



CRIMINAL STATUTES FOR NON-PAYMENT OF CHILD SUPPORT

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This chart provides an overview of the criminal statutes for non-payment of child support for the 50 states, District of Columbia, and the Federal Deadbeat Parent Punishment Act. It also provides the maximum penalty, elements of initial crime, and elements necessary to enhance the severity of the crime and penalty. However, this chart does not address the ability of judges to find a non-custodial parent in contempt when they fail to pay child support. It also does not address the actual practices of child support agencies in enforcing the laws summarized in this chart. Finally, it does not address various defenses, such as inability to pay, that non-custodial parents may have when charged with these offenses. **It is important to understand that just because a state has a law does not mean that a child support agency will use these laws.** The various policies on how and whether to enforce these laws vary from state to state and may vary from county to county within a state.

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JURISDICTION	ELEMENTS OF INITIAL CRIME	CLASSIFICATION	MAXIMUM PENALTIES	ELEMENTS NECESSARY TO ENHANCE SEVERITY	NON-SUPPORT/ PENALTY STATUTES
ALABAMA	Intentionally fail to provide support	CLASS A MISDEMEANOR	1 YR AND/OR \$2,000		AL ST s. 13A-13-4/ 13A-5-7& 13A-5-12
ALASKA	Person obligated to support who fails to pay without lawful excuse	CLASS A MISDEMEANOR	1 YR AND/OR \$10,000		AK ST s. 11.51.120/ 12.55.135 & 12.55.035
ARIZONA	Knowingly fail to give reasonable support	CLASS 6 FELONY	1 YR AND/OR \$150,000		AZ ST s. 25-511/ 13-701 & 13-801
ARKANSAS	Fails to provide support	CLASS A MISDEMEANOR	1 YR AND/OR \$1,000		AR ST s. 5-26-401/ 5-4-201 & 5-4-401
		CLASS D FELONY	6 YRS AND/OR \$10,000	(1) LEAVE STATE FOR 30 DAYS W/ INTENT TO AVOID PAYMENT OR (2) PREVIOUS CONVICTION OR (3) OWES \$2,500 OR MORE & AMOUNT IS AT LEAST 4 MONTHS OF SUPPORT	
		CLASS C FELONY	10 YRS AND/OR \$10,000	(1) OWES BETWEEN \$10-25,000	
		CLASS B FELONY	20 YRS AND/OR	(1) OWES GREATER THAN \$25,000	
CALIFORNIA	Willfully omits to furnish without lawful excuse	MISDEMEANOR	1 YR AND/OR \$2,000		CA PENAL s. 270
COLORADO	Willfully fails to provide reasonable support	CLASS 5 FELONY	3 YRS. AND/OR \$100,000		CO ST s. 14-6-101/ 18-1.3-401
CONNECTICUT	Neglects to furnish reasonable necessary support		1 YR		CT ST s. 53-304
DELAWARE	Knowingly fails to give minimal support	CLASS B MISDEMEANOR	6 MONTHS AND \$1,150		DE ST TI 11 s. 1113/ 4205 & 4206
		CLASS A MISDEMEANOR	1YR AND \$2,300	(1) FAIL TO PAY 4 CONSECUTIVE MONTHS OR (2) PREVIOUS CONVICTION	
		CLASS G FELONY	2 YRS	(1) PREVIOUS CONVICTION OF A CLASS A MISDEMEANOR OR (2) FAIL TO PAY 8 CONSECUTIVE MONTHS OR (3) \$10,000 OR MORE	
D.C.	Willfully fail to follow order for support	CRIMINAL CONTEMPT	180 days		DC CODE 46-225.02
