

1998 SESSION

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HOUSE JOINT RESOLUTION NO. 267

Offered January 26, 1998

Requesting the Secretary of Health and Human Resources to study the desirability of increased sanctions for failure to pay child support.

Patrons—Marshall and O'Brien

Referred to Committee for Courts of Justice

WHEREAS, children are society's most valuable resource; and
WHEREAS, in recent years the duty of ensuring that parents adequately provide for their children has fallen, with increasing frequency, upon the Commonwealth; and
WHEREAS, the methods used by the Commonwealth for enforcing a parent's duty of support are varied; and
WHEREAS, there has been increased emphasis on imposing sanctions such as revocation of driver's and professional licenses for those delinquent in their child support payments; and
WHEREAS, despite all of these efforts there are still those who do not fulfill their obligations; and
WHEREAS, it is the children who suffer when child support obligations are unfulfilled; now, therefore, be it
RESOLVED by the House of Delegates, the Senate concurring, That the Secretary of Health and Human Resources be requested to examine whether it would be beneficial for the Virginia General Assembly to establish a Class 6 felony for (i) nonpayment of child support for a twenty-six week period and (ii) an arrearage that amounts to more than the amount of support due in one year, where the child resides in a safe environment and visitation and other court orders related to the child have been honored by the parent or guardian who is not the obligor. In the course of the study, the Secretary is requested to determine the number of obligors who are more than one year behind in their child support payments and also to examine the experience of other states who have undertaken similar efforts.
All agencies of the Commonwealth shall provide assistance to the Secretary for this study, upon request.
The Secretary of Health and Human Resources shall complete his work in time to submit his findings and recommendations to the Governor and the 1999 Session of the General Assembly as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents.

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