
SENATE BILL NO. 34—COMMITTEE ON JUDICIARY

(ON BEHALF OF THE DIVISION OF WELFARE AND
SUPPORTIVE SERVICES OF THE DEPARTMENT
OF HEALTH AND HUMAN SERVICES)

PREFILED NOVEMBER 16, 2016

Referred to Committee on Judiciary

SUMMARY—Makes various changes relating to the support of children. (BDR 11-256)

FISCAL NOTE: Effect on Local Government: Increases or Newly Provides for Term of Imprisonment in County or City Jail or Detention Facility.
Effect on the State: Yes.

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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 the support of children; creating the Committee to Review Child Support Guidelines; requiring the Committee to review quadrennially the support guidelines established in this State and submit any recommendations for revision to the Administrator of the Division of Welfare and Supportive Services of the Department of Health and Human Services; requiring the Administrator to adopt regulations establishing support guidelines; repealing provisions relating to the calculation of support upon the adoption of such regulations; removing provisions exempting certain recreational licenses, certificates or permits of certain persons from suspension for nonpayment; authorizing the suspension of the registration of each motor vehicle registered to or owned by certain persons for nonpayment; imposing a fee for reinstatement of a suspended registration; imposing certain requirements on providers of insurance relating to certain claimants owing past-due support; providing a penalty; and providing other matters properly relating thereto.



* S B 3 4 *

Legislative Counsel's Digest:

1 Existing federal law and regulations require each state to establish child support
2 guidelines and review such guidelines at least once every 4 years to ensure that the
3 application of such guidelines results in appropriate awards of child support. (42
4 U.S.C. § 667(a), 45 C.F.R. § 302.56(e)) Existing federal regulations also establish
5 minimum standards for such guidelines. (45 C.F.R. § 302.56(c)) Existing Nevada
6 law establishes the general formula used to calculate child support and sets forth
7 several other related provisions. (NRS 125B.070, 125B.080, 125B.085, 125B.095)

8 **Section 7** of this bill creates the Committee to Review Child Support
9 Guidelines, and **section 8** of this bill requires the Committee to review the existing
10 child support guidelines established in this State and provide any recommendations
11 for revisions to the Administrator of the Division of Welfare and Supportive
12 Services of the Department of Health and Human Services not later than July 1,
13 2018. **Section 8** requires the Administrator to review and consider any
14 recommendations of the Committee and, after reviewing and considering such
15 recommendations, to adopt regulations establishing the child support guidelines in
16 this State. **Section 8** also requires the Committee to review the guidelines at least
17 once every 4 years. **Section 20** of this bill repeals the provisions of existing law
18 establishing the general formula for calculating child support and certain related
19 provisions, and **section 21** of this bill provides that the repeal of such provisions
20 becomes effective on the effective date of the regulations adopted by the
21 Administrator establishing child support guidelines pursuant to **section 8**. **Sections**
22 **1-3, 9-11 and 14** of this bill make conforming changes that are also effective upon
23 the effective date of the adopted regulations.

24 Existing law requires a district court to provide to the Secretary of State and all
25 agencies that issue professional, occupational or recreational licenses, certificates or
26 permits a copy of an order determining that a person: (1) has failed to comply with
27 a subpoena or warrant relating to a proceeding to determine the paternity of a child
28 or to establish or enforce an obligation for the support of a child; or (2) is in arrears
29 in the payment for the support of one or more children. The order must provide that
30 if the person does not submit certain proof of compliance with the subpoena or
31 warrant or satisfaction of the arrearage to the Secretary of State or any agency that
32 has issued such a license, certificate or permit to that person, as applicable, the state
33 business registration and any professional, occupational or recreational licenses
34 issued to the person will be automatically suspended. Existing law also provides
35 that such an order does not apply to a license, certificate or permit issued by the
36 Department of Wildlife or the State Land Registrar that expires less than 6 months
37 after it is issued. (NRS 425.540) **Section 13** of this bill removes the exception for
38 such licenses, certificates or permits issued by the Department of Wildlife or the
39 State Land Registrar. **Sections 4, 17 and 18** of this bill make conforming changes.

40 Existing law provides, in certain circumstances, for the suspension of the
41 driver's license and motorcycle driver's license of a person who: (1) has failed to
42 comply with a subpoena or warrant relating to a proceeding to determine the
43 paternity of a child or to establish or enforce an obligation for the support of a
44 child; or (2) is in arrears in the payment for the support of one or more children.
45 (NRS 425.510, 483.443, 486.165) **Sections 12 and 15** of this bill additionally
46 authorize the suspension of the registration of each motor vehicle that is registered
47 to or owned by such a person. **Section 15** requires a person whose registration is
48 suspended to return the certificate of registration and the license plates to the
49 Department of Motor Vehicles. **Section 15** also requires the Department to reinstate
50 the registration of a motor vehicle that was suspended and reissue the license plates
51 of the motor vehicle upon receiving: (1) certain proof that the person has complied
52 with the subpoena or warrant or has satisfied the arrearage; and (2) payment of a
53 fee for the reinstatement of the registration. **Section 16** of this bill provides that
54 such a fee is \$33.



55 **Section 19** of this bill adds a new section to the Nevada Insurance Code (title
56 57 of NRS) that requires every provider of insurance, as a condition of being able
57 to conduct business in this State, to exchange information with a program
58 established by the Division not less than 30 days before making any payment of
59 \$500 or more pursuant to a policy for the purpose of verifying whether the claimant
60 owes debt for support to the Division or to a person receiving services from the
61 Program established to locate absent parents, establish paternity and obtain child
62 support. If a provider of insurance is notified that the claimant owes any such debt
63 for support, the provider is required, upon receipt of a notice identifying the amount
64 of debt owed, to: (1) withhold from payment on the claim the amount specified in
65 the notice; and (2) remit the amount withheld from payment to the Division, its
66 designated representative or the prosecuting attorney within 30 days. If a provider
67 of insurance withholds and remits any such funds, the provider is required to notify
68 the claimant of that fact. Existing law provides that every violation of any provision
69 of the Nevada Insurance Code is a misdemeanor. (NRS 679A.180)

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

1 **Section 1.** NRS 125.150 is hereby amended to read as follows:
2 125.150 Except as otherwise provided in NRS 125.155 and
3 125.165, and unless the action is contrary to a premarital agreement
4 between the parties which is enforceable pursuant to chapter 123A
5 of NRS:
6 1. In granting a divorce, the court:
7 (a) May award such alimony to the wife or to the husband, in a
8 specified principal sum or as specified periodic payments, as
9 appears just and equitable; and
10 (b) Shall, to the extent practicable, make an equal disposition of
11 the community property of the parties, except that the court may
12 make an unequal disposition of the community property in such
13 proportions as it deems just if the court finds a compelling reason to
14 do so and sets forth in writing the reasons for making the unequal
15 disposition.
16 2. Except as otherwise provided in this subsection, in granting
17 a divorce, the court shall dispose of any property held in joint
18 tenancy in the manner set forth in subsection 1 for the disposition of
19 community property. If a party has made a contribution of separate
20 property to the acquisition or improvement of property held in joint
21 tenancy, the court may provide for the reimbursement of that party
22 for his or her contribution. The amount of reimbursement must not
23 exceed the amount of the contribution of separate property that can
24 be traced to the acquisition or improvement of property held in joint
25 tenancy, without interest or any adjustment because of an increase in
26 the value of the property held in joint tenancy. The amount of
27 reimbursement must not exceed the value, at the time of the
28 disposition, of the property held in joint tenancy for which the



1 contribution of separate property was made. In determining whether
2 to provide for the reimbursement, in whole or in part, of a party who
3 has contributed separate property, the court shall consider:

4 (a) The intention of the parties in placing the property in joint
5 tenancy;

6 (b) The length of the marriage; and

7 (c) Any other factor which the court deems relevant in making a
8 just and equitable disposition of that property.