FLORIDA	Willfully fails to provide support and previous contempt conviction	MISDEMEANOR OF 1ST°	1 YR AND \$1,000		FL ST s. 827.06/ 775.082, 775.083 & 775.084
		FELONY OF 3RD°	5 YRS AND \$5,000	(1) 4TH AND BEYOND CONVICTION OR (2) OWES \$5,000 OR MORE FOR A YEAR AND PREVIOUS CONTEMPT CONVICTION	
GEORGIA	Willfully & voluntarily abandon	MISDEMEANOR	1 YR AND/OR \$1,000		GA ST 19-10-1/17-10-3
		FELONY	3 YRS	(1) LEAVES STATE OR (2) 3RD CONVICTION	
HAWAII	Knowingly and persistently fail to support	MISDEMEANOR	1 YR OR \$2,000		HRS 709-903/706-663/ 706-640

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IDAHO	Willfully omits to furnish food, clothing, etc.	FELONY	14 YRS OR \$500		ID ST s. 18-401
ILLINOIS	Willfully refuses to provide support for longer than 6 months or arrears greater than \$5000	CLASS A MISDEMEANOR	1 YR AND/OR \$2,500		IL ST CH 750 s. 16/15; 730 s. 5/5-8-1; 730 s. 5/5-8-3; 730 s. 5/5-9-1
		CLASS 4 FELONY	3 YRS AND/OR \$25,000 & *	(1) 2ND OR MORE CONVICTION; (2) LEAVE STATE TO AVOID PAYMENT & PAYMENT UNPAID FOR 6 MONTHS OR ARREARS \$10,000; OR (3) PAYMENT UNPAID FOR A YEAR OR (4) ARREARS \$20,000 OR GREATER	
INDIANA	Knowingly or intentionally fail to support	CLASS D FELONY	1.5 YRS AND/OR \$10,000		IN ST 35-46-1-5; 35-50-2-7; 35-50-2-6
		CLASS C FELONY	4 YRS AND/OR \$10,000	ARREARS OF \$15,000 OR MORE	
IOWA	Fails or refuses to support	CLASS D FELONY	5 YRS AND \$7,500		IA ST s. 726.5; 902.9
KANSAS	Failure, neglect, or refusal to provide support to child in necessitous situation	LEVEL 10 FELONY	7 MONTHS AND/OR \$100,000		KS ST s. 21-3605; 21-4704; 21-4503a
KENTUCKY	Persistently fail to provide support when one reasonably is able or be delinquent in paying full obligation for 2 or more months	CLASS A MISDEMEANOR	1 YR. AND/OR \$500		KY ST s. 530.050; 532.090; 532.060; 534.040; 534.03
		CLASS D FELONY	5 YRS AND/OR \$1,000-\$10,000	(1) ARREARS OF \$1,000 OR (2) 6 MONTHS WITHOUT PAYMENT OR (3) CHILD IN DESTITUTE CIRCUMSTANCES	
LOUISIANA	Desertion or intentional nonsupport leaving child in necessitous situation		6 MONTHS AND/OR \$500		LA R.S. 14:74
MAINE	Knowingly fails to provide support and is able by means of property or capacity for labor	CLASS E	6 MONTHS AND/OR \$1,000 AND MAY PLACE ON PROBATION UNTIL YOUNGEST CHILD IS 18		ME ST T. 17-A s. 552; 17-A s. 1252; 17-A s. 1301
MARYLAND	Willfully fail to provide support	MISDEMEANOR	3 YRS AND/OR \$100		MD FAMILY s. 10-203
MASSACHUSETTS	Willfully fail to comply with order of support yet is financially able or has such earning capacity	FELONY	5 YRS AND/OR \$5,000		MA ST 273 s. 1; 273 s. 15; 273 s. 15A
			10 YRS AND/OR \$10,000	(1) LEAVE THE STATE WITHOUT SUPPORT CHILD OR (2) ENTER STATE WITH CHILD IN ANOTHER STATE WITHOUT SUPPORT CHILD	
MICHIGAN	Without providing, or refusing to provide necessary and proper shelter, food, etc.	FELONY	3 YRS		MI ST 750.161 MI ST 750.165
	Refusing to support in amount or time as ordered by the court		4 YRS AND/OR \$2,000		
