

**FISHING AND HUNTING RESTRICTIONS FOR
NONPAYMENT OF CHILD SUPPORT**

2020 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Karianne Lisonbee

Senate Sponsor: _____

LONG TITLE

General Description:

This bill addresses a license, permit, or tag related to fishing and hunting.

Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ prohibits the issuance of a license, permit, or tag related to fishing or hunting if an individual is delinquent in child support;
- ▶ provides when a license, permit, or tag may be issued after delinquency;
- ▶ addresses responsibilities of the Division of Wildlife Resources and Office of Recovery Services;
- ▶ requires automation; and
- ▶ provides scope of the provision.

Money Appropriated in this Bill:

None

Other Special Clauses:

This bill provides a special effective date.

Utah Code Sections Affected:

ENACTS:

23-19-5.5, Utah Code Annotated 1953



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Be it enacted by the Legislature of the state of Utah:

Section 1. Section **23-19-5.5** is enacted to read:

23-19-5.5. Issuance of license, permit, or tag prohibited for failure to pay child support.

(1) As used in this section:

(a) "Child support" means the same as that term is defined in Section [62A-11-401](#).

(b) "Delinquent on a child support obligation" means that:

(i) an individual owes at least \$2,500 on an arrearage obligation of child support based on an administrative or judicial order;

(ii) the individual has not obtained a judicial order staying enforcement of the individual's obligation on the amount in arrears; and

(iii) the office has placed a lien on the individual's assets for arrears.

(c) "Office" means the Office of Recovery Services created in Section [62A-11-102](#).

(d) "Wildlife license agent" means a person authorized under Section [23-19-15](#) to sell a license, permit, or tag in accordance with this chapter.

(2) (a) An individual who is delinquent on a child support obligation may not apply for, obtain, or attempt to obtain a license, permit, or tag required under this title, by rule made by the Wildlife Board under this title, or by an order or proclamation issued in accordance with a rule made by the Wildlife Board under this title.

(b) The license, permit, and tag restrictions in Subsection (2)(a) remain effective until the individual who is delinquent on a child support obligation pays it in full and the office notifies the division.

(c) (i) An individual who applies for, obtains, or attempts to obtain a license, permit, or tag in violation of Subsection (2)(a) violates Section [23-19-5](#).

(ii) A license, permit, or tag obtained in violation of Subsection (2)(a) is invalid.

(iii) An individual who takes protected wildlife with an invalid license, permit, or tag violates Section [23-20-3](#).

(3) (a) The division or a wildlife license agent may not knowingly issue a license, permit, or tag under this title to an individual identified by the office as delinquent on a child support obligation until notified by the office that the individual has paid the individual's child

59 support obligation in full.

60 (b) The division is not required to hold or reserve a license, permit, or tag opportunity
61 withheld from an individual pursuant to Subsection (3)(a) for purposes of reissuance to that
62 individual upon payment of the individual's child support obligation in full.

63 (c) The division may immediately reissue to another qualified person a license, permit,
64 or tag opportunity withheld from an individual identified by the office as delinquent on a child
65 support obligation pursuant to Subsection (3)(a).

66 (4) The office and division shall automate the process for the division or a wildlife
67 license agent to be notified whether an individual is delinquent on a child support obligation or
68 has paid the individual's child support obligation in full.

69 (5) The office is responsible to provide any administrative or judicial review required
70 incident to the division issuing or denying a license, permit, or tag to an individual under
71 Subsection (3).

72 (6) The denial or withholding of a license, permit, or tag under this section is not a
73 suspension or revocation of license and permit privileges for purposes of:

74 (a) Section 23-19-9;

75 (b) Subsection 23-20-4(1); and

76 (c) Section 23-25-6.

77 (7) This section does not modify a court action to withhold, suspend, or revoke a
78 recreational license under Sections 62A-11-107 and 78B-6-315.

79 Section 2. **Effective date.**

80 This bill takes effect on July 1, 2021.