House Bill 221

By: Representatives Burmeister of the 119th, Watson of the 91st, Mosby of the 90th, Morgan of the 39th, Ehrhart of the 36th, and others

A BILL TO BE ENTITLED

AN ACT

1   To amend Title 19 of the Official Code of Georgia Annotated, relating to domestic relations,

2   so as to change certain provisions relating to the calculation of child support; to provide

3   guidelines for determining amount of child support to be paid; to provide for factors for

4   apportioning child support obligations; to provide a schedule of basic child support

5   obligation amounts; to change the form of the final judgment in divorce actions to conform

6   such changes in the determination and computation of child support; to remove a certain

7   limitation on petitions to modify alimony and child support; to provide an effective date; to

8   repeal conflicting laws; and for other purposes.

9   BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

10   **SECTION 1.**

11   Title 19 of the Official Code of Georgia Annotated, relating to domestic relations, is

12   amended by striking subsection (c) of Code Section 19-5-12, relating to form of judgment

13   and decree in divorce actions, and inserting in lieu thereof a new subsection (c) to read as

14   follows:

15   "(c) In any case which involves the determination of child support and only in such cases,

16   the form of the judgment shall also include provisions substantially identical to the

17   following. indicating both parties´ incomes, the number of children for which support is

18   being provided, the presumptive award calculation, and, if the presumptive award is

19   rebutted, the award amount and the basis for the rebuttal award. The order shall include

20   a specific date that the obligation of support ceases based on the child or children´s date of

21   reaching majority, The order shall state provisions for extending support beyond the date

22   of a child reaching majority when so ordered by the court in accordance with other statutes

23   or regulations, provided that a date certain for the cessation of the child support obligation

24   is entered into the record and provided to both parties and any appropriate child support

25   agency. The court is authorized to establish by court rule an administrative method of

26   entering the date of cessation of obligation of support that extends beyond the age of

1   majority, provided that an obligor is given notice and is provided a method of

2   administratively challenging the appropriateness of the date of cessation of obligation of

3   support with either party having the right to appeal the date of cessation of obligation of

4   support to the superior court.

5   In determining child support, the court finds as follows:

6   The gross income of the father is _____ dollars monthly.

7   The gross income of the mother is _____ dollars monthly.

8   In this case child support is being determined for _____ children.

9   The applicable percentage of gross income to be considered is:

Number of Children	Percentage Range of Gross Income
1	17 percent to 23 percent
2	23 percent to 28 percent
3	25 percent to 32 percent
4	29 percent to 35 percent
5 or more	31 percent to 37 percent

17   Thus, ____ percent of _____ (gross income of obligor) equals _____ dollars

18   per month.

19   The court has considered the existence of special circumstances and has found the

20   following special circumstances marked with an 'X' to be present in this case:

21   _____   1. Ages of the children.

22   _____   2. A child´s extraordinary medical costs or needs in addition to accident

23   and sickness insurance, provided that all such costs or needs shall be

24   considered if no insurance is available.

25   _____   3. Educational costs.

26   _____   4. Day-care costs.

27   _____   5. Shared physical custody arrangements, including extended visitation.

28   _____   6. A party´s other support obligations to another household.

29   _____   7. Income that should be imputed to a party because of suppression of

30   income.

31   _____   8. In-kind income for the self-employed, such as reimbursed meals or a

32   company car.

1   =====   9. Other support of party is providing or will be providing, such as

2   =====   payment of a mortgage.

3   =====   10. A party's own extraordinary needs, such as medical expenses.

4   =====   11. Extreme economic circumstances including but not limited to:

5   =====   (A) Unusually high debt structure; or

6   =====   (B) Unusually high income of either party or both parties, which shall

7   =====   be construed as individual gross income of over $75,000.00 per annum.

8   =====   12. Historical spending in the family for children which varies

9   =====   significantly from the percentage table.

10   =====   13. Considerations of the economic cost-of-living factors of the

                         community of each party, as determined by the trier of fact.

11   =====   14. In-kind contribution of either parent.

12   =====   15. The income of the custodial parent.

13   =====   16. The cost of accident and sickness insurance coverage for dependent

14   children included in the order.

15   =====   17. Extraordinary travel expenses to exercise visitation or shared physical

                         custody.

16   =====   18. Any other factor which the trier of fact deems to be required by the

17   ends of justice, as described below:

18   _____.

19   Having found that no special circumstances exist, or special circumstances numbered

20   _____ exist (delete the phrase which does not apply), the final award of child support

21   which _____ shall pay to _____ for support

22   of the child or children is _____ dollars per week/month other period (delete those

23   which do not apply and insert as necessary) per child, beginning on the _____ day of

24   _____, ____, and payable thereafter on the _____ day of _____

25   until the child becomes 18 years of age, dies, marries, or otherwise becomes emancipated,

26   except that if the child becomes 18 years of age while enrolled in and attending secondary

27   school on a full-time basis, then such support shall continue until the child completes

28   secondary school, provided that such support shall not be required after the child attains

29   20 years of age. _____ is ordered to provide accident and sickness

30   insurance for the child or children for so long as he or she is obligated by this order to

31   provide support (insert name of party or delete this sentence if the order does not include

32   provision for insurance)."

1   **SECTION 2.**

2   Said title is further amended by striking Code Section 19-6-15, relating to guidelines for

3   calculating child support, and inserting in lieu thereof a new Code Section 19-6-15 to read

4   as follows:

5   "19-6-15.

6   (a) The provisions of this Code section shall not apply with respect to any divorce case in

7   which there are no minor children, except to the limited extent expressly authorized in

8   subsection (e) of this Code section; and in a divorce case in which there are no minor

9   children the requirements of this Code section for findings of fact and inclusion of findings

10   in the verdict or decree shall not apply. In the final verdict or decree, the trier of fact shall

11   specify in what amount and from which party the minor children are entitled to permanent

12   support. The final verdict or decree shall further specify as required by Code Section

13   19-5-12 in what manner, how often, to whom, and until when the support shall be paid.

14   The final verdict or decree shall further include a written finding of the gross income of the

15   father and the mother ~~and the presence or absence of special circumstances in accordance~~

16   ~~with subsection (c) of this Code section. The trier of fact must also determine whether the~~

17   ~~accident and sickness insurance for the child or the children involved is reasonably~~

18   ~~available at reasonable costs through employment related or other group health insurance~~

19   ~~policies to an obligor. For purposes of this Code section, accident and sickness coverage~~

20   ~~shall be deemed available if the obligor has access to any policy of insurance authorized~~

21   ~~under Title 33 through an employer or other group health insurance plan. If the accident~~

22   ~~and sickness insurance is deemed available at reasonable cost, the court shall order the~~

23   ~~obligor to obtain the coverage; provided, however, if the obligee has accident and sickness~~

24   ~~insurance for the child or children reasonably available at reasonable costs through~~

25   ~~employment related or other group health insurance policies, then the court may order that~~

26   ~~the child or children be covered under such insurance and the obligor contribute as part of~~

27   ~~the child support order such part of the cost of providing such insurance or such part of any~~

28   ~~medical expenses incurred on behalf of the child or children not covered by such insurance~~

29   ~~as the court may deem equitable or appropriate. If currently unavailable or unreasonable~~

30   ~~in cost, the court shall order the obligor to obtain coverage when it becomes available at~~

31   ~~a reasonable cost, unless such insurance is provided by the obligee as provided in this~~

32   ~~subsection.~~ When support is awarded, the party ~~who is~~ required to pay the support shall

33   not be liable to third persons for necessaries furnished to the children embraced in the

34   verdict or decree. In any contested case, the parties shall submit to the court their proposed

35   findings regarding the gross income of the father and the mother ~~and the presence or~~

36   ~~absence of special circumstances~~. In any case in which child support is determined by a

37   jury, the court shall charge the provisions of this Code section and the jury shall be required

1   to return a special interrogatory ~~similar to the form of the order contained in Code Section~~

2   ~~19-5-12 regarding the gross income of the father and the mother and the presence or~~

3   ~~absence of special circumstances.~~ Furthermore, nothing contained within this Code section

4   shall prevent the parties from entering into an enforceable agreement to the contrary which

