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An Act To Repeal the Automatic Suspension of Child Support Obligations

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, state law automatically suspends the child support obligations of noncustodial parents who reside in Maine when the parents are in receipt of public assistance regardless of whether the parents have the financial capacity to provide necessary support for their children; and

Whereas, children should receive necessary financial support from their noncustodial parents to the fullest extent of their noncustodial parents' financial capacity; and

Whereas, children especially need necessary financial support from their noncustodial parents during challenging economic circumstances such as those that currently exist in this State and nationally; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 19-A MRS §2302, as repealed and replaced by PL 2001, c. 255, §1, is repealed.

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.

SUMMARY

This bill repeals the automatic suspension of the child support obligation of a noncustodial parent when that parent is in receipt of public assistance.