9 ➔ As used in this subsection, "contribution" includes, without
10 limitation, a down payment, a payment for the acquisition or
11 improvement of property, and a payment reducing the principal of a
12 loan used to finance the purchase or improvement of property. The
13 term does not include a payment of interest on a loan used to finance
14 the purchase or improvement of property, or a payment made for
15 maintenance, insurance or taxes on property.

16 3. A party may file a postjudgment motion in any action for
17 divorce, annulment or separate maintenance to obtain adjudication
18 of any community property or liability omitted from the decree or
19 judgment as the result of fraud or mistake. A motion pursuant to this
20 subsection must be filed within 3 years after the discovery by the
21 aggrieved party of the facts constituting the fraud or mistake. The
22 court has continuing jurisdiction to hear such a motion and shall
23 equally divide the omitted community property or liability between
24 the parties unless the court finds that:

25 (a) The community property or liability was included in a prior
26 equal disposition of the community property of the parties or in an
27 unequal disposition of the community property of the parties which
28 was made pursuant to written findings of a compelling reason for
29 making that unequal disposition; or

30 (b) The court determines a compelling reason in the interests of
31 justice to make an unequal disposition of the community property or
32 liability and sets forth in writing the reasons for making the unequal
33 disposition.

34 ➔ If a motion pursuant to this subsection results in a judgment
35 dividing a defined benefit pension plan, the judgment may not be
36 enforced against an installment payment made by the plan more
37 than 6 years after the installment payment.

38 4. Except as otherwise provided in NRS 125.141, whether or
39 not application for suit money has been made under the provisions
40 of NRS 125.040, the court may award a reasonable attorney's fee to
41 either party to an action for divorce.

42 5. In granting a divorce, the court may also set apart such
43 portion of the husband's separate property for the wife's support, the
44 wife's separate property for the husband's support or the separate



1 property of either spouse for the support of their children as is
2 deemed just and equitable.

3 6. In the event of the death of either party or the subsequent
4 remarriage of the spouse to whom specified periodic payments were
5 to be made, all the payments required by the decree must cease,
6 unless it was otherwise ordered by the court.

7 7. If the court adjudicates the property rights of the parties, or
8 an agreement by the parties settling their property rights has been
9 approved by the court, whether or not the court has retained
10 jurisdiction to modify them, the adjudication of property rights, and
11 the agreements settling property rights, may nevertheless at any time
12 thereafter be modified by the court upon written stipulation signed
13 and acknowledged by the parties to the action, and in accordance
14 with the terms thereof.

15 8. If a decree of divorce, or an agreement between the parties
16 which was ratified, adopted or approved in a decree of divorce,
17 provides for specified periodic payments of alimony, the decree or
18 agreement is not subject to modification by the court as to accrued
19 payments. Payments pursuant to a decree entered on or after July 1,
20 1975, which have not accrued at the time a motion for modification
21 is filed may be modified upon a showing of changed circumstances,
22 whether or not the court has expressly retained jurisdiction for the
23 modification. In addition to any other factors the court considers
24 relevant in determining whether to modify the order, the court shall
25 consider whether the income of the spouse who is ordered to pay
26 alimony, as indicated on the spouse's federal income tax return for
27 the preceding calendar year, has been reduced to such a level that
28 the spouse is financially unable to pay the amount of alimony the
29 spouse has been ordered to pay.

30 9. In addition to any other factors the court considers relevant
31 in determining whether to award alimony and the amount of such an
32 award, the court shall consider:

33 (a) The financial condition of each spouse;

34 (b) The nature and value of the respective property of each
35 spouse;

36 (c) The contribution of each spouse to any property held by the
37 spouse pursuant to NRS 123.030;

38 (d) The duration of the marriage;

39 (e) The income, earning capacity, age and health of each spouse;

40 (f) The standard of living during the marriage;

41 (g) The career before the marriage of the spouse who would
42 receive the alimony;

43 (h) The existence of specialized education or training or the
44 level of marketable skills attained by each spouse during the
45 marriage;



1 (i) The contribution of either spouse as homemaker;
2 (j) The award of property granted by the court in the divorce,
3 other than child support and alimony, to the spouse who would
4 receive the alimony; and

5 (k) The physical and mental condition of each party as it relates
6 to the financial condition, health and ability to work of that spouse.

7 10. In granting a divorce, the court shall consider the need to
8 grant alimony to a spouse for the purpose of obtaining training or
9 education relating to a job, career or profession. In addition to any
10 other factors the court considers relevant in determining whether
11 such alimony should be granted, the court shall consider:

12 (a) Whether the spouse who would pay such alimony has
13 obtained greater job skills or education during the marriage; and

14 (b) Whether the spouse who would receive such alimony
15 provided financial support while the other spouse obtained job skills
16 or education.

17 11. If the court determines that alimony should be awarded
18 pursuant to the provisions of subsection 10:

19 (a) The court, in its order, shall provide for the time within
20 which the spouse who is the recipient of the alimony must
21 commence the training or education relating to a job, career or
22 profession.

23 (b) The spouse who is ordered to pay the alimony may, upon
24 changed circumstances, file a motion to modify the order.

25 (c) The spouse who is the recipient of the alimony may be
26 granted, in addition to any other alimony granted by the court,
27 money to provide for:

28 (1) Testing of the recipient's skills relating to a job, career or
29 profession;

30 (2) Evaluation of the recipient's abilities and goals relating to
31 a job, career or profession;

32 (3) Guidance for the recipient in establishing a specific plan
33 for training or education relating to a job, career or profession;

34 (4) Subsidization of an employer's costs incurred in training
35 the recipient;

36 (5) Assisting the recipient to search for a job; or

37 (6) Payment of the costs of tuition, books and fees for:

38 (I) The equivalent of a high school diploma;

39 (II) College courses which are directly applicable to the
40 recipient's goals for his or her career; or

41 (III) Courses of training in skills desirable for
42 employment.

43 12. For the purposes of this section, a change of 20 percent or
44 more in the gross monthly income of a spouse who is ordered to pay
45 alimony shall be deemed to constitute changed circumstances



1 requiring a review for modification of the payments of alimony. As
2 used in this subsection, "gross monthly income" ~~has the meaning~~
3 ~~ascribed to it in NRS 125B.070.~~ *means the total amount of income*
4 *received each month from any source of a person who is not self-*
5 *employed or the gross income from any source of a self-employed*
6 *person, after deduction of all legitimate business expenses, but*
7 *without deduction for personal income taxes, contributions for*
8 *retirement benefits, contributions to a pension or for any other*
9 *personal expenses.*

10 **Sec. 2.** NRS 125B.080 is hereby amended to read as follows:
11 125B.080 ~~{Except as otherwise provided in NRS 425.450:~~

12 ~~— 1.} A court of this State shall apply the {appropriate formula set~~
13 ~~forth in NRS 125B.070} *guidelines established by the*~~
14 ~~*Administrator of the Division of Welfare and Supportive Services*~~
15 ~~*of the Department of Health and Human Services pursuant to*~~
16 ~~*section 8 of this act to:*~~

17 ~~{(a)} 1.~~ Determine the required support in any case involving
18 the support of children ~~†~~

19 ~~— (b) Any request filed after July 1, 1987, to change† ; or~~

20 ~~2.~~ *Change* the amount of the required support of children.