5   may be made the order of the court pursuant to the review by the court of child support

6   amounts contained in this Code section; provided, however, any such agreement of the

7   parties shall include a written statement regarding the gross income of the father and the

8   mother ~~and the presence or absence of special circumstances in accordance with subsection~~

9   ~~(c) of this Code section.~~

10 (b) ~~The child support award shall be computed as provided in this subsection:~~

11 ~~(1) Computation of child support shall be based upon gross income;~~

12 ~~(2) For the purpose of determining the obligor's child support obligation, gross income~~

13 ~~shall include 100 percent of wage and salary income and other compensation for personal~~

14 ~~services, interest, dividends, net rental income, self-employment income, and all other~~

15 ~~income, except need-based public assistance;~~

16 ~~(3) The earning capacity of an asset of a party available for child support may be used~~

17 ~~in determining gross income. The reasonable earning potential of an asset may be~~

18 ~~determined by multiplying its equity by a reasonable rate of interest. The amount~~

19 ~~generated by that calculation should be added to the obligor's gross monthly income;~~

20 ~~(4) Allowable expenses deducted to calculate self-employment income that personally~~

21 ~~benefit the obligor, or economic in-kind benefits received by an employed obligor, may~~

22 ~~be included in calculating the obligor's gross monthly income; and~~

23 ~~(5) The amount of the obligor's child support obligation shall be determined by~~

24 ~~multiplying the obligor's gross income per pay period by a percentage based on the~~

25 ~~number of children for whom child support is being determined. The applicable~~

26 ~~percentages of gross income to be considered by the trier of fact are:~~

27 ~~Number of~~

28 ~~Children~~   ~~Percentage Range of Gross Income~~

29   ~~1~~   ~~17 percent to 23 percent~~

30   ~~2~~   ~~23 percent to 28 percent~~

31   ~~3~~   ~~25 percent to 32 percent~~

32   ~~4~~   ~~29 percent to 35 percent~~

33   ~~5 or more~~   ~~31 percent to 37 percent~~

34 ~~Application of these guidelines shall create a rebuttable presumption that the amount of the~~

35 ~~support awarded is the correct amount of support to be awarded. A written finding or~~

36 ~~specific finding on the record for the award of child support that the application of the~~

1   ~~guidelines would be unjust or inappropriate in a particular case shall be sufficient to rebut~~
2   ~~the presumption in that case. Findings that rebut said presumption must state the amount~~
3   ~~of support that would have been required under the guidelines and include justification of~~
4   ~~why the order varies from the guidelines.~~ These guidelines are intended by the General
5   ~~Assembly to be guidelines only and any court so applying these guidelines shall not~~
6   ~~abrogate its responsibility in making the final determination of child support based on the~~
7   ~~evidence presented to it at the time of trial.~~ The application of the guidelines contained in
8   this Code section shall apply as a rebuttable presumption in all legal proceedings involving
9   the child support obligation of a parent, including, but not limited to, orders entered in
10   criminal and juvenile proceedings, orders entered in UIFSA proceedings, and voluntary
11   support agreements and consent orders approved by the court. The guidelines do not apply
12   to orders for prior maintenance for reimbursement of child related expenses incurred prior
13   to the date an action for child support is filed or child support orders entered against
14   stepparents or other persons or agencies secondarily liable for child support. The
15   guidelines shall be used when the court enters a temporary or permanent child support
16   order in a contested or noncontested hearing. The court, upon its own motion or upon
17   motion of a party, may deviate from the guidelines if, after hearing evidence and making
18   findings regarding the reasonable needs of the child for support and the relative ability of
19   each parent to provide support, it finds by the greater weight of the evidence that
20   application of the guidelines would not meet or would exceed the reasonable need of the
21   child considering the relative ability of each parent to provide support or would otherwise
22   be unjust or inappropriate. If the court deviates from the guidelines, the court shall make
23   written findings stating the amount of the supporting parent´s presumptive child support
24   obligation determined pursuant to the guidelines contained in this Code section,
25   determining the reasonable needs of the child and the relative ability of each parent to
26   provide support, supporting the court´s conclusion that the presumptive amount of child
27   support determined under the guidelines is inadequate or excessive or that application of
28   the guidelines is otherwise unjust or inappropriate, and stating the basis on which the court
29   determined the amount of child support ordered. The guidelines contained in this Code
30   section are intended to provide adequate awards of child support equitable to the child and
31   both of the child´s parents. When the court does not deviate from the guidelines, an order
32   for child support in an amount determined pursuant to the guidelines is conclusively
33   presumed to meet the reasonable needs of a child considering the relative ability of each
34   parent to provide support, and specific findings regarding a child´s reasonable needs or the
35   relative ability of each parent to provide support are, therefore, not required. Regardless
36   of whether the court deviates from the guidelines or enters a child support order pursuant
37   to the guidelines, the court shall consider incorporating in or attaching to its order or

1 including in the case file the child support worksheet that the court uses to determine the

2 supporting parent´s presumptive child support obligation under the guidelines.

3 (c) ~~The trier of fact shall vary the final award of child support, up or down, from the range~~

4 ~~enumerated in paragraph (5) of subsection (b) of this Code section upon a written finding~~

5 ~~that the presence of one or more of the following special circumstances makes the~~

6 ~~presumptive amount of support either excessive or inadequate:~~

7 ~~(1) Ages of the children;~~

8 ~~(2) A child´s extraordinary medical costs or needs in addition to accident and sickness~~

9 ~~insurance, provided that all such costs or needs shall be considered if no insurance is~~

10 ~~available;~~

11 ~~(3) Educational costs;~~

12 ~~(4) Day-care costs;~~

13 ~~(5) Shared physical custody arrangements, including extended visitation;~~

14 ~~(6) A party´s other support obligations to another household;~~

15 ~~(7) Income that should be imputed to a party because of suppression of income;~~

16 ~~(8) In-kind income for the self-employed, such as reimbursed meals or a company car;~~

17 ~~(9) Other support a party is providing or will be providing, such as payment of a~~

18 ~~mortgage;~~

19 ~~(10) A party´s own extraordinary needs, such as medical expenses;~~

20 ~~(11) Extreme economic circumstances including but not limited to:~~

21 ~~(A) Unusually high debt structure; or~~

22 ~~(B) Unusually high income of either party or both parties, which shall be construed as~~

23 ~~individual gross income of over $75,000.00 per annum;~~

24 ~~(12) Historical spending in the family for children which varies significantly from the~~

25 ~~percentage table;~~

26 ~~(13) Considerations of the economic cost-of-living factors of the community of each~~

27 ~~party, as determined by the trier of fact;~~

28 ~~(14) In-kind contribution of either parent;~~

29 ~~(15) The income of the custodial parent;~~

30 ~~(16) The cost of accident and sickness insurance coverage for dependent children~~

31 ~~included in the order;~~

32 ~~(17) Extraordinary travel expenses to exercise visitation or shared physical custody; and~~

33 ~~(18) Any other factor which the trier of fact deems to be required by the ends of justice.~~

34 The guidelines contained in this Code section include a self-support reserve that ensures

35 that obligors have sufficient income to maintain a minimum standard of living based on the

36 2002 federal poverty level for one person of $738.00 net per month. For obligors with

37 adjusted gross incomes of less than $800.00 per month, the guidelines require, absent a

1   deviation, the establishment of a minimum support order of $50.00 per month. For

2   obligors with adjusted gross incomes above $800.00 per month, the Schedule of Basic

3   Support Obligations incorporates a further adjustment to maintain the self-support reserve

4   for the obligor. There shall be a self-support calculation for cases in which the obligor´s

5   adjusted gross income falls at or below $1,200.00 per month when there is one child to be

6   supported, at or below $1,450.00 per month when there are two children to be supported,

7   at or below $1,650.00 per month when there are three children to be supported, at or below

8   $1,800.00 per month when there are four children to be supported, at or below $2,000.00

9   per month when there are five children to be supported, or at or below $2,150.00 per month

10 when there are six or more children to be supported. For these cases, the basic child

11 support obligation and the obligor´s total child support obligation are computed using only

12 the obligor´s income and assuming for calculation purposes that the obligee´s income is

