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HOUSE BILL 52

43RD LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 1998

INTRODUCED BY

MIGUEL P. GARCIA

AN ACT

RELATING TO CHILD SUPPORT PAYMENT COMPLIANCE; EXPANDING
REVOCABLE LICENSE CATEGORIES; AMENDING THE PARENTAL
RESPONSIBILITY ACT; DECLARING AN EMERGENCY.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 40-5A-2 NMSA 1978 (being Laws 1995,
Chapter 25, Section 2, as amended) is amended to read:

"40-5A-2. PURPOSE. -- The purpose of the Parental
Responsibility Act is to require:

A. [~~to require~~] parents to eliminate child support
arrearages in order to [~~maintain a professional, occupational
or recreational license, including but not limited to a
hunting, fishing or trapping license, and a driver's license~~]
be issued, maintain or renew a license; and

B. [~~to require~~] compliance with, after receiving

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1 appropriate notice, subpoenas or warrants relating to
2 paternity or child support, which will subsequently reduce
3 both the number of children in New Mexico who live at or below
4 the poverty level and the financial obligation that falls to
5 the state when parents do not provide for their minor
6 children. "

7 Section 2. Section 40-5A-3 NMSA 1978 (being Laws 1995,
8 Chapter 25, Section 3, as amended) is amended to read:

9 "40-5A-3. DEFINITIONS. --As used in the Parental
10 Responsibility Act:

11 A. "applicant" means an obligor who is applying
12 for issuance of a license;

13 B. "board" means:

14 (1) the construction industries commission,
15 the construction industries division and the electrical
16 bureau, mechanical bureau and general construction bureau of
17 the construction industries division of the regulation and
18 licensing department;

19 (2) the manufactured housing committee and
20 manufactured housing division of the regulation and licensing
21 department;

22 (3) a board, commission or agency that
23 administers a profession or occupation licensed pursuant to
24 Chapter 61 NMSA 1978;

25 (4) any other state agency to which the

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1 Uniform Licensing Act is applied by law;

2 (5) a licensing board or other authority that
3 issues a license, certificate, registration or permit to
4 engage in a profession or occupation regulated in New Mexico;

5 (6) the department of game and fish; [~~or~~]

6 (7) the motor vehicle division of the
7 taxation and revenue department; or

8 (8) the alcohol and gaming division of the
9 regulation and licensing department;

10 C. "certified list" means a verified list that
11 includes the names, social security numbers and last known
12 addresses of obligors not in compliance [~~with a judgment and~~
13 ~~order for support~~];

14 D. "compliance" means that:

15 (1) an obligor is no more than thirty days in
16 arrears in payment of amounts required to be paid pursuant to
17 an outstanding judgment and order for support; and

18 (2) an obligor has, after receiving
19 appropriate notice, complied with subpoenas or warrants
20 relating to paternity or child support proceedings;

21 E. "department" means the human services
22 department;

23 F. "judgment and order for support" means the
24 judgment entered against an obligor by the district court or a
25 tribal court in a case brought by the department pursuant to

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1 Title IV-D of the Social Security Act;

2 G. "license" means a liquor license or other
3 license, certificate, registration or permit issued by a board
4 that a person is required to have to engage in a profession or
5 occupation in New Mexico; [~~and~~] "license" includes a
6 commercial driver's license, driver's license and recreational
7 licenses, including [~~but not limited to~~] hunting, fishing or
8 trapping licenses;

9 H. "licensee" means an obligor to whom a license
10 has been issued; and

11 I. "obligor" means the person who has been ordered
12 to pay child or spousal support pursuant to a judgment and
13 order for support. "

14 Section 3. EMERGENCY.--It is necessary for the public
15 peace, health and safety that this act take effect
16 immediately.

1 FORTY-THIRD LEGISLATURE
2 SECOND SESSION, 1998
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6 January 26, 1998
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8 Mr. Speaker:
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10 Your JUDICIARY COMMITTEE, to whom has been referred
11

12 HOUSE BILL 52
13

14 has had it under consideration and reports same with
15 recommendation that it DO PASS, and thence referred to the
16 APPROPRIATIONS AND FINANCE COMMITTEE.

17 Respectfully submitted,
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22 Thomas P. Foy, Chairman
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1 FORTY-THIRD LEGISLATURE
2 SECOND SESSION, 1998

3 Page 6

4 Adopted _____ Not Adopted _____

5
6 (Chief Clerk)

(Chief Clerk)

7
8 Date _____

9
10 The roll call vote was 9 For 0 Against

11 Yes: 9

12 Excused: Alwin, Carpenter, Luna, Sanchez

13 Absent: None

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1 FORTY-THIRD LEGISLATURE
2 SECOND SESSION, 1998

3
4 February 5, 1998

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7 Mr. Speaker:

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9 Your APPROPRIATIONS AND FINANCE COMMITTEE, to
10 whom has been referred

11 HOUSE BILL 52

12
13 has had it under consideration and reports same with
14 recommendation that it DO PASS.

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16 Respectfully submitted,

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21 Max Coll, Chairman
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1 FORTY-THIRD LEGISLATURE
2 SECOND SESSION, 1998

3 Page 8

4 Adopted _____ Not Adopted _____

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6 (Chief Clerk)

(Chief Clerk)

7
8 Date _____

9
10 The roll call vote was 12 For 0 Against

11 Yes: 12

12 Excused: Bird, Garcia, Picraux, Townsend, Vigil, Watchman

13 Absent: None

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FORTY-THIRD LEGISLATURE
SECOND SESSION, 1998

Page 9

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FORTY-THIRD LEGISLATURE
SECOND SESSION, 1998

February 11, 1998

Mr. President:

Your JUDICIARY COMMITTEE, to whom has been referred

HOUSE BILL 52

has had it under consideration and reports same with
recommendation that it DO PASS, and thence referred to the
PUBLIC AFFAIRS COMMITTEE.

Respectfully submitted,

Fernando R. Macias, Chairman

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FORTY-THIRD LEGISLATURE
SECOND SESSION, 1998

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Adopted _____ Not

Adopted _____

(Chief Clerk)

(Chief Clerk)

Date _____

The roll call vote was 5 For 0 Against

Yes: 5

No: 0

Excused: Payne, Sanchez, Vernon

Absent: None

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FORTY-THIRD LEGISLATURE
SECOND SESSION, 1998

Page 11

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FORTY-THIRD LEGISLATURE
SECOND SESSION, 1998

February 16, 1998

Mr. President:

Your PUBLIC AFFAIRS COMMITTEE, to whom has been referred

HOUSE BILL 52

has had it under consideration and reports same with recommendation that it DO PASS.

Respectfully submitted,

Shannon Robinson, Chairman

FORTY-THIRD LEGISLATURE
SECOND SESSION, 1998

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Adopted _____ Not

Adopted _____

(Chief Clerk)

(Chief Clerk)

Date _____

The roll call vote was 5 For 0 Against

Yes: 5

No: 0

Excused: Adair, Boitano, Ingle, Vernon

Absent: None

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