21 ~~†2.— If the parties agree as to the amount of support required, the~~
22 ~~parties shall certify that the amount of support is consistent with the~~
23 ~~appropriate formula set forth in NRS 125B.070. If the amount of~~
24 ~~support deviates from the formula, the parties must stipulate~~
25 ~~sufficient facts in accordance with subsection 9 which justify the~~
26 ~~deviation to the court, and the court shall make a written finding~~
27 ~~thereon. Any inaccuracy or falsification of financial information~~
28 ~~which results in an inappropriate award of support is grounds for a~~
29 ~~motion to modify or adjust the award.~~

30 ~~— 3.— If the parties disagree as to the amount of the gross monthly~~
31 ~~income of either party, the court shall determine the amount and~~
32 ~~may direct either party to furnish financial information or other~~
33 ~~records, including income tax returns for the preceding 3 years.~~
34 ~~Once a court has established an obligation for support by reference~~
35 ~~to a formula set forth in NRS 125B.070, any subsequent~~
36 ~~modification or adjustment of that support, except for any~~
37 ~~modification or adjustment made pursuant to subsection 3 of NRS~~
38 ~~125B.070 or NRS 425.450 or as a result of a review conducted~~
39 ~~pursuant to subsection 1 of NRS 125B.145, must be based upon~~
40 ~~changed circumstances.~~

41 ~~— 4.— Notwithstanding the formulas set forth in NRS 125B.070,~~
42 ~~the minimum amount of support that may be awarded by a court in~~
43 ~~any case is \$100 per month per child, unless the court makes a~~
44 ~~written finding that the obligor is unable to pay the minimum~~
45 ~~amount. Willful underemployment or unemployment is not a~~



1 ~~sufficient cause to deviate from the awarding of at least the~~
2 ~~minimum amount.~~

3 ~~—5. It is presumed that the basic needs of a child are met by the~~
4 ~~formulas set forth in NRS 125B.070. This presumption may be~~
5 ~~rebutted by evidence proving that the needs of a particular child are~~
6 ~~not met by the applicable formula.~~

7 ~~—6. If the amount of the awarded support for a child is greater or~~
8 ~~less than the amount which would be established under the~~
9 ~~applicable formula, the court shall:~~

10 ~~—(a) Set forth findings of fact as to the basis for the deviation~~
11 ~~from the formula; and~~

12 ~~—(b) Provide in the findings of fact the amount of support that~~
13 ~~would have been established under the applicable formula.~~

14 ~~—7. Expenses for health care which are not reimbursed,~~
15 ~~including expenses for medical, surgical, dental, orthodontic and~~
16 ~~optical expenses, must be borne equally by both parents in the~~
17 ~~absence of extraordinary circumstances.~~

18 ~~—8. If a parent who has an obligation for support is willfully~~
19 ~~underemployed or unemployed to avoid an obligation for support of~~
20 ~~a child, that obligation must be based upon the parent's true~~
21 ~~potential earning capacity.~~

22 ~~—9. The court shall consider the following factors when~~
23 ~~adjusting the amount of support of a child upon specific findings of~~
24 ~~fact:~~

25 ~~—(a) The cost of health insurance;~~

26 ~~—(b) The cost of child care;~~

27 ~~—(c) Any special educational needs of the child;~~

28 ~~—(d) The age of the child;~~

29 ~~—(e) The legal responsibility of the parents for the support of~~
30 ~~others;~~

31 ~~—(f) The value of services contributed by either parent;~~

32 ~~—(g) Any public assistance paid to support the child;~~

33 ~~—(h) Any expenses reasonably related to the mother's pregnancy~~
34 ~~and confinement;~~

35 ~~—(i) The cost of transportation of the child to and from visitation~~
36 ~~if the custodial parent moved with the child from the jurisdiction of~~
37 ~~the court which ordered the support and the noncustodial parent~~
38 ~~remained;~~

39 ~~—(j) The amount of time the child spends with each parent;~~

40 ~~—(k) Any other necessary expenses for the benefit of the child;~~
41 ~~and~~

42 ~~—(l) The relative income of both parents.}~~

43 **Sec. 3.** NRS 125B.145 is hereby amended to read as follows:

44 125B.145 1. An order for the support of a child must, upon
45 the filing of a request for review by:



1 (a) The Division of Welfare and Supportive Services of the
2 Department of Health and Human Services, its designated
3 representative or the district attorney, if the Division of Welfare and
4 Supportive Services or the district attorney has jurisdiction in the
5 case; or

6 (b) A parent or legal guardian of the child,
7 ↪ be reviewed by the court at least every 3 years pursuant to this
8 section to determine whether the order should be modified or
9 adjusted. Each review conducted pursuant to this section must be in
10 response to a separate request.

11 2. If the court:

12 (a) Does not have jurisdiction to modify the order, the court may
13 forward the request to any court with appropriate jurisdiction.

14 (b) Has jurisdiction to modify the order and, taking into account
15 the best interests of the child, determines that modification or
16 adjustment of the order is appropriate, the court shall enter an order
17 modifying or adjusting the previous order for support in accordance
18 with the ~~requirements of NRS 125B.070 and 125B.080~~ *guidelines*
19 *established by the Administrator of the Division of Welfare and*
20 *Supportive Services of the Department of Health and Human*
21 *Services pursuant to section 8 of this act.*

22 3. The court shall ensure that:

23 (a) Each person who is subject to an order for the support of a
24 child is notified, not less than once every 3 years, that the person
25 may request a review of the order pursuant to this section; or

26 (b) An order for the support of a child includes notification that
27 each person who is subject to the order may request a review of the
28 order pursuant to this section.

29 4. An order for the support of a child may be reviewed at any
30 time on the basis of changed circumstances. For the purposes of this
31 subsection, a change of 20 percent or more in the gross monthly
32 income of a person who is subject to an order for the support of a
33 child shall be deemed to constitute changed circumstances requiring
34 a review for modification of the order for the support of a child.

35 5. As used in this section:

36 (a) "Gross monthly income" has the meaning ascribed to it in
37 NRS ~~125B.070~~ *125.150*.

38 (b) "Order for the support of a child" means such an order that
39 was issued or is being enforced by a court of this State.

40 **Sec. 4.** NRS 322.1005 is hereby amended to read as follows:

41 322.1005 1. If the State Land Registrar receives a copy of a
42 court order issued pursuant to NRS 425.540 that provides for the
43 suspension of all professional, occupational and recreational
44 licenses, certificates and permits issued to a person who is the
45 holder of a permit, license or other authorization to use state land or



1 state facilities for a recreational purpose, the State Land Registrar
2 shall ~~if the permit does not expire less than 6 months after it is~~
3 ~~issued,~~ deem the permit, license or other authorization issued to
4 that person to be suspended at the end of the 30th day after the date
5 on which the court order was issued unless the State Land Registrar
6 receives a letter issued to the holder of the permit, license or other
7 authorization by the district attorney or other public agency pursuant
8 to NRS 425.550 stating that the holder of the permit, license or other
9 authorization has complied with the subpoena or warrant or has
10 satisfied the arrearage pursuant to NRS 425.560.

