

# LEGAL SERVICES

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## MEMORANDUM

February 19, 2004

**SUBJECT:** Child Support Enforcement Agency Name Change and Driver's License Suspension (HB 513)

**TO:** Representative Pete Kott  
Attn: John Main

**FROM:** Jean M. Mischel  
Legislative Counsel 

You have requested a sectional summary of the above-described bill.

As a preliminary matter, note that a sectional summary of a bill should not be considered an authoritative interpretation of the bill and the bill itself is the best statement of its contents.

**Section 1.** Changes the name of the child support enforcement agency to "child support services" agency.

**Section 2.** Deletes language pertaining to a payment schedule for purposes of maintaining and compiling a list of obligors who have a driver's license and who are not in substantial compliance with a support order.

**Section 3.** Adds driver's license release revocations, added in another section of this bill, for child support enforcement purposes.

**Section 4.** Deletes reference to payment schedules for revocation release purposes.

**Section 5.** Deletes a restriction on release of driver's license and adds a provision regarding refusal of the agency to release a driver's license. Also adds a cross-reference to new sections added by the bill and deletes some of the notice requirements. Deletes opportunity to seek a court finding of compliance with a subpoena and warrant for child support.

**Section 6.** Adds limiting language to a request for judicial relief from an agency's decision.

**Section 7.** Adds a cross-reference to new sections in the bill pertaining to a revocation of release of a driver's license as an exception to evidence of substantial compliance.

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**Section 8.** Adds two new sections pertaining to a release and revocation of a release of a driver's license, including failure to be in substantial compliance with a payment schedule or for delay caused by the agency.

**Section 9.** Adds a new section to the uncodified law regarding an indirect court rule amendment to Rule 90.3, Alaska Rules of Civil Procedure due to the name change in the bill.

**Section 10.** Adds a new section to the uncodified law regarding an indirect court rule amendment to Rule 90.5, Alaska Rules of Civil Procedure due to the name change in the bill and the change to judicial procedure.

**Section 11.** States that a 2/3 vote of the legislature is not required for a Rule 90.3 amendment.

**Section 12.** Adds a revisor's instruction to make conforming amendments as a result of the agency name change in the bill.

**Section 13.** States that sections 2-8 of the bill are effective only on the condition of a 2/3 vote of the legislature.

**Section 14.** Adds an effective date.

JMM:med

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