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A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

Councilmembers Tommy Wells and Phil Mendelson introduced the following bill, which was referred to the Committee on _____.

To amend section Title 16 of the District of Columbia Official Code to provide for more clear rights and terminations of parties involved in custody support orders.

BE IT ENACTED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA,

That this act may be cited as the “Child Support Enforcement Corrections Amendment Act of 2012.”

Sec. 2. Title 16 of the District of Columbia Official Code is amended as follows:

(a) Section 16-916(c) is amended by inserting a new sentence at the end to read as follows: “Every child support order issued under this section shall terminate no later than the child’s 21st birthday; provided that the custodial parent may, within one year of the child’s 21st birthday, move to extend such order if the child is eligible for continued support because of disability.”.

(b) Section 16-916(c-4) is amended by inserting a new sentence at the end to read as follows: “In any such case, if the parent subject to the support order files a pleading regarding custody or visitation of a child who is the subject of the support order, the IV-D agency shall be considered an agent capable of receiving service of process on behalf of the custodial parent.”.

(c) Section 16-916.01(t) is amended to read as follows:

1 “§16-916.01(t)(1) Upon the occurrence of a substantial and material change in
2 circumstances sufficient to warrant the modification of a child support obligation pursuant to the
3 guideline, the judicial officer may modify any provision of an agreement or settlement relating to
4 child support, without regard to whether the agreement or settlement is entered as a consent order
5 or is incorporated or merged in a court order.

6 “(2) If a parent subject to a child support order is ordered to be incarcerated for a period
7 of 6 months or longer, such incarceration shall be considered a material change in circumstances
8 and a motion to modify the support order retroactive to the date of the incarceration may be filed
9 at any time prior to six months after release from the incarceration.”.

10 Sec. 3. Fiscal impact statement.

11 The Council adopts the fiscal impact statement in the committee report as the fiscal
12 impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act,
13 approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

14 Sec. 4. Effective date.

15 This act shall take effect following approval by the Mayor (or in the event of veto by the
16 Mayor, action by the Council to override the veto), a 30-day period of Congressional review as
17 provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December
18 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of
19 Columbia Register.