11 2. The State Land Registrar shall reinstate a permit, license or
12 other authorization to use state land or state facilities for a
13 recreational purpose that has been suspended by a district court
14 pursuant to NRS 425.540 if the State Land Registrar receives a letter
15 issued by the district attorney or other public agency pursuant to
16 NRS 425.550 to the person whose permit, license or other
17 authorization was suspended stating that the person whose permit,
18 license or other authorization was suspended has complied with the
19 subpoena or warrant or has satisfied the arrearage pursuant to
20 NRS 425.560.

21 **Sec. 5.** Chapter 425 of NRS is hereby amended by adding
22 thereto the provisions set forth as sections 6, 7 and 8 of this act.

23 **Sec. 6.** *As used in sections 6, 7 and 8 of this act,*
24 *“Committee” means the Committee to Review Child Support*
25 *Guidelines.*

26 **Sec. 7. 1.** *The Committee to Review Child Support*
27 *Guidelines is hereby created. The Committee consists of:*

28 *(a) The presiding judge of the Family Division of the Second*
29 *Judicial District Court or his or her designee;*

30 *(b) The presiding judge of the Family Division of the Eighth*
31 *Judicial District Court or his or her designee;*

32 *(c) One member who is a district court judge or master from a*
33 *judicial district other than the Second or Eighth Judicial District,*
34 *appointed by the Chief Justice of the Supreme Court;*

35 *(d) One member who is a justice or retired justice of the*
36 *Supreme Court, appointed by the Chief Justice of the Supreme*
37 *Court;*

38 *(e) One member who is a district attorney in Clark County,*
39 *appointed by the governing body of the Nevada District Attorneys*
40 *Association;*

41 *(f) One member who is a district attorney in Washoe County,*
42 *appointed by the governing body of the Nevada District Attorneys*
43 *Association;*



1 (g) One member who is a district attorney in a county other
2 than Clark or Washoe County, appointed by the governing body of
3 the Nevada District Attorneys Association;

4 (h) Two members who are members of the Family Law Section
5 of the State Bar of Nevada, appointed by the Executive Council of
6 the Family Law Section;

7 (i) One member who is an employee of the Division, appointed
8 by the Administrator;

9 (j) One member who has expertise in economics and child
10 support, appointed by the Administrator;

11 (k) Two members who are Senators, one of whom is appointed
12 by the Majority Leader of the Senate and one of whom is
13 appointed by the Minority Leader of the Senate; and

14 (l) Two members who are members of the Assembly, one of
15 whom is appointed by the Speaker of the Assembly and one of
16 whom is appointed by the Minority Leader of the Assembly.

17 ↪ If any association listed in this subsection ceases to exist, the
18 appointment required by this subsection must be made by the
19 association's successor in interest or, if there is no successor in
20 interest, by the Governor.

21 2. Each appointed member serves a term of 4 years. Members
22 may be reappointed for additional terms of 4 years in the same
23 manner as the original appointments. Any vacancy occurring in
24 the membership of the Committee must be filled in the same
25 manner as the original appointment not later than 30 days after
26 the vacancy occurs.

27 3. The Legislators who are members of the Committee are
28 entitled to receive the salary provided for a majority of the
29 members of the Legislature during the first 60 days of the
30 preceding session for each day's attendance at a meeting of
31 the Committee.

32 4. At the first regular meeting every 4 years, the members of
33 the Committee shall elect a Chair by majority vote who shall serve
34 until the next Chair is elected.

35 5. The Committee shall meet at least once every 4 years and
36 may meet at such further times as deemed necessary by the Chair.

37 6. A majority of the members of the Committee constitutes a
38 quorum for the transaction of business, and a majority of those
39 members present at any meeting is sufficient for any official
40 action taken by the Committee.

41 **Sec. 8. I.** Not later than July 1, 2018, the Committee shall
42 review the existing guidelines established in this State for the
43 support of one or more children and provide any
44 recommendations for revisions to the Administrator.



1 2. *The Administrator shall review and consider any*
2 *recommendations of the Committee to revise the guidelines. After*
3 *reviewing and considering such recommendations, the*
4 *Administrator shall adopt regulations establishing the guidelines*
5 *in this State for the support of one or more children in accordance*
6 *with the requirements set forth in 42 U.S.C. § 667 and 45 C.F.R.*
7 *§ 302.56.*

8 3. *In accordance with the provisions of 42 U.S.C. § 667(a)*
9 *and 45 C.F.R. § 302.56(e), the Committee shall review the*
10 *guidelines established by regulation pursuant to subsection 2 at*
11 *least once every 4 years to ensure the maintenance of effective,*
12 *efficient and appropriate guidelines that best serve the interests of*
13 *the children of this State and that comply with any requirements*
14 *set forth in federal law.*

15 4. *After each review of the guidelines by the Committee*
16 *pursuant to subsection 3, the Committee shall provide any*
17 *recommendations for revisions to the Administrator. The*
18 *Administrator shall review and consider any such*
19 *recommendations and may revise or adopt any regulations that the*
20 *Administrator deems appropriate.*

21 5. *The Administrator shall ensure that any recommendations*
22 *for revisions to the guidelines received from the Committee*
23 *pursuant to this section are made available to the public.*

24 **Sec. 9.** NRS 425.360 is hereby amended to read as follows:

25 425.360 1. Any payment of public assistance pursuant to this
26 chapter creates a debt for support to the Division by the responsible
27 parent, whether or not the parent received prior notice that the child
28 of the parent was receiving public assistance.

29 2. The Division is entitled to the amount to which a dependent
30 child or a person having the care, custody and control of a
31 dependent child would have been entitled for support, to the extent
32 of the assignment of those rights to support pursuant to NRS
33 425.350, and may prosecute or maintain any action for support or
34 execute any administrative remedy existing under the laws of this
35 State to obtain reimbursement of money expended for public
36 assistance from any liable third party, including an insurer, group
37 health plan as defined in section 607(1) of the Employee Retirement
38 Income Security Act of 1974, 29 U.S.C.A. § 1167(1), service
39 benefit plan, self-insured plan or health maintenance organization. If
40 a court enters judgment for an amount of support to be paid by a
41 responsible parent, the Division is entitled to the amount of the debt
42 created by that judgment to the extent of the assignment of rights to
43 support pursuant to NRS 425.350, and the judgment awarded shall
44 be deemed to be in favor of the Division to that extent. This
45 entitlement applies to, but is not limited to, a temporary order for



1 spousal support, a family maintenance order or an alimony order,
2 whether or not allocated to the benefit of the child on the basis of
3 providing necessaries for the caretaker of the child, up to the amount
4 paid by the Division in public assistance to or for the benefit of a
5 dependent child. The Division may petition the appropriate court for
6 modification of its order on the same grounds as a party to the
7 action.