MINNESOTA	Knowingly omits and fails to support and there has been an attempt to hold in contempt	MISDEMEANOR	90 DAYS AND/OR \$700		MN ST s. 609.375
		GROSS MISDEMEANOR	1 YR AND/OR \$3,000	(1) VIOLATION FOR 90-180 DAYS OR (2) ARREARS OF 6-9 TIMES MONTHLY ORDER	
		FELONY	2 YRS AND/OR \$5,000	(1) VIOLATION FOR 180 OR MORE DAYS OR (2) ARREARS OF 9 OR MORE TIMES MONTHLY ORDER	

JURISDICTION	ELEMENTS OF INITIAL CRIME	CLASSIFICATION	MAXIMUM PENALTIES	ELEMENTS NECESSARY TO ENHANCE SEVERITY	NON-SUPPORT/PENALTY STATUTES
MISSISSIPPI	Desert or willfully neglect or refuse to support	FELONY	5 YRS AND/OR \$500		MS. ST. s. 97-5-3
			5 YRS AND/OR \$10,000	(1) 2ND OR SUBSEQUENT CONVICTION	
MISSOURI	Knowingly fails to provide adequate support	CLASS A MISDEMEANOR	1 YR AND/OR \$1,000		MO ST 568.040; 558.011; 560.011; 560.016
		CLASS D FELONY	5 YRS AND/OR \$5,000	(1) FAILS TO PAY IN 6 OUT OF 12 MONTHS OR (2) ARREARS OF \$5,000 OR MORE	
MONTANA	Fails to provide support that can and knows legally obligated to provide		6 MONTHS AND/OR \$500	(1) FAILS TO PAY 6 OR MORE MONTHS OR (2) FAILS TO PAY 6 MONTHS WORTH OF SUPPORT	MT ST 45-5-621
			10 YRS ( AT LEAST 8 OF 10		
			YEARS COURT MUST PLACE		
			ON PROBATION) AND/OR \$5,000		
	AGGRAVATED	10 YRS AND/OR \$50,000	(1) LEAVE THE STATE OR (2) PREVIOUS CONVICTION		
NEBRASKA	Intentionally fails, refuses, or neglects to support	CLASS II MISDEMEANOR	6 MONTHS AND/OR \$1,000		NE ST s. 28-706; 28-105; 28-106
		CLASS IV FELONY	5 YRS AND/OR \$10,000	(1) IF VIOLATION OF COURT ORDER	
NEVADA	Knowingly fails to provide support	MISDEMEANOR	6 MONTHS AND/OR \$1,000		NV ST 201.020; 193.150; 193.130
		CLASS C FELONY	5 YRS AND/OR \$10,000	(1) ARREARAGE OF \$10,000 OR MORE OR (2) PREVIOUS CONVICTION & ARREARS OF \$5,000 OR MORE	
NEW HAMPSHIRE	Knowingly fails to provide support	CLASS A MISDEMEANOR	1 YR AND/OR \$2,000		NH ST s. 639-4; 651:2
		CLASS B FELONY	7 YRS AND/OR \$4,000	(1) ARREARAGE UNPAID FOR 1 OR MORE YRS OR (2) ARREARAGE MORE THAN \$10,000 OR (3) PREVIOUS CONVICTION OR (4) PREVIOUS CONVICTION FOR SIMILAR OFFENSE BY ANOTHER STATE'S LAW AND ARREARAGE UNPAID FOR 1 OR MORE YRS	
NEW JERSEY	Willfully fails to provide support that knows legally obligated to provide and can provide	CRIME OF 4TH°	18 MONTHS AND/OR \$10,000		NJ ST 2C:24-5; 2C:43-3; 2C:43-6
NEW MEXICO	Abandoning or failing to provide support while having the means to provide	4TH° FELONY	18 MONTHS AND/OR \$5,000		NM ST s. 30-6-2; 31-18-15
NEW YORK	Fails or refuses to support	CLASS A MISDEMEANOR	1 YR AND/OR \$1,000		NY PENAL s 260.05; 260.06; 70.00; 70.15; 80.00; 80.05
		CLASS E FELONY	4 YRS AND/OR \$5,000	(1) PAST CONVICTION WITHIN PAST 5 YEARS	
NORTH CAROLINA	Willfully neglect or refuse to provide adequate support	CLASS 2 MISDEMEANOR	30 DAYS AND/OR \$1,000		NC ST s. 14-322; 15A-1340.23; 49-2 NC ST s. 14-322.1; 15A-1340.17
		CLASS 1 MISDEMEANOR	45 DAYS AND/OR FINE IN DISCRETION OF COURT	(1) PREVIOUS CONVICTION	
