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SENATE BILL NO. 288**AMENDMENT IN THE NATURE OF A SUBSTITUTE**(Proposed by the Senate Committee for Courts of Justice
on December 8, 1994)

(Patron Prior to Substitute—Senator Howell)

*A Bill to amend and reenact §§ 20-78.2 and 63.1-267 of the Code of Virginia, relating to interest on support arrearages.***Be it enacted by the General Assembly of Virginia:****1. That §§ 20-78.2 and 63.1-267 of the Code of Virginia are amended and reenacted as follows:**

§ 20-78.2. Interest on support arrearage.

The entry of an order or decree of support for a spouse or for support and maintenance of a child under the provisions of this chapter or §§ 20-107.1 through 20-109 shall constitute a final judgment for any sum or sums in arrears. This order shall also include an amount for interest on the arrearage at the judgment interest rate if the person to whom such arrearage is payable requests that interest be charged. However, the burden shall be on the person to whom such arrearage is payable, upon instruction of the court, to compute all interest due at the judgment interest rate as established by § 6.1-330.54 and furnish this information to the court unless the obligee, in a writing submitted to the court, waives the collection of interest.

§ 63.1-267. Interest on debts due.

Interest of six per centum per annum at the judgment interest rate as established by § 6.1-330.54 on any support debt due and owing to the Department under § 63.1-251 may order being enforced by the Department pursuant to this chapter shall be collected by the Commissioner. No provision of this chapter shall be construed to require the Commissioner to shall maintain interest balance due accounts and such interest may be waived by the Commissioner, if such waiver would facilitate the collection of the debt.