8 3. If there is no court order for support, or if the order provides
9 that no support is due but the facts on which the order was based
10 have changed, the amount due is the amount computed pursuant to
11 ~~NRS 125B.070 and 125B.080,~~ *the guidelines established by the*
12 *Administrator pursuant to section 8 of this act*, using the Nevada
13 average wage, determined by the Employment Security Division of
14 the Department of Employment, Training and Rehabilitation, if the
15 gross income of the responsible parent cannot be otherwise
16 ascertained.

17 4. Debts for support may not be incurred by a parent or any
18 other person who is the recipient of public assistance for the benefit
19 of a dependent child for the period when the parent or other person
20 is a recipient.

21 5. If a state agency is assigned any rights of a dependent child
22 or a person having the care, custody and control of a dependent
23 child who is eligible for medical assistance under Medicaid, the
24 person having the care, custody and control of the dependent child
25 shall, upon request of the state agency, provide to the state agency
26 information regarding the dependent child or a person having the
27 care, custody and control of a dependent child to determine:

28 (a) Any period during which the dependent child or a person
29 having the care, custody and control of a dependent child may be or
30 may have been covered by an insurer; and

31 (b) The nature of any coverage that is or was provided by the
32 insurer, including, without limitation, the name and address of the
33 insured dependent child or a person having the care, custody and
34 control of a dependent child and the identifying number of the
35 policy, evidence of coverage or contract.

36 **Sec. 10.** NRS 425.3824 is hereby amended to read as follows:

37 425.3824 1. The notice and finding of financial responsibility
38 issued pursuant to NRS 425.3822 must include:

39 (a) The name of the person who has physical custody of the
40 dependent child and the name of the child for whom support is to be
41 paid.

42 (b) A statement of the monthly support for which the parent is
43 responsible.

44 (c) A statement of the amount of arrearages sought, if any.



1 (d) A statement that the parent may be required to provide
2 coverage for the health care of the dependent child when coverage is
3 available to the parent at a reasonable cost.

4 (e) A statement of any requirements the Division will request
5 pursuant to subparagraph (14) of paragraph (b) of subsection 2 of
6 NRS 425.382, regarding a plan for the payment of support by the
7 parent or the participation of the parent in work activities.

8 (f) A statement that if the parent desires to discuss the amount of
9 support or coverage for health care that the parent should be
10 required to pay or provide, the parent may contact the office that
11 sent the notice within 20 days after the date of receipt of service and
12 request a conference for negotiation.

13 (g) A statement that if the parent objects to any part of the notice
14 and finding of financial responsibility, the parent must send to the
15 office that issued the notice a written response within 20 days after
16 the date of receipt of service that sets forth any objections and
17 requests a hearing.

18 (h) A statement that if a response is received within the specified
19 period, the parent is entitled to a hearing and that if a written
20 response is not received within the specified period, the master may
21 enter a recommendation for support of a dependent child in
22 accordance with the notice and finding of financial responsibility.

23 (i) A statement that as soon as the recommendation is entered
24 and approved by the court, the property of the parent is subject to an
25 attachment or other procedure for collection, including, but not
26 limited to, withholding of wages, garnishment, liens and execution
27 on liens.

28 (j) A reference to NRS 425.382 to 425.3852, inclusive.

29 (k) A statement that the parent is responsible for notifying the
30 office of any change of address or employment.

31 (l) A statement that if the parent has any questions, the parent
32 may contact the office or consult an attorney.

33 (m) Such other information as the Chief finds appropriate.

34 2. The statement of the monthly support required pursuant to
35 paragraph (b) of subsection 1 must be computed in accordance with
36 ~~NRS-125B.070-1~~ *the guidelines established by the Administrator*
37 *pursuant to section 8 of this act.*

38 3. After a conference for negotiation is held pursuant to
39 paragraph (f) of subsection 1, if an agreement is not reached on the
40 monthly support to be paid or the coverage to be provided, a hearing
41 must be held pursuant to NRS 425.3832 and notice of the hearing
42 must be sent to the parent by regular mail at the last known address
43 of the parent or to the last known address of the attorney for the
44 parent.



1 **Sec. 11.** NRS 425.450 is hereby amended to read as follows:

2 425.450 1. The Division shall adopt regulations establishing
3 a formula for:

4 (a) The adjustment of court orders for the support of children
5 based upon changes in the cost of living; and

6 (b) The times at which such an adjustment is appropriate.

7 2. If a request for the review of a court order for the support of
8 a child has not been filed pursuant to NRS 125B.145 for such a time
9 as the Division establishes pursuant to subsection 1, the Chief may,
10 as provided in this section, order the responsible parent to pay
11 monthly the amount the responsible parent is required to pay
12 pursuant to the court order plus an additional amount to compensate
13 for changes in the cost of living.

14 3. Upon request by the responsible parent, the person to whom
15 support is owed or the enforcing authority, the Chief shall:

16 (a) Determine, in accordance with the formula established
17 pursuant to subsection 1, the amount of the additional payments; and

18 (b) Notify the responsible parent, by first-class mail to the last
19 known address of the responsible parent, of the amount of the
20 additional payments and that the additional payments must be made
21 within 30 days after the mailing of the notice to the parent unless a
22 request for a review of the court order is filed pursuant to NRS
23 125B.145 within that time.

24 4. If a request for a review of the court order:

25 (a) Is filed pursuant to NRS 125B.145 within those 30 days, the
26 court shall proceed pursuant to that section and the Chief shall not
27 enter an order pursuant to this section.

28 (b) Is not filed pursuant to NRS 125B.145 within those 30 days,
29 the Chief shall order the responsible parent to pay the additional
30 amount.

31 5. An order entered by the Chief pursuant to this section
32 expires upon modification or adjustment, pursuant to NRS
33 125B.145, of the court order upon which the order entered by the
34 Chief is based.

35 6. ~~The provisions of NRS 125B.080 do not apply to the entry~~
36 ~~of an order by the Chief pursuant to this section.~~

37 ~~7.~~ As used in this section, "court order" means an order that a
38 court of this state has jurisdiction to modify pursuant to chapter 130
39 of NRS.

40 **Sec. 12.** NRS 425.510 is hereby amended to read as follows:

41 425.510 1. Each district attorney or other public agency
42 collecting support for children shall send a notice by first-class mail
43 to each person who:



1 (a) Has failed to comply with a subpoena or warrant relating to a
2 proceeding to determine the paternity of a child or to establish or
3 enforce an obligation for the support of a child; or

4 (b) Is in arrears in the payment for the support of one or more
5 children.

6 ➤ The notice must include the information set forth in subsection 2
7 and a copy of the subpoena or warrant or a statement of the amount
8 of the arrearage.

9 2. If the person does not, within 30 days after the person
10 receives the notice required by subsection 1:

11 (a) Comply with the subpoena or warrant;

12 (b) Satisfy the arrearage pursuant to NRS 425.560; or

13 (c) Submit to the district attorney or other public agency a
14 written request for a hearing,

15 ➤ the district attorney or other public agency shall report the name
16 of that person to the Department of Motor Vehicles.

17 3. Before a hearing requested pursuant to subsection 2 may be
18 held, the person requesting the hearing and a representative of the
19 enforcing authority must meet and make a good faith effort to
20 resolve the matter.

