

LOST

1 Senators Miles of the 43rd, Butler of the 55th and Brown of the 26th offered the following
2 amendment:

3 *Amend SB 382 by striking lines 32 through 36 of page 17 and lines 1 through 13 of page 18*
4 *and inserting in lieu thereof the following:*

5 (C) *THEORETICAL CHILD SUPPORT ORDERS.* In addition to the adjustments to Gross
6 Income for self-employment taxes provided in subparagraph (A) of this paragraph and
7 for Preexisting Orders provided in subparagraph (B) of this paragraph, credits for either
8 Parent's other Qualified Child living in the Parent's home for whom the Parent owes
9 a legal duty of support may be considered by the Court for the purpose of reducing the
10 Parent's Gross Income. Use of this credit is appropriate when a child support order is
11 entered. Credits may also be appropriate when a child support order is modified to
12 rebut a claim for increased child support brought by the Custodial Parent. To consider
13 a Parent's other Qualified Children for determining the Theoretical Child Support
14 Order, a Parent shall present documentary evidence of the Parent-Child relationship to
15 the Court. Adjustments to income pursuant to this paragraph may be considered in such
16 circumstances in which the failure to consider a Qualified Child would cause
17 substantial hardship to the Parent. However, no credit for a Parent's other Qualified
18 Child shall be granted if such credit will impair the ability of the Custodial Parent to
19 maintain minimally adequate housing, food, and clothing and provide for other basic
20 necessities for the Child being supported by the court order. If the Court, in its
21 discretion, decides to apply the Qualified Child adjustment, the Basic Child Support
22 Obligation of the Parent for the number of other Qualified Children living with such
23 Parent shall be determined based upon that Parent's Gross Income. Except for
24 self-employment taxes paid, no other amounts shall be subtracted from the Parent's
25 Gross Income when calculating a Theoretical Child Support Order under this
26 subparagraph. The Basic Child Support Obligation for such Parent shall be multiplied
27 by 75 percent and the resulting amount shall be subtracted from such Parent's Gross
28 Income and entered on the Child Support Schedule B – Adjusted Income.