



Fact Sheet

CRIMINAL NONSUPPORT AMENDMENTS

Sponsor: Representative Karianne Lisonbee

Background for Criminal Nonsupport

- **Half of children nationwide don't receive owed payments.** (US Census Bureau)
 - Payments account for over 60% of the income generated by single-parent families living at or below the poverty line.
 - Children in poverty are more likely to suffer diminished physical health, poor academic performance, poor social and behavioral development, as well as become chronically underemployed or unemployed.
- **Assuring payment strengthens single parents.**
 - Both parents share responsibility for the upbringing and development of children.
 - Failure to pay child support can in turn become a form of domestic violence.
- **Decreased likelihood of payment after long periods of nonpayment.**
 - Many CNS offenders have been non-compliant for at least five years; the arrears increases substantially before the case is referred for criminal prosecution.

Quick stats

- On average, it can take 10 years before a case is referred to Criminal Nonsupport (CNS).
- Utah Stats
 - 300 open criminal non-support cases currently.
 - About 72 to 78 cases referred to Utah AGO last year.
 - 14 incarcerated individuals, most for other reasons. CNS is an added charge.
 - 44 on probation. Remainder are not being monitored by AP&P.

What does it do?

- Provides that the most egregious offenders with greater incentives to begin paying child support.
- Alleviates the financial burden on the State of Utah by increasing the likelihood of noncustodial parents complying with their child support obligations
- Provides criminal penalties for the crime of Aggravated Criminal Nonsupport.
 - Lowers the dollar amount from \$10,000 to \$5,000 arrears for a Third Degree Felony, consistent with other financial crimes
 - Aggravated Second Degree felony, applicable to those who have been previously convicted of or have pleaded guilty to Criminal Nonsupport, and to those who owe more than \$15,000 in child support.