		CLASS I FELONY	8 MONTHS AND/OR FINE IN DISCRETION OF COURT	(1) WILLFULLY ABANDON FOR 6 MONTHS AND (2) WILLFULLY REFUSE TO GIVE ENOUGH SUP. AND (3) CONCEAL LOCATION TO AVOID OBLIGATION	

JURISDICTION	ELEMENTS OF INITIAL CRIME	CLASSIFICATION	MAXIMUM PENALTIES	ELEMENTS NECESSARY TO ENHANCE SEVERITY	NON-SUPPORT/PENALTY STATUTES
NORTH DAKOTA	Wholly abandons or willfully fail to give food, shelter, clothing, and medical attention	CLASS C FELONY	5 YRS AND/OR \$5,000		ND ST 14-07-15; 12.1-32-01 ND ST 12.1-37-01
	Willfully fails to pay ordered amount of support	CLASS B MISDEMEANOR	30 DAYS AND/OR \$1,000		
		CLASS A MISDEMEANOR	1 YR AND/OR \$2,000	(1) ARREARAGE OF \$1,000-\$2,000 OR MORE OR ARREARAGE 3-6 TIMES THE MONTHLY CHILD SUPPORT ORDER	
		CLASS C FELONY	5 YRS AND/OR \$5,000	(1) ARREARAGE OF \$2,000 OR MORE OR ARREARAGE 6 OR MORE TIMES THE MONTHLY CHILD SUPPORT ORDER	
OHIO	Abandon or fail to give court ordered support	MISDEMEANOR OF 1ST°	6 MONTHS AND/OR \$1,000		OH ST s. 2919.21; 2929.21; 2929.14; 2929.18
		FELONY OF 5TH°	12 MONTHS AND/OR \$2,500	(1) PREVIOUS CONVICTION OR (2) FAIL TO PAY 26 OUT OF 104 WEEKS	
		FELONY OF 4TH°	18 MONTHS AND/OR \$5,000	(1) PREVIOUS 5TH° FELONY CONVICTION	
OKLAHOMA	Willfully omit to give necessary food, shelter, monetary child support, etc.	MISDEMEANOR	1 YR AND/OR \$500		OK ST T. 21 s. 852; 21 s 10
		FELONY	4 YRS AND/OR \$5,000	(1) NO CHILD SUPPORT PAYMENT FOR 1 YR OR (2) ARREARS MORE THAN \$5,000 OR (3) PREVIOUS CONVICTION OR (4) LEAVE STATE TO AVOID PAYING	
OREGON	Refuses or neglects to give support	CLASS C FELONY	5 YRS AND/OR \$100,000		OR ST s. 163.555; 161.605; 161.625
PENNSYLVANIA	Willfully fails to comply with an order when one is financially able to do so	SUMMARY OFFENSE	90 DAYS AND/OR \$300		PA ST 23 Pa.C.S. s. 4354; 18 s. 1105; 18 s. 1101
RHODE ISLAND	Abandon, leaves in danger of becoming a public charge, or neglects or refuses to give support according to his or her means	MISDEMEANOR	6 MONTHS		RI ST s. 11-2-1; RI ST s. 11-2-1.1
		FELONY	5 YRS	(1) ARREARAGE OF \$30,000 OR MORE AND WILLFUL FAILURE TO MAKE ANY SUBSEQUENT PAYMENT WHILE HAVING THE MEANS TO DO SO OR (2) 3 YRS OF WILLFULLY MAKING NO PAYMENTS AND ANY SUBSEQUENT FAILURE TO MAKE ANOTHER PAYMENT	
SOUTH CAROLINA	Abandon or fail to provide reasonable support	MISDEMEANOR	1 YR AND/OR \$1,500		SC ST s. 20-7-90
SOUTH DAKOTA	Intentionally omits to give food, clothing, shelter, etc.	CLASS 1 MISDEMEANOR	1 YR AND/OR \$1,000		SD ST 25-7-16; 22-6-1; 22-6-2
		CLASS 6 FELONY	2 YRS AND/OR \$2,000	(1) DURING A VIOLATION, LEAVE STATE AND (2) GONE FOR 30 DAYS	
TENNESSEE	Fails to provide support that can and knows	CLASS A MISDEMEANOR	1 YR AND/OR \$2,500		TN ST s. 39-15-101; 40-35-111
		CLASS E FELONY	6 YRS AND/OR \$3,000	(1) LEAVE OR REMAIN OUTSIDE OF THE STATE TO AVOID PAYING OR (2) PREVIOUS CONVICTION	