13 zero. In these cases, child care and health insurance premiums should not be used to

14 calculate the child support obligation. However, payment of these costs by either parent

15 may be a basis for deviation. This approach prevents disproportionate increases in the

16 child support obligation with moderate increases in income and protects the integrity of the

17 self-support reserve. In these self-support cases, there shall be no parenting time credit for

18 the noncustodial parent in the alternative self-support calculation award since the basic

19 support obligation in the Schedule of Basic Support Obligations is below actual child costs

20 due to lack of income. For these self-support cases, the presumptive award shall be the

21 lesser of the award calculated using just the obligor´s adjusted gross income and the award

22 based on combined adjusted gross income. In the determination of the lesser award for

23 self-support situation cases, the parenting time credit shall still be applied to the award

24 calculation based on combined adjusted gross income according to paragraph (12) of

25 subsection (e) of this Code section. For cases in which the custodial parent´s monthly

26 adjusted gross income is less than 125 percent of the poverty threshold for one adult as

27 established each year by the United States Department of Health and Human Services,

28 there shall be a minimum award of $50.00. This minimum is rebuttable, specifically taking

29 into account the obligor´s ability to pay. In all other cases, the basic child support

30 obligation is computed using the combined adjusted gross income of both parents. In cases

31 in which the parents´ combined adjusted gross income is more than $20,000.00 per month,

32 the basic support obligation for $20,000.00 per month necessarily becomes the presumptive

33 basic support obligation for combined adjusted gross income exceeding $20,000.00 per

34 month. The court shall be free to deviate in high-income cases just as for cases when the

35 parents´ combined adjusted gross income does not exceed $20,000.00 per month.

36 (d) The guidelines shall be reviewed by a commission appointed by the Governor to ensure

37 that their application results in the determination of appropriate child support award

1   amounts. ~~The commission will complete its review and submit its report within four years~~
2   ~~following July 1, 1989, and shall continue such reviews every four years thereafter.~~
3   ~~Nothing contained in such report shall be considered to authorize or require a change in the~~
4   ~~guidelines without action by the General Assembly having the force and effect of law.~~ The
5   Schedule of Basic Support Obligations is based upon economic data which represents
6   adjusted estimates of average total household spending for children between birth and age
7   18, excluding child care, health insurance, and health care costs in excess of $100.00 per
8   year. Expenses incurred in the exercise of visitation are not factored into the schedule.
9   (e)(1) *Gross income.* ~~The duty to provide support for a minor child shall continue until~~
10   ~~the child reaches the age of majority, dies, marries, or becomes emancipated, whichever~~
11   ~~first occurs; provided, however, that, in any temporary or final order for child support~~
12   ~~with respect to any proceeding for divorce, separate maintenance, legitimacy, or paternity~~
13   ~~entered on or after July 1, 1992, the trier of fact, in the exercise of sound discretion, may~~
14   ~~direct either or both parents to provide financial assistance to a child who has not~~
15   ~~previously married or become emancipated, who is enrolled in and attending a secondary~~
16   ~~school, and who has attained the age of majority before completing his or her secondary~~
17   ~~school education, provided that such financial assistance shall not be required after a~~
18   ~~child attains 20 years of age. The provisions for support provided in this subsection may~~
19   ~~be enforced by either parent or the child for whose benefit the support is ordered.~~ For the
20   purposes of this Code section, the term 'gross income' means income before deductions
21   for federal and state income taxes, social security and medicare taxes, health insurance
22   premiums, retirement contributions, and other amounts withheld from income. Gross
23   income from self-employment, rent, royalties, proprietorship of a business, or joint
24   ownership of a partnership or closely held corporation shall be the amount of gross
25   receipts minus ordinary and necessary expenses required for self-employment or business
26   operation. Ordinary and necessary business expenses do not include amounts allowable
27   by the federal Internal Revenue Service for the accelerated component of depreciation
28   expenses, investment tax credits, or any other business expenses determined by the court
29   to be inappropriate for determining gross income. In general, income and expenses from
30   self-employment or operation of a business should carefully be reviewed to determine an
31   appropriate level of gross income available to the parent to satisfy a child support
32   obligation. In most cases, this amount will differ from a determination of business
33   income for tax purposes. Expense reimbursements or in-kind payments, such as the use
34   of a company car, free housing, and reimbursed meals, received by a parent in the course
35   of employment, self-employment, or operation of a business shall be counted as income
36   if they are significant and reduce personal living expenses. Since persons who are
37   self-employed pay FICA taxes at twice the rate that is paid by payroll employees, to put

1   self-employment income on the same basis as income for payroll employees, the federal

2   deduction for self-employment taxes shall be subtracted from self-employment income.

3   This is equal to one-half of the self-employment tax on self-employment income.

4   (2) *Income.* For the purposes of this Code section, the term 'income' means a parent´s

5   actual gross income from any source, including, but not limited to, income from

6   employment and self-employment, such as salaries, wages, commissions, bonuses,

7   dividends, and severance pay; ownership or operating of a business, partnership, or

8   corporation; rental of property; retirement and pensions; interest; trusts; annuities; capital

9   gains; social security benefits; workers compensation benefits; gifts; prizes; and alimony

10 or maintenance received. Alimony paid is excluded from income. When income is

11 received on an irregular, nonrecurring, or one-time basis, the court may average or

12 prorate the income over a specified period of time or require the obligor to pay as child

13 support a percentage of his or her nonrecurring income equivalent to the percentage of

14 his or her recurring income paid for child support. Income shall not include benefits

15 received from means tested public assistance programs, including, but not limited to,

16 Temporary Assistance to Needy Families (TANF), Supplemental Security Income (SSI),

17 food stamps, and general assistance. Social Security benefits received for the benefit of

18 a child as a result of the disability or retirement of either parent are included as income

19 attributed to the parent on whose earnings record the benefits are paid, but shall be

20 deducted from that parent´s child support obligation. Except as otherwise provided in

21 this Code section, income does not include the income of a person who is not a parent of

22 a child for whom support is being determined regardless of whether that person is married

23 to or lives with the child´s parent or has physical custody of the child.

24 (3) *Potential or imputed income.* If either parent is voluntarily unemployed or

25 underemployed to the extent that the parent cannot provide a minimum level of support

26 for himself or herself and his or her children when he or she is physically and mentally

27 capable of doing so and the court finds that the parent´s voluntary unemployment or

28 underemployment is the result of the parent´s bad faith or deliberate suppression of

29 income to avoid or minimize his or her child support obligation, child support may be

30 calculated based on the parent´s potential, rather than actual, income. Potential income

31 may not be imputed to a parent physically or mentally incapacitated or caring for a child

32 under the age of three years and for whom child support is being determined. The

33 amount of potential income imputed to a parent shall be based on the parent´s

34 employment potential and probable earnings level based on the parent´s recent work

35 history, occupational qualifications, and prevailing job opportunities and earning levels

36 in the community. Potential income shall not be determined contrary to the current local

37 economic environment. Past income shall not be the basis for imputed income if current

1   actual income reflects current economic potential. If the parent has no recent work

2   history or vocational training, potential income shall not be less than the minimum hourly

3   wage for a 40 hour work week.

4   (4) *Income verification.* Child support calculations under the guidelines contained in this

5   Code section are based upon the parents´ current incomes at the time the order is entered.

6   Income statements of the parents shall be verified through documentation of both current

7   and past income. Suitable documentation of current earnings shall cover at least one full

8   month and include pay stubs, employer statements, and, if self-employed, business

9   records and receipts. Documentation of current income shall be supplemented with

10 copies of the most recent tax return to provide verification of earnings over a longer

11 period. Sanctions may be imposed for failure to comply with this provision on the

12 motion of a party or by the court on its own motion.

13 (5) *Adjustment for second household.* The Schedule of Basic Support Obligations is

14 based on intact family data. The schedule assumes that only one set of adult overhead,

15 such as mortgage or rent payment and housing utilities, is incurred. When appropriate,

16 the court shall make an adjustment to combined adjusted income to reflect the reduction

17 in available income due to two households being supported by the two parents instead of

18 one. Such an adjustment for additional adult overhead would be separate from any credit

19 for parenting time.