21 4. If a person requests a hearing within the period prescribed in
22 subsection 2 and meets with the enforcing authority as required
23 pursuant to subsection 3, a hearing must be held pursuant to NRS
24 425.3832. The master shall notify the person of the recommendation
25 of the master at the conclusion of the hearing or as soon thereafter as
26 is practicable. If the master determines that the person has failed to
27 comply with a subpoena or warrant relating to a proceeding to
28 determine the paternity of a child or to establish or enforce an
29 obligation for the support of a child, the master shall include in the
30 notice the information set forth in subsection 5. If the master
31 determines that the person is in arrears in the payment for the
32 support of one or more children, the master shall include in the
33 notice the information set forth in subsection 6.

34 5. If the master determines that a person who requested a
35 hearing pursuant to subsection 2 has not complied with a subpoena
36 or warrant relating to a proceeding to determine the paternity of a
37 child or to establish or enforce an obligation for the support of a
38 child and the district court issues an order approving the
39 recommendation of the master, the district attorney or other public
40 agency shall report the name of that person to the Department.

41 6. If the master determines that a person who requested a
42 hearing pursuant to subsection 2 is in arrears in the payment for the
43 support of one or more children, the master shall notify the person
44 that if the person does not immediately agree to enter into a plan for
45 the repayment of the arrearages that is approved by the district



1 attorney or other public agency, the driver's license and motorcycle
2 driver's license of the person *and the registration of each motor*
3 *vehicle that is registered to or owned by the person* may be subject
4 to suspension. If the person does not agree to enter into such a plan
5 and the district court issues an order approving the recommendation
6 of the master, the district attorney or other public agency shall report
7 the name of that person to the Department of Motor Vehicles.

8 7. The district attorney or other public agency shall, within 5
9 days after the person who has failed to comply with a subpoena or
10 warrant or is in arrears in the payment for the support of one or
11 more children complies with the subpoena or warrant or satisfies the
12 arrearage pursuant to NRS 425.560, notify the Department of Motor
13 Vehicles that the person has complied with the subpoena or warrant
14 or has satisfied the arrearage.

15 8. For the purposes of this section, a person shall be deemed to
16 have received a notice 3 days after it is mailed, by first-class mail,
17 postage prepaid, to that person at the last known address of the
18 person.

19 **Sec. 13.** NRS 425.540 is hereby amended to read as follows:

20 425.540 1. If a master enters a recommendation determining
21 that a person:

22 (a) Has failed to comply with a subpoena or warrant relating to a
23 proceeding to determine the paternity of a child or to establish or
24 enforce an obligation for the support of a child; or

25 (b) Is in arrears in the payment for the support of one or more
26 children,

27 ↪ and the district court issues an order approving the
28 recommendation of the master pursuant to NRS 425.3844, the
29 ~~court~~ *enforcing authority* shall provide a copy of the order to
30 the Secretary of State and ~~all agencies~~ *any agency* that ~~issue~~ *has*
31 *issued a* professional, occupational or recreational ~~licenses,~~
32 ~~certificates or permits~~ *license, certificate or permit to the person*
33 *named in the order.*

34 2. A court order issued pursuant to subsection 1 must provide
35 that if the person named in the order does not, within 30 days after
36 the date on which the order is issued, submit to any agency that has
37 issued a professional, occupational or recreational license, certificate
38 or permit to that person, and to the Secretary of State if he or she
39 conducts business in this State as a sole proprietor, a letter from the
40 district attorney or other public agency stating that the person has
41 complied with the subpoena or warrant or has satisfied the arrearage
42 pursuant to NRS 425.560, the professional, occupational or
43 recreational licenses, *certificates or permits* issued to the person by
44 that agency, or the state business registration issued to the person to
45 conduct business in this State as a sole proprietor by the Secretary of



1 State, will be automatically suspended. ~~[Such an order must not~~
2 ~~apply to a license, certificate or permit issued by the Department of~~
3 ~~Wildlife or the State Land Registrar if that license, certificate or~~
4 ~~permit expires less than 6 months after it is issued.]~~

5 3. If a court issues an order pursuant to subsection 1, the
6 district attorney or other public agency shall send a notice by first-
7 class mail to the person who is subject to the order. The notice must
8 include:

9 (a) If the person has failed to comply with a subpoena or
10 warrant, a copy of the court order and a copy of the subpoena or
11 warrant; or

12 (b) If the person is in arrears in the payment for the support of
13 one or more children:

14 (1) A copy of the court order;

15 (2) A statement of the amount of the arrearage; and

16 (3) A statement of the action that the person may take to
17 satisfy the arrearage pursuant to NRS 425.560.

18 **Sec. 14.** NRS 432B.560 is hereby amended to read as follows:

19 432B.560 1. The court may also order:

20 (a) The child, a parent or the guardian to undergo such medical,
21 psychiatric, psychological, or other care or treatment as the court
22 considers to be in the best interests of the child.

23 (b) A parent or guardian to refrain from:

24 (1) Any harmful or offensive conduct toward the child, the
25 other parent, the custodian of the child or the person given physical
26 custody of the child; and

27 (2) Visiting the child if the court determines that the
28 visitation is not in the best interest of the child.

29 (c) A reasonable right of visitation for a grandparent of the child
30 if the child is not permitted to remain in the custody of the parents
31 of the child.

32 2. The court shall order a parent or guardian to pay to the
33 custodian an amount sufficient to support the child while the child is
34 in the care of the custodian pursuant to an order of the court, unless
35 the child was delivered to a provider of emergency services pursuant
36 to NRS 432B.630 and the location of the parent is unknown.
37 Payments for the obligation of support must be determined in
38 accordance with ~~[NRS 125B.070 and 125B.080,]~~ *the guidelines*
39 *established by the Administrator of the Division of Welfare and*
40 *Supportive Services of the Department of Health and Human*
41 *Services pursuant to section 8 of this act, but must not exceed the*
42 *reasonable cost of the child's care, including food, shelter, clothing,*
43 *medical care and education. An order for support made pursuant to*
44 *this subsection must:*



1 (a) Require that payments be made to the appropriate agency or
2 office;

3 (b) Provide that the custodian is entitled to a lien on the
4 obligor's property in the event of nonpayment of support; and

5 (c) Provide for the immediate withholding of income for the
6 payment of support unless:

7 (1) All parties enter into an alternative written agreement; or

8 (2) One party demonstrates and the court finds good cause to
9 postpone the withholding.

10 3. A court that enters an order pursuant to subsection 2 shall
11 ensure that the social security number of the parent or guardian who
12 is the subject of the order is:

13 (a) Provided to the Division of Welfare and Supportive Services
14 of the Department of Health and Human Services.

15 (b) Placed in the records relating to the matter and, except as
16 otherwise required to carry out a specific statute, maintained in a
17 confidential manner.

