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HOUSE BILL NO. 1128

Offered January 25, 1994

A BILL to amend the Code of Virginia by adding a section numbered 63.1-250.3, relating to child support; eligibility for certain state-issued licenses, etc.; penalty.

Patrons—Purkey, Tata and Wagner; Senators: Earley and Holland, C.A.

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 63.1-250.3 as follows:

§ 63.1-250.3. *Delinquent obligors not to be issued state occupational or driver's licenses; authority to review licensee status of responsible persons.*

A. Beginning July 1, 1994, every agency of the Commonwealth that issues licenses, certificates or registrations authorizing individuals to engage in a trade, business, profession or occupation, including but not limited to such licenses, certificates or registrations issued pursuant to Title 54.1 and commercial driver's licenses issued pursuant to Title 46.2 of this Code, shall require each applicant for initial issuance or renewal to sign a statement, under oath, certifying to the agency, as a condition of the issuance or renewal, that:

1. The applicant is not subject to a judicial or administrative order to pay child support; or
2. The applicant is subject to a judicial or administrative order to pay child support and (i) no more than one-twelfth of the annual child support obligation is overdue, (ii) the validity of the support order is being contested in accordance with the law or (iii) the applicant is in complete compliance with a payment plan or other agreement reached with the payee, and if the Department is providing public assistance or support services, the agreement has been approved by the Department. No license, certificate or registration shall be issued if the applicant fails to provide the statement required by this subsection.

B. Beginning July 1, 1994, the Department of Motor Vehicles shall require each applicant for an original or renewal operator's license to sign a statement, under oath, certifying as a condition of the issuance or renewal, that:

1. The applicant is not subject to a judicial or administrative order to pay child support; or
2. The applicant is subject to a judicial or administrative order to pay child support and (i) no more than one-twelfth of the annual child support obligation is overdue, (ii) the validity of the support order is being contested in accordance with the law or (iii) the applicant is in complete compliance with a payment plan or other agreement reached with the payee, and if the Department is providing public assistance or support services, the agreement has been approved by the Department. No license shall be issued if the applicant fails to provide the statement required by this subsection.

C. Every agency of the Commonwealth that licenses, certifies or registers individuals subject to this section shall, upon request of the Department, indicate whether an individual or group of individuals is licensed, certified or registered by the agency or whether the statement required by this section has been provided. If a person is licensed, certified or registered by the agency, the agency shall also provide the last known address of the person as shown in its records.

D. Providing materially false information in any statement required by this section is punishable as a Class 1 misdemeanor.

INTRODUCED

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