20 (6) *Pre-existing child support obligations and responsibility for other children.*

21   (A) Child support payments actually made by a parent under any preexisting court

22   order, separation agreement, or voluntary support arrangement are deducted from the

23   parent´s gross income. The court may consider a voluntary support arrangement as a

24   preexisting child support obligation when the supporting parent has consistently paid

25   child support for a reasonable and extended period of time. A preexisting support order

26   is one that is in effect at the time a child support order in the pending action is entered

27   or modified, regardless of whether the child or children for whom support is being paid

28   were born before or after the child or children for whom support is being determined.

29   Actual payments of alimony shall not be considered as a deduction from gross income

30   but may be considered as a factor to vary from the final presumptive child support

31   obligation.

32   (B) A parent´s financial responsibility, as determined in accordance with this Code

33   section, for his or her natural or adopted children who currently reside with the parent,

34   other than children for whom child support is being determined in the pending action,

35   is deducted from the parent´s gross income. Use of this deduction is appropriate when

36   a child support order is entered or modified, but may not be the sole basis for

37   presumptively modifying an existing order. However, the guidelines are fully

1   rebuttable, an additional dependent natural or adopted child shall be considered a

2   material change for requesting a modification, and the court may deviate from the

3   presumptive award for the modification of an existing award when the existence of a

4   new dependent natural or adopted child is found to render the presumptive award unjust

5   or inappropriate.

6   (C) A parent´s financial responsibility for his or her natural or adopted children who

7   currently reside with the parent, other than children for whom child support is being

8   determined in the pending case, is equal to the basic child support obligation for such

9   children based on the parent´s income if the other parent of such children does not live

10   with the parent and children, or is one-half of the basic child support obligation for such

11   children based on the combined income of both parents of such children if the other

12   parent of such children lives with the parent and children.

13   (7) *Basic child support obligation.* The basic child support obligation is determined

14   using the Schedule of Basic Support Obligations. For combined monthly adjusted gross

15   income falling between amounts shown in the schedule, the basic child support obligation

16   shall be interpolated. The number of children columns on the Schedule of Basic Support

17   Obligations refer to children for whom parents share joint legal responsibility and for

18   whom support is being sought.

19   (8) *Child care costs.* Reasonable child care costs that are, or will be, paid by a parent due

20   to employment or job search are added to the basic child support obligation and prorated

21   between the parents based upon their respective incomes. When the gross monthly

22   income of the parent paying child care costs falls below $1,000.00 when there is one

23   child, $1,500.00 when there are two children, $1,700.00 when there are three children,

24     $1,900.00 when there are four children, $2,100.00 when there are five children, or

25     $2,300.00 when there are six or more children, 100 percent of child care costs shall be

26   added. When the income of the parent who pays child care costs exceeds the amounts

27   set forth in this paragraph, only 75 percent of the actual child care costs are added

28   because such parent is entitled to an income tax credit for child care expenses.

29   (9) *Health insurance and health care costs.*

30   (A) The amount that is, or will be, paid by a parent for health insurance, including

31   medical coverage or medical and dental coverage, for the children for whom support

32   is being determined is added to the basic child support obligation and is prorated

33   between the parents based upon their respective incomes. Payments made by a parent´s

34   employer for health insurance and not deducted from the parent´s wages are not

35   included. When a child for whom support is being determined is covered by a family

36   policy, only the health insurance premium actually attributable to that child is added.

37   If this amount is not available or cannot be verified, the total cost of the premium shall

1   be divided by the total number of persons covered by the policy and then multiplied by

2   the number of covered children for whom support is being determined.

3   (B)   As used in this paragraph, the term 'uncovered medical expenses' means all

4   medical expenses for the child not paid by insurance. The custodial parent shall pay the

5   first $250.00 of uncovered medical expenses up to a maximum of $500.00 per year for

6   all children. Uncovered medical expenses in excess of $250.00 per child or a maximum

7   of $500.00 per year for all children shall be paid by the parents in proportion to their

8   respective gross incomes. The custodial parent shall inform the noncustodial parent of

9   uncovered medical expenses in a timely manner by providing copies of the expenses

10   and appropriate explanations of benefits by insurance providers. The noncustodial

11   parent´s share of uncovered medical expenses shall be paid to the custodial parent in

12   a timely manner. Medical expenses shall include, but not be limited to, costs for

13   reasonably necessary medical, orthodontic, or dental treatment; physical therapy; eye

14   care, including eyeglasses or contact lenses; mental health treatment; substance abuse

15   treatment; prescription drugs; and other uncovered medical expenses.

16   (C)   The court may order either parent to obtain and maintain health insurance

17   coverage, either medical coverage only or medical and dental coverage, for a child if

18   it is actually and currently available to the parent at a reasonable cost. Health insurance

19   is considered reasonable in cost if it is employment related or other group health

20   insurance, regardless of the delivery mechanism. If health insurance is not actually and

21   currently available to a parent at a reasonable cost at the time the court orders child

22   support, the court may enter an order requiring the parent to obtain and maintain health

23   insurance for a child if and when the parent has access to reasonably priced health

24   insurance for the child.

25   (10) *Extraordinary expenses.* Other extraordinary school expenses, including expenses

26   related to special or private elementary or secondary schools to meet a child´s particular

27   educational needs and expenses for transporting the child between the parents´ homes,

28   may be added to the basic child support obligation and ordered paid by the parents in

29   proportion to their respective incomes if the court determines the expenses are

30   reasonable, necessary, and in the child´s best interest. Extraordinary expenses are not

31   presumptive and must be explicitly stated as a deviation and the basis explained.

32   (11) *Child related tax benefits.* Tax benefit offsets shall be calculated and shared

33   between the parents in the same proportion as each parent´s share of combined adjusted

34   gross income. These child related tax benefits shall generally be limited to head of

35   household status, child dependency exemptions, and child tax credits. Child care tax

36   credits are taken into account separately as provided in paragraph (8) of this subsection.

37   Unless the parents voluntarily have made a sharing arrangement of the tax benefits, the

1   court shall allocate the value of the child related tax benefits as cost offsets. One or both

2   parents may have child related tax benefits. Each parent´s value of the child related tax

3   benefits is defined as the difference between a parent´s after-tax income with the child

4   related tax benefits and the parent´s after-tax income as a single taxpayer without the tax

5   benefits. This calculation shall be made net of alimony paid or received. At the court´s

6   discretion, the child related tax benefit of head of household status may be discounted if

7   that parent´s itemized deductions normally exceed the standard deduction for a single

8   taxpayer. The child related tax benefits may be determined for a given case by simplified

9   tables as established by court rule if such rule is promulgated by the Supreme Court of

10   Georgia for use by the superior courts. Allocating the value of the child related tax

11   benefits in determining child support does not affect which parent actually claims the

12   child related tax benefits when filing income tax returns.

13   (12) *Adjustment for costs associated with noncustodial parenting time.*

14   (A) Because the Schedule of Basic Child Support Obligations is based on expenditures

15   for children in intact households, there is no consideration for costs associated with the

16   noncustodial parent´s parenting time. When parenting time is exercised by the

17   noncustodial parent, a portion of the costs for children normally expended by the

18   custodial parent shifts to the noncustodial parent. Accordingly, when parenting time

19   is, or is expected to be, exercised by the parent paying child support, an adjustment

20   shall be made to that parent´s proportionate share of the child support obligation.