TEXAS	Intentionally or knowingly fail to give support or intentionally or knowingly fail to give support under a court order	STATE JAIL FELONY	2 YRS AND/OR \$10,000		TX PENAL s. 25.05; 12.35

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UTAH	Knowingly fails to provide support when child is in needy circumstances or would be but for source other than the defendant	CLASS A MISDEMEANOR.	1 YR AND/OR \$2,500		UT ST s. 76-7-201; 76-3-204; 76-3-203; 76-3-301
		FELONY OF 3RD°	5 YRS AND/OR \$5,000	(1) PREVIOUS CONVICTION OR (2) COMMITTED OFFENSE WHILE RESIDING OUTSIDE OF UTAH OR (3) COMMITS CRIME 18 OUT OF 24 MONTHS OR (4) ARREARAGE IN EXCESS OF \$10,000	
VERMONT	Desert or willfully neglect or refuse to support	MISDEMEANOR	2 YRS AND/OR \$300		VT ST T. 15 s. 202
VIRGINIA	Desert or willfully neglect or refuse or fail to support the child being in necessitous circumstances	MISDEMEANOR	1 YR AND/OR \$1,000		VA ST s. 20-61
WASHINGTON	Willfully omit to give necessary food, clothing, shelter, or medical attendance	GROSS MISDEMEANOR	1 YR AND/OR \$5,000		WA ST 26.20.035; 9A.20.021
WEST VIRGINIA	Persistently fail to give support that one can reasonably provide or delinquent in meeting full obligation of court order for 6 or more months	MISDEMEANOR	1 YR AND/OR \$1,000		WV ST s. 61-5-29
		FELONY	3 YRS AND/OR \$1,000	(1) ARREARAGE OF NOT LESS THAN \$8000 OR (2) 12 CONSECUTIVE MONTHS W/O PAYMENT	
WISCONSIN	Intentionally fails for less than 120 consecutive days to give child support	CLASS A MISDEMEANOR	9 MONTHS AND/OR \$10,000		WI ST 948.22; 939.51; 939.50
		CLASS I FELONY	3.5 YRS AND/OR \$10,000	(1) INTENTIONALLY FAILS FOR 120 OR MORE CONSECUTIVE DAYS TO PROVIDE CHILD SUPPORT	
WYOMING	Initially fails or refuses or neglects to give adequate support	MISDEMEANOR	6 MONTHS AND/OR \$750		WY ST s. 20-3-101
		MISDEMEANOR	1 YR AND/OR \$1,000	(1) PREVIOUS CONVICTION OR (2) SUPPORT ORDED BY COURT AND FAILURE TO PAY WITHIN 60 DAYS AFTER PAYMENT DUE	
	Knowingly causes or contributes to the endangering of the child's life or health by violating a duty of support	MISDEMEANOR	1 YR AND/OR \$1,000		WY ST s. 6-4-403
		FELONY	5 YRS AND/OR \$5,000	(1) PREVIOUS CONVICTION FOR OFFENSE	

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<b>U.S.A. (FEDERAL DEAD-BEAT PARENT PUNISHMENT ACT)</b>	Willfully fail to provide support for a child who resides in another state if obligation unpaid for a year or is in amount greater than \$5,000	MISDEMEANOR	RESTITUTION IN AMOUNT OF AR-REARS AND/OR 6 MONTHS		18 USC s. 228
		FELONY	RESTITUTION IN AMOUNT OF AR-REARS AND/OR 2 YEARS	(1) TRAVEL IN INTERSTATE OR FOREIGN COMMERCE WITH INTENT TO AVOID OBLIGATION IF IT IS UNPAID FOR A YEAR OR IS IN AMOUNT GREATER THAN \$5,000 OR (2) WILLFULLY FAIL TO PROVIDE SUPPORT FOR A CHILD WHO RESIDES IN ANOTHER STATE IF OBLIGATION UNPAID FOR 2 YEARS OR IS IN AMOUNT GREATER THAN \$10,000 OR (3) PREVIOUS CONVICTION OF INITIAL CRIME	
<b>* Fine may vary and be increased as provided in IL ST CH 750 s. 16/15 based on amount of arrears</b>					