

ORIGINAL SENATE
FILE NO. SF0075

ENROLLED ACT NO. 39, SENATE

SIXTY-THIRD LEGISLATURE OF THE STATE OF WYOMING
2015 GENERAL SESSION

AN ACT relating to child support; requiring notice as specified to department of family services upon admission of a decedent's will to probate or issuance of letters of administration in an intestate decedent's estate; providing that a finding of physical placement in a child support order shall not be considered a disposition of custody; modifying procedures related to actions suspending driver's licenses for nonpayment of child support; and providing for an effective date.

Be It Enacted by the Legislature of the State of Wyoming:

Section 1. W.S. 2-7-205(a)(ii), (iii) and by creating a new paragraph (iv), 20-2-201 by creating a new subsection (h) and 20-6-111(f)(intro) are amended to read:

2-7-205. Parties entitled to receive.

(a) A true copy of the notice required in W.S. 2-7-201 shall be mailed by ordinary United States mail, first class, to:

(ii) Each creditor of the decedent whose identity is reasonably ascertainable by the personal representative within the time limited in the notice to creditors. The mailing shall be made not later than thirty (30) days prior to the expiration of three (3) months after the first publication of the notice in the newspaper; ~~and~~

(iii) The state department of health if the decedent received medical assistance pursuant to W.S. 42-4-101 through 42-4-114; ~~and~~ and

(iv) The department of family services if the decedent or any heir at law of the decedent, if known, is

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the obligor on a child support order being enforced by the department.

20-2-201. Disposition and maintenance of children in decree or order; access to records.

(h) A court finding of physical placement of a child in a child support order shall not be considered a disposition of custody under this section.

20-6-111. Driver's license suspension; nonpayment of child support; administrative hearings.

(f) The department may determine that a driver's license suspension may be better achieved through an administrative suspension if the obligor owes more than ~~five thousand dollars (\$5,000.00)~~ two thousand five hundred dollars (\$2,500.00) in unpaid child support and the obligor has not made a full monthly child support payment either voluntarily or through income withholding for a period of at least ninety (90) consecutive days prior to the determination. The department shall notify the obligor by ~~certified first class mail, with return receipt requested,~~ or by personal service if notification by ~~certified first class~~ class mail was unsuccessful, that the obligor is in arrears in a child support obligation and that the obligor's driver's license as defined in W.S. 31-7-102(a)(xxv) shall be suspended by the department of transportation sixty (60) days after the date the obligor receives the notice unless the obligor:

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Section 2. This act is effective July 1, 2015.

(END)

Speaker of the House

President of the Senate

Governor

TIME APPROVED: _____

DATE APPROVED: _____

I hereby certify that this act originated in the Senate.

Chief Clerk