21   (B)   To adjust for the costs of noncustodial parenting time, the court shall first

22   determine the total amount of noncustodial parenting time indicated in a court order or

23   parenting plan or by the expectation or historical practice of the parents. The court

24   shall then add together each period of visitation within twenty-four hours to arrive at

25   the total number of noncustodial parenting days per year. For the purposes of making

26   this determination, 'one day' means more than 12 continuous and consecutive hours or

27   an overnight visit; 'one-half day' means more than four and up to and including 12

28   continuous and consecutive hours; and 'one-quarter day' means up to and including four

29   continuous and consecutive hours. For the purposes of calculating noncustodial

30   parenting time days, only the time spent by a child with the noncustodial parent is

31   considered. Time that the child is in school or child care is not considered. After

32   determining the total number of noncustodial parenting time days, the appropriate

33   adjustment for noncustodial parenting time shall be determined as follows:

1   NONCUSTODIAL PARENTING TIME - TABLE A

Number of Days	Adjustment Percentage
0-3	0
4-20	.012
21-38	.031
39-57	.050
58-72	.085
73-87	.105
88-115	.161
116-129	.195
130-142	.253
143-152	.307
153-162	.362
163-172	.422
173-182	.486

16   As the number of noncustodial parenting time days approaches equal time sharing (143

17   days and above), certain costs usually incurred only in the custodial household are

18   assumed to be substantially or equally shared by both parents. These costs are for items

19   such as the child´s clothing and personal care items, entertainment, and reading

20   materials. If this assumption is rebutted by proof that such costs are not substantially

21   or equally shared in each household, the appropriate adjustment for noncustodial

22   parenting time shall be determined as follows:

23   NONCUSTODIAL PARENTING TIME - TABLE B

Number of Days	Adjustment Percentage
143-152	.275
153-162	.293
163-172	.312
173-182	.331

29   (C) The noncustodial parenting time adjustment percentage is applied to the basic child

30   support obligation by multiplying the basic child support obligation by the adjustment

31   percentage. The resulting number is then subtracted from the proportionate share of the

32   child support obligation of the noncustodial parent who exercises visitation. If the time

1   spent with each parent is essentially equal, the expenses for the children are equally

2   shared and, if the adjusted gross incomes of the parents are essentially equal, no support

3   shall be paid. If the parents´ incomes are not equal, the total child support amount shall

4   be divided equally between the two households, and the parent owing the greater

5   amount shall be ordered to pay what is necessary to achieve that equal share in the other

6   parent´s household.

7   (13) *Loss of income.* In the event that the parent paying child support suffers an

8   involuntary termination of employment, has an extended involuntary loss of average

9   weekly hours, is involved in an organized strike, or incurs a loss of health or similar

10   involuntary adversity resulting in a loss of income of 25 percent or more, then the portion

11   of child support attributable to lost income shall not accrue.

12   (f) ~~The provisions of subsection (e) of this Code section shall be applicable only to a~~

13   ~~temporary order or final decree for divorce, separate maintenance, legitimation, or paternity~~

14   ~~entered on or after July 1, 1992, and the same shall be applicable to an action for~~

15   ~~modification of a decree entered in such an action entered on or after July 1, 1992, only~~

16   ~~upon a showing of a significant change of material circumstances~~ The adoption of these

17   guidelines constitutes a significant material change in the establishment and calculation of

18   child support orders. In any proceeding to modify an existing order, an increase or

19   decrease of 15 percent or more between the amount of the existing order and the amount

20   of child support resulting from the application of these guidelines shall be presumed to

21   constitute a substantial change of circumstances warranting a modification.   This

22   differential is calculated by applying 15 percent to the existing award. In order to conform

23   to federal requirements, if there is a material change in the father´s income, the mother´s

24   income, the needs of the children, or the needs of either parent, either parent shall have the

25   right to petition for modification of child support regardless of the length of time since the

26   establishment or most recent modification of child support award. If there is a difference

27   of 30 percent or more between a new award and a prior award, the court may, at its

28   discretion, phase-in the new child support award over a period of up to one year with the

29   phasing in being largely evenly distributed with at least an initial immediate adjustment of

30   not less than 25 percent of the difference and at least one intermediate adjustment prior to

31   the final adjustment at the end of the phase-in period.

32   (g) For split custody situations, a worksheet shall be prepared separately for the children

33   for whom the father is custodial parent and for the children for whom the mother is the

34   custodial parent and entered into the record. For each of these two custodial situations, the

35   court shall enter which parent is the obligor, the presumptive award, and the actual award,

36   if different from the presumptive award; how and when the net cash support owed shall be

37   paid; and any other child support responsibilities for each of the parents.

1   (h) The Schedule of Basic Child Support Obligations shall be as follows:

2   SCHEDULE OF BASIC CHILD SUPPORT OBLIGATIONS

	Combined Monthly Gross Income	One Child	Two Children	Three Children	Four Children	Five Children	Six or More Children
3-5							
6	800	50	50	50	50	50	50
7	850	50	50	50	50	50	50
8	900	57	58	59	59	60	61
9	950	92	93	94	95	96	97
10	1,000	126	127	129	130	132	133
11	1,050	160	162	164	166	168	169
12	1,100	195	197	199	201	203	206
13	1,150	229	232	234	237	239	242
14	1,200	264	266	269	272	275	278
15	1,250	275	300	303	306	309	313
16	1,300	284	332	336	339	343	347
17	1,350	293	364	368	372	376	380
18	1,400	303	397	401	406	410	414
19	1,450	312	429	434	439	444	448
20	1,500	321	453	467	472	477	482
21	1,550	330	466	500	505	511	516
22	1,600	339	478	533	538	544	550
23	1,650	348	491	565	572	578	584
24	1,700	357	504	584	605	611	618
25	1,750	367	517	599	638	645	652
26	1,800	376	530	614	671	678	685
27	1,850	384	541	626	698	711	719
28	1,900	392	552	639	712	744	752
29	1,950	400	563	652	726	777	785
30	2,000	408	574	664	741	810	819
31	2,050	416	585	677	755	830	852
32	2,100	425	596	689	769	845	886
33	2,150	433	607	702	783	861	919

1	2,200	441	618	715	797	876	953
2	2,250	449	629	727	811	892	970
3	2,300	457	640	740	825	907	987
4	2,350	465	651	752	839	923	1,004
5	2,400	473	662	765	853	938	1,020
6	2,450	481	673	776	866	952	1,036
7	2,500	489	683	788	879	967	1,052
8	2,550	497	694	800	892	981	1,067
9	2,600	505	704	811	905	995	1,083
10	2,650	513	715	823	918	1,010	1,098
11	2,700	520	725	835	931	1,024	1,114
12	2,750	528	735	847	944	1,038	1,130
13	2,800	536	746	858	957	1,053	1,145
14	2,850	544	756	870	970	1,067	1,161
15	2,900	552	767	882	983	1,081	1,176
16	2,950	559	777	893	996	1,096	1,192
17	3,000	567	787	904	1,008	1,109	1,206
18	3,050	574	796	915	1,020	1,122	1,221
19	3,100	580	806	926	1,032	1,135	1,235
20	3,150	587	815	937	1,044	1,149	1,250
21	3,200	594	825	947	1,056	1,162	1,264
22	3,250	601	834	958	1,069	1,175	1,279
23	3,300	608	844	969	1,081	1,189	1,293
24	3,350	615	854	980	1,093	1,202	1,308
25	3,400	622	863	991	1,105	1,215	1,322
26	3,450	629	873	1,002	1,117	1,229	1,337
27	3,500	636	882	1,013	1,129	1,242	1,351
28	3,550	643	892	1,023	1,141	1,255	1,366
29	3,600	650	901	1,034	1,153	1,268	1,380
30	3,650	657	911	1,045	1,165	1,282	1,395
31	3,700	664	920	1,056	1,177	1,295	1,409
32	3,750	669	928	1,065	1,187	1,306	1,421
33	3,800	675	936	1,073	1,197	1,316	1,432
34	3,850	681	944	1,082	1,206	1,327	1,444

