

# MAINE STATE LEGISLATURE

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# 124th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2009

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Legislative Document

No. 614

S.P. 229

In Senate, February 17, 2009

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**An Act To Improve Child Support Collection Procedures by  
Changing the Process of Modifying a Support Order**

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Reference to the Committee on Judiciary suggested and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN  
Secretary of the Senate

Presented by Senator GOODALL of Sagadahoc.  
Cosponsored by Representative BERRY of Bowdoinham and  
Senators: BRANNIGAN of Cumberland, SIMPSON of Androscoggin, Representatives:  
CROCKETT of Augusta, HILL of York, MILLER of Somerville, ROTUNDO of Lewiston,  
SMITH of Monmouth.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 19-A MRSA §2201, sub-§11**, as enacted by PL 1995, c. 694, Pt. B, §2  
3 and affected by Pt. E, §2, is amended to read:

4 **11. Motion to modify order of support; stay.** This section does not prohibit a  
5 support obligor from filing a motion to modify support with the court or from requesting  
6 the department to amend a support obligation established by an administrative decision.  
7 ~~The department shall stay action to certify the obligor to a board for noncompliance with~~  
8 ~~an order of support if the obligor files a motion to modify support with the court and~~  
9 ~~notifies the department of the motion or requests the department to amend a support~~  
10 ~~obligation established by the department.~~

11 **Sec. 2. 19-A MRSA §2202, sub-§11**, as enacted by PL 1995, c. 694, Pt. B, §2  
12 and affected by Pt. E, §2, is amended to read:

13 **11. Motion to modify court order of support; stay.** This section does not prohibit  
14 a support obligor from filing a motion to modify support with the court or from  
15 requesting the department to amend a support obligation established by an administrative  
16 decision. ~~The department shall stay action to certify the obligor to the Secretary of State~~  
17 ~~for noncompliance with an order of support if the obligor files a motion to modify~~  
18 ~~support with the court and notifies the department of the motion or requests the~~  
19 ~~department to amend a support obligation established by the department.~~

20 **SUMMARY**

21 This bill strikes language that prohibits enforcement activities concerning past due  
22 child support payments once a noncustodial parent has filed a motion to amend ongoing  
23 payments.