

LEGISLATIVE BILL 569

Approved by the Governor April 8, 1987

Introduced by Judiciary Committee; Pirsch, 10;
Korshoj, 16; Conway, 17; Nelson, 35;
Ashford, 6

AN ACT relating to child support payments; to amend section 42-358.02, Revised Statutes Supplement, 1986; to change provisions relating to the interest rate on delinquent payments; to repeal the original section; and to declare an emergency.

Be it enacted by the people of the State of Nebraska,

Section 1. That section 42-358.02, Revised Statutes Supplement, 1986, be amended to read as follows:

42-358.02. (1) All delinquent permanent child support payments shall draw interest at the rate specified in section 45-104.01, as such rate may from time to time be adjusted by the Legislature. Such interest shall be computed as simple interest.

(2) All child support payments shall become delinquent the day after they are due and owing. Interest shall not accrue until thirty days after such payments are delinquent.

(3) The court shall order the determination of the amount of interest due, and such interest shall be payable in the same manner as the support payments upon which the interest accrues subject to subsection (2) of this section or unless it is waived by agreement of the parties. It shall be the duty of the clerk of the district court to compute interest and identify delinquencies pursuant to this section and to report such information to the court and to the county attorney or authorized attorney.

Sec. 2. That original section 42-358.02, Revised Statutes Supplement, 1986, is repealed.

Sec. 3. Since an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law.