

FIRST REGULAR SESSION

# SENATE BILL NO. 256

98TH GENERAL ASSEMBLY

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INTRODUCED BY SENATORS SATER AND NASHEED.

Read 1st time January 15, 2015, and ordered printed.

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ADRIANE D. CROUSE, Secretary.

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## AN ACT

To amend chapter 454, RSMo, by adding thereto one new section relating to state debt owed by noncustodial parents.

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*Be it enacted by the General Assembly of the State of Missouri, as follows:*

Section A. Chapter 454, RSMo, is amended by adding thereto one new  
2 section, to be known as section 454.1760, to read as follows:

**454.1760. 1. Notwithstanding any provision of this chapter to the  
2 contrary, the department of social services shall establish a pilot  
3 program which would allow eligible noncustodial parents to reduce  
4 their amount of state debt, as defined in section 454.465, owed based on  
5 participation in the program.**

6 **2. The goals of the pilot program shall include, but not be limited  
7 to:**

8 **(1) Empowering noncustodial parents with the necessary  
9 resources to achieve gainful employment;**

10 **(2) Encouraging noncustodial parents to be engaged with their  
11 children; and**

12 **(3) Encouraging noncustodial parents to take financial  
13 responsibility for their children's well-being.**

14 **3. The pilot program shall allow for a reduction in the amount  
15 of state debt owed by a noncustodial parent based upon the number of  
16 hours of participation in the program to be determined by the  
17 department. In no event shall the amount of state debt owed be  
18 reduced by more than two thousand dollars.**

19 **4. The pilot program shall not:**

20           (1) Change the noncustodial parent's monthly child support  
21 obligations;

22           (2) Compromise any arrears owed to the custodial parent; or

23           (3) Compromise any spousal support arrears.

24           5. Eligible noncustodial parents who participate in the pilot  
25 program and who continually demonstrate good faith efforts to achieve  
26 the goals established by the program pursuant to subsection 2 of this  
27 section, shall not be subject to prosecution for criminal nonsupport  
28 during their participation in the program. Upon completing the  
29 program, the noncustodial parent shall not be subject to prosecution  
30 for criminal nonsupport for a term of one year beginning on the date  
31 of program completion.

32           6. If at anytime the department determines that a noncustodial  
33 parent is not demonstrating good faith efforts to achieve the goals  
34 established by the program, then the noncustodial parent shall be  
35 removed from the program, shall not receive a reduction in the amount  
36 of state debt owed, and shall not be allowed to reenter the program.

37           7. One year following the promulgation of rules and regulations  
38 implementing the provisions of this section, the department shall  
39 submit a report to the general assembly, and such report shall contain  
40 the number of noncustodial parents who completed the program and  
41 obtained gainful employment, the number of noncustodial parents who  
42 completed the program and continually met their child support  
43 obligations, the number of noncustodial parents who were removed  
44 from the program, the number of custodial parents who voluntarily left  
45 the program prior to completion, and any recommendations of the  
46 department for eliminating, reducing, modifying, or continuing the  
47 program.

48           8. Within one hundred eighty days of August 28, 2015, the  
49 department shall promulgate rules and regulations to implement the  
50 provisions of this section. Any rule or portion of a rule, as that term is  
51 defined in section 536.010, that is created under the authority delegated  
52 in this section shall become effective only if it complies with and is  
53 subject to all of the provisions of chapter 536 and, if applicable, section  
54 536.028. This section and chapter 536 are nonseverable, and if any of  
55 the powers vested with the general assembly under chapter 536 to  
56 review, to delay the effective date, or to disapprove and annul a rule

57 are subsequently held unconstitutional, then the grant of rulemaking  
58 authority and any rule proposed or adopted after August 28, 2015, shall  
59 be invalid and void.

60 9. The provisions of this section shall expire on August 28, 2018.

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