VOTE - Result _____

| Councilmember | Aye | Nay | NV | AB | Councilmember | Aye | Nay | NV | AB | Councilmember | Aye | Nay | NV | AB |
|---------------|-----|-----|----|----|---------------|-----|-----|----|----|---------------|-----|-----|----|----|
| Chmn. Clarke | | | | | Jarvis | | | | | Smith, Jr. | | | | |
| Brazil | | | | | Lightfoot | | | | | Thomas, Sr. | | | | |
| Chavous | | | | | Mason | | | | | Whittington | | | | |
| Cropp | | | | | Patterson | | | | | | | | | |
| Evans | | | | | Ray | | | | | | | | | |

X-indicates no

AB-Absent

NV-Present not voting

CERTIFICATION RECORD

Charles J. ...
Secretary to the Council

November 9, 1995
Date

[] ITEM ON CONSENT CALENDAR

[] ACTION & DATE _____

[] VOICE VOTE _____
RECORDED VOTE ON REQUEST

ABSENT _____

[] ROLL CALL VOTE - Result _____

| Councilmember | Aye | Nay | NV | AB | Councilmember | Aye | Nay | NV | AB | Councilmember | Aye | Nay | NV | AB |
|---------------|-----|-----|----|----|---------------|-----|-----|----|----|---------------|-----|-----|----|----|
| Chmn. Clarke | | | | | Jarvis | | | | | Smith, Jr. | | | | |
| Brazil | | | | | Lightfoot | | | | | Thomas, Sr. | | | | |
| Chavous | | | | | Mason | | | | | Whittington | | | | |
| Cropp | | | | | Patterson | | | | | | | | | |
| Evans | | | | | Ray | | | | | | | | | |

X - Indicates Vote

AB - Absent

NV - Present not Voting

CERTIFICATION RECORD

Secretary to the Council

Date