

HOUSE BILL 1269

By Favors

AN ACT to amend Tennessee Code Annotated, Title 36,
Chapter 5, Part 7, relative to child support
arrearage.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 36-5-703, is amended by adding the following new subsection (e):

(e)

(1) The department shall stay issuance of a finding of noncompliance to the department of safety relative to the obligor's driver license for a period of ninety (90) days if, at the hearing, the obligor demonstrates by a preponderance of the evidence that the obligor has:

(A) Through no fault of the obligor, been involuntarily unemployed for a period of at least thirty (30) days prior to the obligor's noncompliance; and

(B) Made good faith efforts to obtain employment sufficient to allow the obligor to resume repaying the child support arrearage.

(2) If the payment records of the clerk of the court or the department show that the obligor remains in arrears and is not employed and making a good faith effort to come into compliance with repayment of the child support arrearage after the ninety (90) day stay period granted pursuant to subdivision (d)(1), the court, through the department, shall, in accordance with § 36-5-705, forthwith certify to the department of safety that the obligor is not in compliance with an order of support.

SECTION 2. This act shall take effect July 1, 2009, the public welfare requiring it.