

# Department of Finance and Administration

## Legislative Impact Statement

**Bill: HB1257**

**Bill Subtitle: TO CLARIFY THE PAYMENT OF CHILD SUPPORT ARREARAGES AFTER THE DUTY TO SUPPORT CEASES.**

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**Basic Change :**

Representative Dale  
Senator B. Pierce

HB 1257 provides that whenever a person is required by court order to pay child support for more than one child and one of the children covered by the support order reaches adulthood or otherwise becomes emancipated, the amount of the child support to be paid does not decrease as long as delinquent support payments are owed. Courts have been inconsistent in whether or not to reduce the total support amount when this situation arises. This bill provides for consistent treatment in all cases where arrearages are owed by maintaining the same level of payment until all delinquencies are paid. This will also provide consistent treatment in those cases where children are no longer under the order and the amount to be paid is not reduced until all arrearages are paid.

**Revenue Impact :**

None

**Taxpayer Impact :**

Non-custodial parents who have delinquent child support obligations will continue to pay the same amount of child support payments when one or more of the children covered by the support order becomes emancipated until all arrearages and judgment amounts are paid. This allows for a more rapid payment of the judgment or arrearage amount while at the same time getting more money into the hands of the custodial parent for the support of the children.

**Resources Required :**

No additional resources will be required.

**Time Required :**

No additional time would be required for implementation.

**Procedural Changes :**

None

**Other Comments :**

Custodial parents will receive a more rapid payment of money that has been due and owing for sometimes long periods of time.

**Legal Analysis :**

HB1257 would ensure that all child support cases with arrears are treated in the same manner in all jurisdictions when a child emancipates but other children remain on the order. HB1257 would require the non-custodial parent to continue paying the same amount that he or she is currently paying before the child emancipates with the difference between the new and old current obligation being applied to the arrearage. The law currently requires this level of payment to continue in the situation when all children on the order have emancipated.