

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013

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HOUSE BILL 189
Committee Substitute Favorable 3/18/13

Short Title: Amend Info Prov./Noncust. Parent/Child Supp.

(Public)

Sponsors:

Referred to:

March 4, 2013

1 A BILL TO BE ENTITLED
2 AN ACT TO AMEND THE LAWS REGARDING INFORMATION PROVIDED TO
3 NONCUSTODIAL PARENTS SUBJECT TO WAGE WITHHOLDING ORDERS
4 UNDER THE LAWS PERTAINING TO CHILD SUPPORT.

5 The General Assembly of North Carolina enacts:

6 SECTION 1. G.S. 110-136.3(a) reads as rewritten:

7 "(a) Required Contents of Support Orders. All child support orders, civil or criminal,
8 entered or modified in the State in IV-D cases shall include a provision ordering income
9 withholding to take effect immediately. All child support orders, civil or criminal, initially
10 entered in the State in non-IV-D cases on or after January 1, 1994, shall include a provision
11 ordering income withholding to take effect immediately as provided in G.S. 110-136.5(c1),
12 unless one of the exceptions specified in G.S. 110-136.5(c1) applies. A non-IV-D child support
13 order that contains an income withholding requirement and a IV-D child support order
14 ~~shall~~shall comply with each of the following:

15 (1) Require the obligor to keep the clerk of court or IV-D agency informed of
16 the obligor's current residence and mailing ~~address;~~address.

17 (2), (2a) Repealed by Session Laws 1993, c. 517, s. 1.

18 (3) Require the obligor to cooperate fully with the initiating party in the
19 verification of the amount of the obligor's disposable ~~income;~~income.

20 (4) Require the custodial party to keep the obligor informed of ~~(i)~~the custodial
21 party's disposable income and the amount and effective date of any
22 substantial change in this disposable ~~income and (ii)~~income.

23 (4a) Require the North Carolina Child Support Enforcement agency to provide,
24 or to allow the obligor to obtain through the N.C. Child Support Centralized
25 Collections database, the current residence address and mailing address of
26 the custodial party, or the current residence address and mailing address of
27 the child if the address of the custodial party and the address of the child are
28 different. A form approved by the Administrative Office of the Courts shall
29 be supplied by the clerk of court to an obligor to enable the obligor to
30 proceed pro se pursuant to this subsection. However, there is no requirement
31 that the court authorize the obligor to have access to the current residence
32 and mailing address of the custodial party or the child, unless if:

33 a. There is an existing order prohibiting disclosure of the address to the
34 obligor.

35 b. The the court has determined that notice providing the address to the
36 obligor is inappropriate because the obligor has made verbal or



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- 1 physical threats that constitute domestic violence under Chapter 50B
2 of the General ~~Statutes; and~~ Statutes.
3 c. The child is in foster care, protective custody, or a court-ordered
4 placement under Chapter 7B of the General Statutes.
5 d. Disclosure of the address is otherwise prohibited by State or federal
6 law.
7 (5) Require the obligor to keep the initiating party informed of the name and
8 address of any payor of the obligor's disposable income and of the amount
9 and effective date of any substantial change in this disposable income."
10 **SECTION 3.** This act is effective when it becomes law.