1	3,900	687	952	1,090	1,216	1,337	1,455
2	3,950	693	959	1,099	1,225	1,348	1,466
3	4,000	698	967	1,108	1,235	1,358	1,478
4	4,050	704	975	1,116	1,245	1,369	1,489
5	4,100	710	983	1,125	1,254	1,380	1,501
6	4,150	716	991	1,133	1,264	1,390	1,512
7	4,200	722	999	1,142	1,273	1,401	1,524
8	4,250	728	1,006	1,151	1,283	1,411	1,535
9	4,300	733	1,014	1,159	1,293	1,422	1,547
10	4,350	739	1,022	1,168	1,302	1,432	1,558
11	4,400	745	1,030	1,176	1,312	1,443	1,570
12	4,450	748	1,034	1,180	1,316	1,448	1,575
13	4,500	751	1,037	1,182	1,318	1,450	1,578
14	4,550	754	1,039	1,184	1,320	1,453	1,580
15	4,600	756	1,042	1,186	1,323	1,455	1,583
16	4,650	759	1,044	1,188	1,325	1,457	1,586
17	4,700	761	1,047	1,190	1,327	1,460	1,588
18	4,750	764	1,050	1,192	1,329	1,462	1,591
19	4,800	767	1,052	1,194	1,332	1,465	1,594
20	4,850	769	1,055	1,196	1,334	1,467	1,596
21	4,900	772	1,057	1,198	1,336	1,470	1,599
22	4,950	774	1,060	1,200	1,338	1,472	1,602
23	5,000	777	1,062	1,202	1,340	1,474	1,604
24	5,050	779	1,065	1,204	1,343	1,477	1,607
25	5,100	782	1,068	1,206	1,345	1,479	1,609
26	5,150	785	1,071	1,209	1,348	1,483	1,613
27	5,200	788	1,075	1,213	1,352	1,488	1,619
28	5,250	791	1,079	1,217	1,357	1,493	1,624
29	5,300	794	1,083	1,221	1,362	1,498	1,630
30	5,350	798	1,087	1,225	1,366	1,503	1,635
31	5,400	801	1,091	1,229	1,371	1,508	1,641
32	5,450	804	1,095	1,234	1,375	1,513	1,646
33	5,500	807	1,098	1,238	1,380	1,518	1,652
34	5,550	811	1,102	1,242	1,385	1,523	1,657

1	5,600	814	1,106	1,246	1,389	1,528	1,663
2	5,650	817	1,110	1,250	1,394	1,533	1,668
3	5,700	820	1,114	1,254	1,399	1,538	1,674
4	5,750	824	1,118	1,258	1,403	1,543	1,679
5	5,800	827	1,122	1,262	1,408	1,548	1,685
6	5,850	830	1,126	1,267	1,412	1,553	1,690
7	5,900	833	1,130	1,271	1,417	1,559	1,696
8	5,950	837	1,134	1,275	1,422	1,564	1,702
9	6,000	840	1,138	1,280	1,427	1,569	1,708
10	6,050	843	1,142	1,284	1,432	1,575	1,713
11	6,100	846	1,146	1,288	1,436	1,580	1,719
12	6,150	850	1,150	1,293	1,441	1,585	1,725
13	6,200	853	1,154	1,297	1,446	1,591	1,730
14	6,250	856	1,158	1,301	1,451	1,596	1,736
15	6,300	859	1,162	1,305	1,455	1,601	1,742
16	6,350	863	1,166	1,310	1,460	1,606	1,748
17	6,400	866	1,170	1,314	1,465	1,612	1,753
18	6,450	869	1,174	1,318	1,470	1,617	1,759
19	6,500	872	1,178	1,323	1,475	1,622	1,765
20	6,550	876	1,182	1,327	1,479	1,627	1,771
21	6,600	879	1,186	1,331	1,484	1,633	1,776
22	6,650	882	1,190	1,335	1,489	1,638	1,782
23	6,700	885	1,194	1,340	1,494	1,643	1,788
24	6,750	888	1,198	1,344	1,499	1,648	1,793
25	6,800	892	1,202	1,348	1,503	1,654	1,799
26	6,850	895	1,206	1,353	1,508	1,659	1,805
27	6,900	898	1,210	1,357	1,513	1,664	1,811
28	6,950	901	1,214	1,361	1,518	1,669	1,816
29	7,000	904	1,217	1,365	1,522	1,674	1,821
30	7,050	905	1,218	1,366	1,523	1,675	1,822
31	7,100	906	1,219	1,366	1,523	1,676	1,823
32	7,150	907	1,220	1,367	1,524	1,677	1,824
33	7,200	908	1,221	1,368	1,525	1,678	1,825
34	7,250	909	1,222	1,369	1,526	1,679	1,826

1	7,300	910	1,223	1,370	1,527	1,680	1,828
2	7,350	911	1,224	1,370	1,528	1,681	1,829
3	7,400	912	1,225	1,371	1,529	1,682	1,830
4	7,450	912	1,226	1,372	1,530	1,683	1,831
5	7,500	913	1,227	1,373	1,531	1,684	1,832
6	7,550	914	1,228	1,374	1,532	1,685	1,833
7	7,600	915	1,229	1,374	1,532	1,686	1,834
8	7,650	916	1,230	1,375	1,533	1,687	1,835
9	7,700	917	1,231	1,376	1,534	1,688	1,836
10	7,750	918	1,232	1,377	1,535	1,689	1,837
11	7,800	919	1,233	1,378	1,536	1,690	1,838
12	7,850	920	1,233	1,378	1,537	1,691	1,839
13	7,900	921	1,234	1,379	1,538	1,692	1,841
14	7,950	922	1,235	1,380	1,539	1,693	1,842
15	8,000	923	1,236	1,381	1,540	1,694	1,843
16	8,050	924	1,237	1,382	1,541	1,695	1,844
17	8,100	924	1,238	1,383	1,542	1,696	1,845
18	8,150	925	1,239	1,383	1,542	1,697	1,846
19	8,200	926	1,240	1,384	1,543	1,698	1,847
20	8,250	927	1,241	1,385	1,544	1,699	1,848
21	8,300	928	1,242	1,386	1,545	1,700	1,849
22	8,350	939	1,243	1,387	1,546	1,701	1,850
23	8,400	932	1,247	1,391	1,551	1,706	1,856
24	8,450	936	1,253	1,397	1,558	1,714	1,864
25	8,500	941	1,259	1,403	1,565	1,721	1,873
26	8,550	945	1,264	1,410	1,572	1,729	1,881
27	8,600	949	1,270	1,416	1,579	1,737	1,890
28	8,650	954	1,276	1,423	1,586	1,745	1,898
29	8,700	958	1,282	1,429	1,593	1,753	1,907
30	8,750	963	1,288	1,435	1,601	1,761	1,916
31	8,800	967	1,294	1,442	1,608	1,768	1,924
32	8,850	971	1,299	1,448	1,615	1,776	1,933
33	8,900	976	1,305	1,455	1,622	1,784	1,941
34	8,950	980	1,311	1,461	1,629	1,792	1,950

1	9,000	984	1,317	1,467	1,636	1,800	1,958
2	9,050	989	1,323	1,474	1,643	1,808	1,967
3	9,100	993	1,328	1,480	1,650	1,815	1,975
4	9,150	997	1,334	1,487	1,658	1,823	1,984
5	9,200	1,002	1,340	1,493	1,665	1,831	1,992
6	9,250	1,006	1,346	1,499	1,672	1,839	2,001
7	9,300	1,010	1,352	1,506	1,679	1,847	2,009
8	9,350	1,015	1,358	1,512	1,686	1,855	2,018
9	9,400	1,019	1,363	1,519	1,693	1,863	2,026
10	9,450	1,023	1,369	1,525	1,700	1,870	2,035
11	9,500	1,028	1,375	1,531	1,707	1,878	2,044
12	9,550	1,032	1,381	1,538	1,715	1,886	2,052
13	9,600	1,036	1,387	1,544	1,722	1,894	2,061
14	9,650	1,041	1,392	1,551	1,729	1,902	2,069
15	9,700	1,045	1,398	1,557	1,736	1,910	2,078
16	9,750	1,049	1,404	1,563	1,743	1,917	2,086
17	9,800	1,052	1,408	1,567	1,747	1,922	2,091
18	9,850	1,055	1,411	1,571	1,752	1,927	2,096
19	9,900	1,058	1,415	1,575	1,756	1,932	2,102
20	9,950	1,061	1,419	1,579	1,761	1,937	2,107
21	10,000	1,064	1,423	1,583	1,765	1,941	2,112
22	10,050	1,067	1,427	1,587	1,769	1,946	2,118
23	10,100	1,070	1,431	1,591	1,774	1,951	2,123
24	10,150	1,073	1,434	1,595	1,778	1,956	2,128
25	10,200	1,077	1,438	1,599	1,783	1,961	2,134
26	10,250	1,080	1,442	1,603	1,787	1,966	2,139
27	10,300	1,083	1,446	1,607	1,792	1,971	2,144
28	10,350	1,086	1,450	1,611	1,796	1,976	2,150
29	10,400	1,089	1,454	1,615	1,801	1,981	2,155
30	10,450	1,092	1,457	1,619	1,805	1,986	2,160
31	10,500	1,095	1,461	1,623	1,810	1,991	2,166
32	10,550	1,098	1,465	1,627	1,814	1,995	2,171
33	10,600	1,101	1,469	1,631	1,819	2,000	2,176
34	10,650	1,104	1,473	1,635	1,823	2,005	2,182

