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TESTIMONY ON HOUSE BILL 3158
For the Senate Judiciary Committee
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Presented by:

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This testimony is presented in support of House Bill 3158.

How This Bill Changes Current Law

HB 3158 allows the Child Support Program and the courts to treat a later-issued court judgment as superseding the support provisions of an earlier issued administrative order. The later-issued court judgment will have the effect of terminating the earlier order on entry, rather than requiring a lengthy governing process and arrears reconciliation. Current law only allows the later-issued judgment to supersede if it was entered before January 1, 2004.

Key Points of Legislation

➢ Allows parties to rely on the effectiveness of their judicial actions and prevents inequitable and unintended arrears accumulations.

➢ Removes the requirement that the later-issued judgment have been entered before January 1, 2004.

➢ Retains the ability for the Program to enter a governing child support judgment if there is a reason that the later judicial order should not control (for example, the later judgment is intended to defer to the existing order but includes boilerplate health insurance language).

Fiscal Impact

There is no fiscal impact from this bill.

Fiscal Benefits

This bill will save time and reduce workload for the courts and the Child Support Program.

Recommended Action

The Department of Justice recommends committee approval of House Bill 3158 because it allows prompt enforcement of the most recent order entered by the parties without the need for an unnecessary lengthy legal action to determine which order governs.