



246908

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/07/2010	.	
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The Committee on Judiciary (Fasano) recommended the following:

Senate Amendment

Delete lines 390 - 442
and insert:

10. The particular parenting plan, such as where the child spends a significant amount of time, but less than 20 ~~40~~ percent of the overnights, with one parent, thereby reducing the financial expenditures incurred by the other parent; or the refusal of a parent to become involved in the activities of the child.

11. Any other adjustment that ~~which~~ is needed to achieve an equitable result which may include, but not be limited to, a reasonable and necessary existing expense or debt. Such expense



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14 or debt may include, but is not limited to, a reasonable and
15 necessary expense or debt that ~~which~~ the parties jointly
16 incurred during the marriage.

17 (b) Whenever a particular parenting plan provides that each
18 child spend a substantial amount of time with each parent, the
19 court shall adjust any award of child support, as follows:

20 1. In accordance with subsections (9) and (10), calculate
21 the amount of support obligation apportioned to each parent
22 without including day care and health insurance costs in the
23 calculation and multiply the amount by 1.5.

24 2. Calculate the percentage of overnight stays the child
25 spends with each parent.

26 3. Multiply each parent's support obligation as calculated
27 in subparagraph 1. by the percentage of the other parent's
28 overnight stays with the child as calculated in subparagraph 2.

29 4. The difference between the amounts calculated in
30 subparagraph 3. shall be the monetary transfer necessary between
31 the parents for the care of the child, subject to an adjustment
32 for day care and health insurance expenses.

33 5. Pursuant to subsections (7) and (8), calculate the net
34 amounts owed by each parent for the expenses incurred for day
35 care and health insurance coverage for the child. ~~Day care shall~~
36 ~~be calculated without regard to the 25-percent reduction applied~~
37 ~~by subsection (7).~~

38 6. Adjust the support obligation owed by each parent
39 pursuant to subparagraph 4. by crediting or debiting the amount
40 calculated in subparagraph 5. This amount represents the child
41 support which must be exchanged between the parents.

42 7. The court may deviate from the child support amount



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43 calculated pursuant to subparagraph 6. based upon the deviation
44 factors in paragraph (a), as well as the obligee parent's low
45 income and ability to maintain the basic necessities of the home
46 for the child, the likelihood that either parent will actually
47 exercise the time-sharing schedule set forth in the parenting
48 plan granted by the court, and whether all of the children are
49 exercising the same time-sharing schedule.

50 8. For purposes of adjusting any award of child support
51 under this paragraph, "substantial amount of time" means that a
52 parent exercises time-sharing ~~visitation~~ at least 20 ~~40~~ percent
53 of the overnights of the year.