

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Flores offered the following:

2  
3 **Amendment (with title amendment)**

4 Remove lines 102-132 and insert:

5 information concerning a parent's income is unavailable, a  
6 parent fails to participate in a child support proceeding, or a  
7 parent fails to supply adequate financial information in a child  
8 support proceeding, income shall be automatically imputed to the  
9 parent and there is a rebuttable presumption that the parent has  
10 income equivalent to the median income of year-round full-time  
11 workers as derived from current population reports or  
12 replacement reports published by the United States Bureau of the  
13 Census. ~~as provided in this paragraph;~~ However, the court may  
14 refuse to impute income to a parent if the court finds it  
15 necessary for that ~~the~~ parent to stay home with the child who is

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16 the subject of a child support calculation or as set forth  
17 below:-

18 1. In order for the court to impute income at an amount  
19 other than the median income of year-round full-time workers as  
20 derived from current population reports or replacement reports  
21 published by the United States Bureau of the Census, the court  
22 must make specific findings of fact consistent with the  
23 requirements of this paragraph. The party seeking to impute  
24 income has the burden to present competent, substantial evidence  
25 that:

26 a. The unemployment or underemployment is voluntary; and  
27 b. Identifies the amount and source of the imputed income,  
28 through evidence of income from available employment for which  
29 the party is suitably qualified by education, experience,  
30 current licensure, or geographic location, with due  
31 consideration being given to the parties' time-sharing schedule  
32 and their historical exercise of the time-sharing provided in  
33 the parenting plan or relevant order.

34 2. Except as set forth in subparagraph 1., income may not  
35 be imputed based upon:

36 a. Income records that are more than 5 years old at the  
37 time of the hearing or trial at which imputation is sought; or  
38 b. Income at a level that a party has never earned in the  
39 past, unless recently degreed, licensed, certified, relicensed,  
40 or recertified and thus qualified for, subject to geographic  
41 location, with due consideration of the parties' existing time-  
42 sharing schedule and their historical exercise of the time-  
43 sharing provided in the parenting plan or relevant order.

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(6) The following guidelines schedule shall be applied to the combined net income to determine the minimum child support need:

Combined

Monthly Child or Children  
Net

Income	One	Two	Three	Four	Five	Six	
<del>650.00</del>		74	75	75	76	77	78
<del>700.00</del>		119	120	121	123	124	125
<del>750.00</del>		164	166	167	169	171	173

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**T I T L E   A M E N D M E N T**

Remove lines 7-10 and insert:  
creating a rebuttable presumption of census-level wages if information about earnings level is not provided; providing that the burden of proof is on the party seeking to impute income to the other party; prohibiting imputation of income for out-of-date records or unprecedented earnings; removing the first three combined monthly net income amounts on the guidelines schedule; providing for the

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