

HB84

Child support statute of limitations amendments

Sponsor:
Rep. Clare Collard

Bill description

Amends the statute of limitations on child support judgements from 4 years after the child turns 18 (22) until 12 years after the child turns 18 (30).

Why This Bill?

This bill changes the existing policy surrounding the statute of limitations on child support judgements to remove barriers for custodial parents.

- Utah's current law which ends judgements 4 years after the child turns 18 is low compared to other states.
 - 21 states have no statute of limitations on child support payments, meaning that unpaid child support remains until paid.
 - Of Utah's neighboring states 3 have no statute of limitations, 2 have statutes which are longer, and only one has a lower age.
- Under current law custodial parents have the option to extend a judgement, but this requires legal action on the part of the parent that can be burdensome for custodial parents.
- This change would affect as many as 340 cases every year which expire without full payment.
- Many young adults require some form of parental support in their 20's, with this adjustment parents who had not received child support while their child was under 18 may still get child support at a time that it is useful to them.
- Custodial parents who have received a judgement for child support are entitled to that money. This law would help give custodial parents a better chance to get what is rightfully owed them.