18 **Sec. 15.** Chapter 482 of NRS is hereby amended by adding
19 thereto a new section to read as follows:

20 *1. The Department shall, upon receiving notification from a*
21 *district attorney or other public agency collecting support for*
22 *children pursuant to NRS 425.510 that a court has determined*
23 *that a person:*

24 *(a) Has failed to comply with a subpoena or warrant relating*
25 *to a proceeding to establish paternity or to establish or enforce an*
26 *obligation for the support of a child; or*

27 *(b) Is in arrears in the payment for the support of one or more*
28 *children,*

29 *↪ send a written notice to that person that the registration of each*
30 *motor vehicle that is registered to or owned by the person is*
31 *subject to suspension.*

32 *2. The notice must include:*

33 *(a) The reason for the suspension of the registration;*

34 *(b) The information set forth in subsections 3 to 7, inclusive;*
35 *and*

36 *(c) Any other information the Department deems necessary.*

37 *3. If a person who receives a notice pursuant to subsection 1*
38 *does not, within 30 days after receiving the notice, comply with the*
39 *subpoena or warrant or satisfy the arrearage as required in NRS*
40 *425.510, the Department shall suspend the registration of each*
41 *motor vehicle that is registered to or owned by the person without*
42 *providing the person with an opportunity for a hearing and shall*
43 *require the return to the Department of the license plates of each*
44 *such motor vehicle.*



1 4. *If the registration of a motor vehicle of a person is*
2 *suspended pursuant to this section, the person shall immediately*
3 *return the certificate of registration and the license plates of the*
4 *motor vehicle to the Department.*

5 5. *The period of suspension of the registration of a motor*
6 *vehicle that is suspended pursuant to this section begins on the*
7 *effective date of the suspension as set forth in the notice thereof.*

8 6. *The Department shall reinstate the registration of a motor*
9 *vehicle that was suspended pursuant to this section and reissue the*
10 *license plates of the motor vehicle if it receives:*

11 (a) *A notice from the district attorney or other public agency*
12 *pursuant to NRS 425.510 that the person has complied with the*
13 *subpoena or warrant or has satisfied the arrearage pursuant to*
14 *that section; and*

15 (b) *Payment of the fee for reinstatement of registration*
16 *prescribed in subsection 10 of NRS 482.480.*

17 7. *The suspension of the registration of a motor vehicle*
18 *pursuant to this section does not prevent the owner of the motor*
19 *vehicle from selling or otherwise transferring an interest in the*
20 *motor vehicle.*

21 **Sec. 16.** NRS 482.480 is hereby amended to read as follows:

22 482.480 There must be paid to the Department for the
23 registration or the transfer or reinstatement of the registration of
24 motor vehicles, trailers and semitrailers, fees according to the
25 following schedule:

26 1. Except as otherwise provided in this section, for each stock
27 passenger car and each reconstructed or specially constructed
28 passenger car registered to a person, regardless of weight or number
29 of passenger capacity, a fee for registration of \$33.

30 2. Except as otherwise provided in subsection 3:

31 (a) For each of the fifth and sixth such cars registered to a
32 person, a fee for registration of \$16.50.

33 (b) For each of the seventh and eighth such cars registered to a
34 person, a fee for registration of \$12.

35 (c) For each of the ninth or more such cars registered to a
36 person, a fee for registration of \$8.

37 3. The fees specified in subsection 2 do not apply:

38 (a) Unless the person registering the cars presents to the
39 Department at the time of registration the registrations of all the cars
40 registered to the person.

41 (b) To cars that are part of a fleet.

42 4. For every motorcycle, a fee for registration of \$33 and for
43 each motorcycle other than a trimobile, an additional fee of \$6 for
44 motorcycle safety. The additional fee must be deposited in the State



1 General Fund for credit to the Account for the Program for the
2 Education of Motorcycle Riders created by NRS 486.372.

3 5. For every moped, a one-time fee for registration of \$33.

4 6. For each transfer of registration, a fee of \$6 in addition to
5 any other fees.

6 7. Except as otherwise provided in subsection 6 of NRS
7 485.317, to reinstate the registration of a motor vehicle that is
8 suspended pursuant to that section:

9 (a) A fee as specified in NRS 482.557 for a registered owner
10 who failed to have insurance on the date specified by the
11 Department, which fee is in addition to any fine or penalty imposed
12 pursuant to NRS 482.557; or

13 (b) A fee of \$50 for a registered owner of a dormant vehicle who
14 cancelled the insurance coverage for that vehicle or allowed the
15 insurance coverage for that vehicle to expire without first cancelling
16 the registration for the vehicle in accordance with subsection 3 of
17 NRS 485.320,

18 ➤ both of which must be deposited in the Account for Verification
19 of Insurance which is hereby created in the State Highway Fund.
20 The money in the Account must be used to carry out the provisions
21 of NRS 485.313 to 485.318, inclusive.

22 8. For every travel trailer, a fee for registration of \$27.

23 9. For every permit for the operation of a golf cart, an annual
24 fee of \$10.

25 10. For every low-speed vehicle, as that term is defined in NRS
26 484B.637, a fee for registration of \$33.

27 11. To reinstate the registration of a motor vehicle that is
28 suspended pursuant to NRS 482.451 or 482.458, *or section 15 of*
29 *this act*, a fee of \$33.

30 12. For each vehicle for which the registered owner has
31 indicated his or her intention to opt in to making a contribution
32 pursuant to paragraph (h) of subsection 3 of NRS 482.215 or
33 subsection 4 of NRS 482.280, a contribution of \$2. The contribution
34 must be distributed to the appropriate county pursuant to
35 NRS 482.1825.

36 **Sec. 17.** NRS 502.115 is hereby amended to read as follows:

37 502.115 1. If the Department receives a copy of a court order
38 issued pursuant to NRS 425.540 that provides for the suspension of
39 all professional, occupational and recreational licenses, certificates
40 and permits issued to a person who is the holder of a license or
41 permit to hunt, fish or trap ~~that does not expire less than 6 months~~
42 ~~after it is issued,~~ or a license to practice commercial taxidermy, the
43 Department shall deem the license or permit issued to that person to
44 be suspended at the end of the 30th day after the date on which the
45 court order was issued unless the Department receives a letter issued



1 to the holder of the license or permit by the district attorney or other
2 public agency pursuant to NRS 425.550 stating that the holder of the
3 license or permit has complied with the subpoena or warrant or has
4 satisfied the arrearage pursuant to NRS 425.560.

5 2. The Department shall reinstate a license or permit to hunt,
6 fish or trap or a license to practice commercial taxidermy that has
7 been suspended by a district court pursuant to NRS 425.540 if the
8 Department receives a letter issued by the district attorney or other
9 public agency pursuant to NRS 425.550 to the person whose license
10 or permit was suspended stating that the person whose permit or
11 license was suspended has complied with the subpoena or warrant
12 or has satisfied the arrearage pursuant to NRS 425.560.

13 **Sec. 18.** NRS 503.5835 is hereby amended to read as follows:

14 503.5835 1. If the Department receives a copy of a court
15 order issued pursuant to NRS 425.540 that provides for the
16 suspension of all professional, occupational and recreational
17 licenses, certificates and permits issued to a person who is the
18 holder of a permit or license issued pursuant to NRS 503.582 or
19 503.583 , ~~{that does not expire less than 6 months after it is issued,}~~
20 the Department shall deem the permit or license issued to that
21 person to be suspended at the end of the 30th day after the date on
22 which the court order was issued unless the Department receives a
23 letter issued to the holder of the permit or license by the district
24 attorney or other public agency pursuant to NRS 425.550 stating
25 that the holder of the permit or license has complied with the
26 subpoena or warrant or has satisfied the arrearage pursuant to
27 NRS 425.560.

28 2. The Department shall reinstate a permit or license issued
29 pursuant to NRS 503.582 or 503.583 that has been suspended by a
30 district court pursuant to NRS 425.540 if the Department receives a
31 letter issued by the district attorney or other public agency pursuant
32 to NRS 425.550 to the person whose permit or license was
33 suspended stating that the person whose permit or license was
34 suspended has complied with the subpoena or warrant or has
35 satisfied the arrearage pursuant to NRS 425.560.