1	10,700	1,107	1,477	1,639	1,827	2,010	2,187
2	10,750	1,110	1,480	1,643	1,832	2,015	2,192
3	10,800	1,113	1,484	1,647	1,836	2,020	2,198
4	10,850	1,116	1,488	1,651	1,841	2,025	2,203
5	10,900	1,119	1,492	1,655	1,845	2,030	2,208
6	10,950	1,122	1,496	1,659	1,850	2,035	2,214
7	11,000	1,125	1,499	1,663	1,854	2,039	2,219
8	11,050	1,128	1,503	1,667	1,858	2,044	2,224
9	11,100	1,131	1,507	1,671	1,863	2,049	2,229
10	11,150	1,134	1,511	1,675	1,867	2,054	2,235
11	11,200	1,137	1,515	1,679	1,872	2,059	2,240
12	11,250	1,140	1,518	1,683	1,876	2,064	2,245
13	11,300	1,143	1,522	1,687	1,881	2,069	2,251
14	11,350	1,146	1,526	1,691	1,885	2,074	2,256
15	11,400	1,149	1,530	1,695	1,889	2,078	2,261
16	11,450	1,152	1,534	1,699	1,894	2,083	2,267
17	11,500	1,155	1,537	1,703	1,898	2,088	2,272
18	11,550	1,158	1,541	1,706	1,903	2,093	2,277
19	11,600	1,161	1,545	1,710	1,907	2,098	2,282
20	11,650	1,164	1,549	1,714	1,912	2,103	2,288
21	11,700	1,167	1,553	1,718	1,916	2,108	2,293
22	11,750	1,170	1,556	1,722	1,920	2,112	2,298
23	11,800	1,173	1,560	1,726	1,925	2,117	2,304
24	11,850	1,176	1,564	1,730	1,929	2,122	2,309
25	11,900	1,178	1,567	1,734	1,933	2,126	2,313
26	11,950	1,181	1,570	1,737	1,937	2,131	2,318
27	12,000	1,183	1,574	1,741	1,941	2,135	2,323
28	12,050	1,186	1,577	1,745	1,945	2,140	2,328
29	12,100	1,188	1,580	1,748	1,949	2,144	2,333
30	12,150	1,191	1,584	1,752	1,953	2,149	2,338
31	12,200	1,194	1,587	1,756	1,957	2,153	2,343
32	12,250	1,196	1,590	1,759	1,961	2,158	2,347
33	12,300	1,199	1,594	1,763	1,966	2,162	2,352
34	12,350	1,201	1,597	1,766	1,970	2,167	2,357

1	12,400	1,204	1,600	1,770	1,974	2,171	2,362
2	12,450	1,206	1,603	1,774	1,977	2,175	2,367
3	12,500	1,208	1,606	1,777	1,981	2,179	2,371
4	12,550	1,211	1,609	1,780	1,985	2,183	2,376
5	12,600	1,213	1,612	1,784	1,989	2,188	2,380
6	12,650	1,215	1,616	1,787	1,992	2,192	2,384
7	12,700	1,218	1,619	1,790	1,996	2,196	2,389
8	12,750	1,220	1,622	1,794	2,000	2,200	2,393
9	12,800	1,222	1,625	1,797	2,004	2,204	2,398
10	12,850	1,225	1,628	1,800	2,007	2,208	2,402
11	12,900	1,227	1,631	1,804	2,011	2,212	2,407
12	12,950	1,229	1,634	1,807	2,015	2,216	2,411
13	13,000	1,232	1,637	1,810	2,018	2,220	2,416
14	13,050	1,234	1,640	1,814	2,022	2,224	2,420
15	13,100	1,237	1,643	1,817	2,026	2,228	2,425
16	13,150	1,239	1,646	1,820	2,030	2,233	2,429
17	13,200	1,241	1,649	1,824	2,033	2,237	2,434
18	13,250	1,244	1,652	1,827	2,037	2,241	2,438
19	13,300	1,246	1,655	1,830	2,041	2,245	2,442
20	13,350	1,248	1,658	1,834	2,045	2,249	2,447
21	13,400	1,251	1,661	1,837	2,048	2,253	2,451
22	13,450	1,253	1,664	1,840	2,052	2,257	2,456
23	13,500	1,255	1,667	1,844	2,056	2,261	2,460
24	13,550	1,258	1,670	1,847	2,059	2,265	2,465
25	13,600	1,260	1,673	1,850	2,063	2,269	2,469
26	13,650	1,262	1,677	1,854	2,067	2,274	2,474
27	13,700	1,265	1,680	1,857	2,071	2,278	2,478
28	13,750	1,267	1,683	1,860	2,074	2,282	2,483
29	13,800	1,269	1,686	1,864	2,078	2,286	2,487
30	13,850	1,272	1,689	1,867	2,082	2,290	2,491
31	13,900	1,274	1,692	1,870	2,086	2,294	2,496
32	13,950	1,276	1,695	1,874	2,089	2,298	2,500
33	14,000	1,279	1,698	1,877	2,093	2,302	2,505
34	14,050	1,281	1,701	1,880	2,097	2,306	2,509

1	14,100	1,283	1,704	1,884	2,100	2,310	2,514
2	14,150	1,286	1,707	1,887	2,104	2,315	2,518
3	14,200	1,288	1,710	1,890	2,108	2,319	2,523
4	14,250	1,290	1,713	1,894	2,112	2,323	2,527
5	14,300	1,293	1,716	1,897	2,115	2,327	2,532
6	14,350	1,295	1,719	1,900	2,119	2,331	2,536
7	14,400	1,297	1,722	1,904	2,123	2,335	2,541
8	14,450	1,300	1,725	1,907	2,126	2,339	2,545
9	14,500	1,302	1,728	1,911	2,130	2,343	2,549
10	14,550	1,304	1,731	1,914	2,134	2,347	2,554
11	14,600	1,307	1,734	1,917	2,138	2,351	2,558
12	14,650	1,309	1,738	1,921	2,141	2,356	2,563
13	14,700	1,311	1,741	1,924	2,145	2,360	2,567
14	14,750	1,314	1,744	1,927	2,149	2,364	2,572
15	14,800	1,316	1,747	1,931	2,153	2,368	2,576
16	14,850	1,318	1,750	1,934	2,156	2,372	2,581
17	14,900	1,321	1,753	1,937	2,160	2,376	2,585
18	14,950	1,323	1,756	1,941	2,164	2,380	2,590
19	15,000	1,325	1,759	1,944	2,167	2,384	2,594
20	15,050	1,328	1,762	1,947	2,171	2,388	2,598
21	15,100	1,330	1,765	1,951	2,175	2,392	2,603
22	15,150	1,332	1,768	1,954	2,178	2,396	2,607
23	15,200	1,334	1,770	1,956	2,181	2,399	2,610
24	15,250	1,336	1,772	1,958	2,184	2,402	2,613
25	15,300	1,338	1,775	1,961	2,186	2,405	2,616
26	15,350	1,340	1,777	1,963	2,189	2,407	2,619
27	15,400	1,342	1,779	1,965	2,191	2,410	2,622
28	15,450	1,344	1,782	1,967	2,194	2,413	2,625
29	15,500	1,346	1,784	1,970	2,196	2,416	2,628
30	15,550	1,348	1,786	1,972	2,199	2,419	2,631
31	15,600	1,350	1,788	1,974	2,201	2,421	2,634
32	15,650	1,352	1,791	1,976	2,204	2,424	2,637
33	15,700	1,354	1,793	1,979	2,206	2,427	2,640
34	15,750	1,355	1,795	1,981	2,209	2,430	2,643

