

LEGISLATIVE BILL 37

Approved by the Governor February 12, 1987

Introduced by Labedz, 5, Chairperson, Executive Board

AN ACT relating to children; to amend section 43-512.03, Revised Statutes Supplement, 1986; to reinstate language enacted by Laws 1985, Second Special Session, LB 7, section 68, which was inadvertently omitted in the drafting of Laws 1986, LB 600, section 12; to repeal the original section; and to declare an emergency.

Be it enacted by the people of the State of Nebraska,

Section 1. That section 43-512.03, Revised Statutes Supplement, 1986, be amended to read as follows:

43-512.03. The county attorney or authorized attorney, as provided in section 43-512, shall:

(1) On request by the Department of Social Services, or when the investigation or application filed under section 43-512 or 43-512.02 justifies, file a petition against a nonsupporting parent or stepparent in the district, county, or separate juvenile court praying for an order for child support in cases when there is no existing child support order. After notice and hearing, the court shall adjudicate child support liability of the nonsupporting parent or stepparent and enter an order accordingly;

(2) Enforce child support orders by civil action, citing the defendant for contempt, or filing a criminal complaint; and

(3) Establish paternity and collect child support on behalf of children born out of wedlock. The county attorney or authorized attorney shall:

(1) On request by the Department of Social Services or when the investigation or application filed under section 43-512 or 43-512.02 justifies, file a petition against a nonsupporting parent or stepparent in the district, county, or separate juvenile court praying for an order for child support in cases when there is no existing child support order. After notice and hearing, the court shall adjudicate child support liability of the nonsupporting parent or stepparent and enter an order accordingly;

(2) Enforce child and spousal support orders

by an action for income withholding pursuant to the Income Withholding for Child Support Act:

(3) If income withholding is not feasible, enforce child and spousal support orders by other civil actions, citing the defendant for contempt, or filing a criminal complaint; and

(4) Establish paternity and collect child support on behalf of children born out of wedlock.

Sec. 2. That original section 43-512.03, Revised Statutes Supplement, 1986, is repealed.

Sec. 3. Since an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law.