36 **Sec. 19.** Chapter 679A of NRS is hereby amended by adding
37 thereto a new section to read as follows:

38 *1. As a condition of being able to conduct business in this*
39 *State, every provider of insurance shall, not less than 30 days*
40 *before making any payment of \$500 or more pursuant to a policy,*
41 *exchange information with the Program in the manner prescribed*
42 *by the Division to verify whether the claimant owes debt for the*
43 *support of one or more children to the Division or to a person*
44 *receiving services from the Program.*



1 2. *Except as otherwise provided in subsection 4, if a provider*
2 *of insurance is notified by the Program that a claimant owes debt*
3 *for the support of one or more children to the Division or to a*
4 *person receiving services from the Program, the provider of*
5 *insurance shall, upon receipt of a notice issued by the enforcing*
6 *authority identifying the amount of debt owed:*

7 (a) *Withhold from payment on the claim the amount specified*
8 *in the notice; and*

9 (b) *Remit the amount withheld from payment to the enforcing*
10 *authority within 30 days.*

11 3. *If a provider of insurance withholds any funds from*
12 *payment on a claim and remits the funds to the enforcing*
13 *authority pursuant to subsection 2, the provider of insurance*
14 *shall, upon disbursing any payment to the claimant, notify the*
15 *claimant of that fact.*

16 4. *Any lien or claim for attorney's fees, medical expenses or*
17 *property damage has priority over any withholding of payment*
18 *pursuant to subsection 2.*

19 5. *Any information obtained pursuant to this section must be*
20 *used only for the purpose of carrying out the provisions of this*
21 *section. Notwithstanding the provisions of this subsection, a*
22 *provider of insurance may not be held liable in any civil or*
23 *criminal action for any act made in good faith pursuant to this*
24 *section.*

25 6. *As used in this section:*

26 (a) *"Claimant" means any person who brings a claim against*
27 *an insured under any type of policy of insurance, including,*
28 *without limitation, a policy of life insurance.*

29 (b) *"Debt" has the meaning ascribed to it in NRS 425.295.*

30 (c) *"Division" means the Division of Welfare and Supportive*
31 *Services of the Department of Health and Human Services.*

32 (d) *"Enforcing authority" has the meaning ascribed to it in*
33 *NRS 425.312.*

34 (e) *"Program" has the meaning ascribed to it in NRS 425.318.*

35 **Sec. 20.** NRS 125B.070, 125B.085 and 125B.095 are hereby
36 repealed.

37 **Sec. 21.** 1. This section and sections 4 to 8, inclusive, 12, 13
38 and 15 to 19, inclusive, of this act become effective on July 1, 2017.

39 2. Sections 1, 2, 3, 9, 10, 11, 14 and 20 of this act become
40 effective on the effective date of the regulations adopted by the
41 Administrator of the Division of Welfare and Supportive Services of
42 the Department of Health and Human Services establishing the
43 guidelines in this State for the support of one or more children
44 pursuant to section 8 of this act.



TEXT OF REPEALED SECTIONS

125B.070 Amount of payment: Definitions; adjustment of presumptive maximum amount based on change in Consumer Price Index.

1. As used in this section and NRS 125B.080, unless the context otherwise requires:

(a) "Gross monthly income" means the total amount of income received each month from any source of a person who is not self-employed or the gross income from any source of a self-employed person, after deduction of all legitimate business expenses, but without deduction for personal income taxes, contributions for retirement benefits, contributions to a pension or for any other personal expenses.

(b) "Obligation for support" means the sum certain dollar amount determined according to the following schedule:

- (1) For one child, 18 percent;
- (2) For two children, 25 percent;
- (3) For three children, 29 percent;
- (4) For four children, 31 percent; and
- (5) For each additional child, an additional 2 percent,

↳ of a parent's gross monthly income, but not more than the presumptive maximum amount per month per child set forth for the parent in subsection 2 for an obligation for support determined pursuant to subparagraphs (1) to (4), inclusive, unless the court sets forth findings of fact as to the basis for a different amount pursuant to subsection 6 of NRS 125B.080.

2. For the purposes of paragraph (b) of subsection 1, the presumptive maximum amount per month per child for an obligation for support, as adjusted pursuant to subsection 3, is:

INCOME RANGE If the Parent's Gross Monthly Income Is at Least		But Less Than	PRESUMPTIVE MAXIMUM AMOUNT The Presumptive Maximum Amount the Parent May Be Required to Pay per Month per Child Pursuant to Paragraph (b) of Subsection 1 Is
\$0	-	\$4,168	\$500
4,168	-	6,251	550
6,251	-	8,334	600
8,334	-	10,418	650
10,418	-	12,501	700
12,501	-	14,583	750



If a parent's gross monthly income is equal to or greater than \$14,583, the presumptive maximum amount the parent may be required to pay pursuant to paragraph (b) of subsection 1 is \$800.

3. The presumptive maximum amounts set forth in subsection 2 for the obligation for support must be adjusted on July 1 of each year for the fiscal year beginning that day and ending June 30 in a rounded dollar amount corresponding to the percentage of increase or decrease in the Consumer Price Index (All Items) published by the United States Department of Labor for the preceding calendar year. On April 1 of each year, the Office of Court Administrator shall determine the amount of the increase or decrease required by this subsection, establish the adjusted amounts to take effect on July 1 of that year and notify each district court of the adjusted amounts.

4. As used in this section, "Office of Court Administrator" means the Office of Court Administrator created pursuant to NRS 1.320.

125B.085 Order for support to include provision regarding medical support for child.

1. Except as otherwise provided in NRS 125B.012, every court order for the support of a child issued or modified in this State on or after June 2, 2007, must include a provision specifying that one or both parents are required to provide medical support for the child and any details relating to that requirement.

2. As used in this section, "medical support" includes, without limitation, coverage for health care under a plan of insurance that is reasonable in cost and accessible, including, without limitation, the payment of any premium, copayment or deductible and the payment of medical expenses. For the purpose of this subsection:

(a) Payments of cash for medical support or the costs of coverage for health care under a plan of insurance are "reasonable in cost" if:

(1) In the case of payments of cash for medical support, the cost to each parent who is responsible for providing medical support is not more than 5 percent of the gross monthly income of the parent; or

(2) In the case of the costs of coverage for health care under a plan of insurance, the cost of adding a dependent child to any existing coverage for health care or the difference between individual and family coverage, whichever is less, is not more than 5 percent of the gross monthly income of the parent.

(b) Coverage for health care under a plan of insurance is "accessible" if the plan:

(1) Is not limited to coverage within a geographical area; or



(2) Is limited to coverage within a geographical area and the child resides within that geographical area.

125B.095 Penalty for delinquent payment of installment of obligation of support.

1. Except as otherwise provided in this section and 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. 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. A penalty must not be added to the amount of the installment pursuant to this subsection if the court finds that the employer of the responsible parent or the district attorney or other public agency in this State that enforces an obligation to pay support for a child caused the payment to be delinquent.

2. The amount of the penalty is 10 percent per annum, or portion thereof, that the installment remains unpaid. Each district attorney or other public agency in this State undertaking to enforce an obligation to pay support for a child shall enforce the provisions of this section.