1	15,800	1,357	1,798	1,983	2,211	2,432	2,646
2	15,850	1,359	1,800	1,985	2,214	2,435	2,650
3	15,900	1,361	1,802	1,988	2,216	2,438	2,653
4	15,950	1,363	1,804	1,990	2,219	2,441	2,656
5	16,000	1,365	1,807	1,992	2,221	2,444	2,659
6	16,050	1,367	1,809	1,995	2,224	2,446	2,662
7	16,100	1,369	1,811	1,997	2,226	2,449	2,665
8	16,150	1,371	1,814	1,999	2,229	2,452	2,668
9	16,200	1,373	1,816	2,001	2,232	2,455	2,671
10	16,250	1,375	1,818	2,004	2,234	2,457	2,674
11	16,300	1,377	1,820	2,006	2,237	2,460	2,677
12	16,350	1,379	1,823	2,008	2,239	2,463	2,680
13	16,400	1,381	1,825	2,010	2,242	2,466	2,683
14	16,450	1,383	1,827	2,013	2,244	2,469	2,686
15	16,500	1,385	1,830	2,015	2,247	2,471	2,689
16	16,550	1,387	1,832	2,017	2,249	2,474	2,692
17	16,600	1,389	1,834	2,019	2,252	2,477	2,695
18	16,650	1,390	1,836	2,022	2,254	2,480	2,698
19	16,700	1,392	1,839	2,024	2,257	2,482	2,701
20	16,750	1,394	1,841	2,026	2,259	2,485	2,704
21	16,800	1,396	1,843	2,029	2,262	2,488	2,707
22	16,850	1,398	1,846	2,031	2,264	2,491	2,710
23	16,900	1,400	1,848	2,033	2,267	2,494	2,713
24	16,950	1,402	1,850	2,035	2,269	2,496	2,716
25	17,000	1,404	1,852	2,038	2,272	2,499	2,719
26	17,050	1,406	1,855	2,040	2,274	2,502	2,722
27	17,100	1,408	1,857	2,042	2,277	2,505	2,725
28	17,150	1,410	1,859	2,044	2,280	2,507	2,728
29	17,200	1,412	1,862	2,047	2,282	2,510	2,731
30	17,250	1,414	1,864	2,049	2,285	2,513	2,734
31	17,300	1,416	1,866	2,051	2,287	2,516	2,737
32	17,350	1,418	1,868	2,053	2,290	2,519	2,740
33	17,400	1,420	1,871	2,056	2,292	2,521	2,743
34	17,450	1,422	1,873	2,058	2,295	2,524	2,746

1	17,500	1,423	1,875	2,060	2,297	2,527	2,749
2	17,550	1,425	1,878	2,063	2,300	2,530	2,752
3	17,600	1,427	1,880	2,065	2,302	2,532	2,755
4	17,650	1,429	1,882	2,067	2,305	2,535	2,758
5	17,700	1,431	1,884	2,069	2,307	2,538	2,761
6	17,750	1,433	1,887	2,072	2,310	2,541	2,764
7	17,800	1,435	1,889	2,074	2,312	2,544	2,767
8	17,850	1,437	1,891	2,076	2,315	2,546	2,770
9	17,900	1,439	1,894	2,078	2,317	2,549	2,773
10	17,950	1,441	1,896	2,081	2,320	2,552	2,776
11	18,000	1,443	1,898	2,083	2,322	2,555	2,780
12	18,050	1,445	1,900	2,085	2,325	2,557	2,783
13	18,100	1,447	1,903	2,087	2,328	2,560	2,786
14	18,150	1,449	1,905	2,090	2,330	2,563	2,789
15	18,200	1,451	1,907	2,092	2,333	2,566	2,792
16	18,250	1,453	1,910	2,094	2,335	2,569	2,795
17	18,300	1,455	1,912	2,097	2,338	2,571	2,798
18	18,350	1,456	1,914	2,099	2,340	2,574	2,801
19	18,400	1,458	1,916	2,101	2,343	2,577	2,804
20	18,450	1,460	1,919	2,103	2,345	2,580	2,807
21	18,500	1,462	1,921	2,106	2,348	2,582	2,810
22	18,550	1,464	1,923	2,108	2,350	2,585	2,813
23	18,600	1,466	1,926	2,110	2,353	2,588	2,816
24	18,650	1,468	1,928	2,112	2,355	2,591	2,819
25	18,700	1,470	1,930	2,115	2,358	2,594	2,822
26	18,750	1,472	1,932	2,117	2,360	2,596	2,825
27	18,800	1,474	1,935	2,119	2,363	2,599	2,828
28	18,850	1,476	1,937	2,121	2,365	2,602	2,831
29	18,900	1,478	1,939	2,124	2,368	2,605	2,834
30	18,950	1,480	1,942	2,126	2,370	2,608	2,837
31	19,000	1,482	1,944	2,128	2,373	2,610	2,840
32	19,050	1,484	1,946	2,131	2,376	2,613	2,843
33	19,100	1,486	1,948	2,133	2,378	2,616	2,846
34	19,150	1,488	1,951	2,135	2,381	2,619	2,849

1	19,200	1,489	1,953	2,137	2,383	2,621	2,852
2	19,250	1,491	1,955	2,140	2,386	2,624	2,855
3	19,300	1,493	1,958	2,142	2,388	2,627	2,858
4	19,350	1,495	1,960	2,144	2,391	2,630	2,861
5	19,400	1,497	1,962	2,146	2,393	2,633	2,864
6	19,450	1,499	1,964	2,149	2,396	2,635	2,867
7	19,500	1,501	1,967	2,151	2,398	2,638	2,870
8	19,550	1,503	1,969	2,153	2,401	2,641	2,873
9	19,600	1,505	1,971	2,155	2,403	2,644	2,876
10	19,650	1,507	1,974	2,158	2,406	2,646	2,879
11	19,700	1,509	1,976	2,160	2,408	2,649	2,882
12	19,750	1,511	1,978	2,162	2,411	2,652	2,885
13	19,800	1,513	1,980	2,164	2,413	2,655	2,888
14	19,850	1,515	1,983	2,167	2,416	2,658	2,891
15	19,900	1,517	1,985	2,169	2,418	2,660	2,894
16	19,950	1,519	1,987	2,171	2,421	2,663	2,897
17	20,000	1,521	1,990	2,174	2,424	2,666	2,900"

18   **SECTION 3.**

19   Said title is further amended by striking subsection (a) of Code Section 19-6-19, relating to

20   revision of judgment for permanent alimony or child support generally, and inserting in lieu

21   thereof a new subsection (a) to read as follows:

22   "(a) The judgment of a court providing permanent alimony for the support of a spouse

23   rendered on or after July 1, 1977, shall be subject to revision upon petition filed by either

24   former spouse showing a change in the income and financial status of either former spouse.

25   The judgment of a court providing permanent alimony for the support of a child or children

26   rendered on or after July 1, 1977, shall be subject to revision upon petition filed by either

27   former spouse showing a change in the income and financial status of either former spouse

28   or in the needs of the child or children. In either case a petition shall be filed and

29   returnable under the same rules of procedure applicable to divorce proceedings. ~~No~~

30   ~~petition may be filed by either former spouse under this subsection within a period of two~~

31   ~~years from the date of the final order on a previous petition by the same former spouse.~~

32   After hearing both parties and the evidence, the jury, or the judge where a jury is not

33   demanded by either party, may modify and revise the previous judgment, in accordance

34   with the changed income and financial status of either former spouse in the case of

35   permanent alimony for the support of a former spouse, or in accordance with the changed

1   income and financial status of either former spouse or in the needs of the child or children

2   in the case of permanent alimony for the support of a child or children, if such a change in

3   the income and financial status is satisfactorily proved so as to warrant the modification

4   and revision. In the hearing upon a petition filed as provided in this subsection, testimony

5   may be given and evidence introduced relative to the income and financial status of either

6   former spouse."

7   **SECTION 4.**

8   This Act shall become effective on July 1, 2005.

9   **SECTION 5.**

10   All laws and parts of laws in conflict with this Act are repealed.