

IN THE SENATE

SENATE BILL NO. 1051

BY HEALTH AND WELFARE COMMITTEE

AN ACT

1 RELATING TO FAMILY LAW LICENSE SUSPENSIONS; AMENDING CHAPTER 14, TITLE 7,
2 IDAHO CODE, BY THE ADDITION OF A NEW SECTION 7-1406A, IDAHO CODE, TO ES-
3 TABLISH PROVISIONS REGARDING GOOD CAUSE DETERMINATION IN LICENSE SUS-
4 PENSION PROCEEDINGS; PROVIDING THAT CERTAIN ADMINISTRATIVE RULES CON-
5 TAINED IN IDAPA 16.03.03 SHALL BE NULL, VOID, AND OF NO FORCE AND EFFECT;
6 AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.
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8 Be It Enacted by the Legislature of the State of Idaho:

9 SECTION 1. That Chapter 14, Title 7, Idaho Code, be, and the same is
10 hereby amended by the addition thereto of a NEW SECTION, to be known and des-
11 ignated as Section 7-1406A, Idaho Code, and to read as follows:

12 7-1406A. GOOD CAUSE DETERMINATION IN LICENSE SUSPENSION PROCEED-
13 INGS. (1) A motor vehicle or occupational license suspension pursuant to
14 this chapter shall be denied or stayed if the obligor proves that one (1) or
15 more of the following conditions for good cause determination exist:

16 (a) The obligor has been declared physically disabled by the social
17 security administration, the Idaho industrial commission, or another
18 competent authority that works with disabled individuals, and the dis-
19 ability has directly resulted in the current inability to pay the child
20 support obligation;

21 (b) The obligor is experiencing the effects of an extended illness or
22 accident that has directly resulted in the current inability to pay the
23 child support obligation;

24 (c) The obligor is a student whose enrollment is a result of a referral
25 from Idaho vocational rehabilitation, the Idaho industrial commission,
26 or another competent authority that works with disabled individuals;

27 (d) The obligor is incarcerated in a county, state, or federal correc-
28 tional facility and proves that he has no assets;

29 (e) The obligor is receiving supplemental security income benefits;

30 (f) The obligor has court-ordered physical custody of all children
31 listed in the order for support; or

32 (g) Child support is being collected directly from the obligor's in-
33 come through an income withholding order issued by the department to the
34 obligor's employer or other income source.

35 (2) A recreational license suspension pursuant to this chapter shall
36 be stayed if the obligor proves either of the following conditions for good
37 cause determination exist:

38 (a) The obligor is receiving supplemental security income benefits; or

39 (b) The obligor has court-ordered physical custody of all children
40 listed in the order for support.

41 (3) No condition other than those described in subsections (1) and (2)
42 of this section shall constitute good cause for a denial or stay of a license

1 suspension. The following conditions shall not constitute good cause for a
2 denial or stay of a license suspension:

3 (a) The obligor is unemployed, underemployed, or has difficulty main-
4 taining consistent employment;

5 (b) The obligor claims to be disabled but has not applied for disability
6 benefits or has been refused disability benefits;

7 (c) The obligor asserts that the child support obligation is too high;

8 (d) The obligor has been denied full visitation with the child or chil-
9 dren; or

10 (e) The obligor alleges that the obligee misuses the child support.

11 SECTION 2. The rules contained in IDAPA 16.03.03, Idaho Department of
12 Health and Welfare, relating to Child Support Services, Section 302. and Ap-
13 pendix A, shall be null, void, and of no force and effect on and after the ef-
14 fective date of this act.

15 SECTION 3. An emergency existing therefor, which emergency is hereby
16 declared to exist, this act shall be in full force and effect on and after
17 July 1, 2025.