

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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HOUSE BILL 500

Short Title: Child Support Delinquency Rep.

(Public)

Sponsors: Representatives Gardner; Esposito, Russell, and Wilson.

Referred to: Judiciary II.

April 1, 1991

A BILL TO BE ENTITLED

AN ACT TO ALLOW THE DEPARTMENT OF HUMAN RESOURCES TO HAVE
THE NAMES OF DELINQUENT CHILD SUPPORT OBLIGORS PUBLISHED.

The General Assembly of North Carolina enacts:

Section 1. Chapter 110 of the General Statutes is amended by adding a new section to read:

"§ 110-142. Authority to publish the names of delinquent responsible child support obligors.

(a) The Department of Human Resources may cause to have published the names of all responsible obligors who have failed to pay child support for a period of three years or more next preceding the publication.

(b) The publication shall set forth the name of each delinquent obligor and the obligor's last known address.

(c) The Department of Human Resources, its agents, and assigns, and county departments of social services shall not be subject to liability for any action resulting from the listing and advertising of the names of delinquent obligor parents or for the failure to delete from these lists and advertisements the names of obligors who made payments during the advertisement period, if the failure to make the deletion was not willful. This immunity from liability includes immunity from a cross-claim by a defendant in an action in tort taken to establish or enforce child support obligations, if the listing or failure to delete is made in good faith, with apparent legal authority, without malicious purpose, and in a manner not exhibiting wanton and willful disregard of rights or property of another.

1 (d) Any newspaper that publishes lists and advertisements pursuant to this
2 section in good faith, without malicious purpose, and in a manner not exhibiting wanton
3 and willful disregard of rights or property of another."

4 Sec. 2. This act is effective upon ratification.