

ADOPTED

1 Senators Unterman of the 45th, Butler of the 55th, Miles of the 43rd, Thomas of the 2nd,
2 Tate of the 38th and others offered the following amendment:

3 *Amend SB 382 by striking the phrase "Parenting Time Units" on line 4 of page 10 and*
4 *inserting in its place the following:*

5 Days

6 *By striking lines 21 through 35 of page 18, page 19 in its entirety, and lines 1 through 7 of*
7 *page 20 and inserting in lieu thereof the following:*

8 (g) *Parenting Time Adjustment.*

9 (1) For purposes of this subsection, the term 'Day' means that a Child spends more than
10 12 hours of a calendar day with or under the control of a Parent and that Parent expends
11 a reasonable amount of resources on the Child during such time period directly related
12 to the care and supervision of the Child. Partial days of parenting time that are not
13 consistent with this definition shall not be considered a 'Day' under this Code Section.
14 A Child is under the control of a Parent when the Child is in the Parent's home or at
15 school, work related day care, or such activity as the Parent expressly permits.

16 (2) The Child Support Obligation Table is based upon expenditures for the Child in
17 intact households and therefore there is no consideration for cost associated with court
18 ordered visitation exceeding the standard visitation period with the Noncustodial Parent,
19 which, for purposes of this Table only, typically includes a minimum of every other
20 weekend from Friday through Sunday, two weeks in the summer, and two weeks during
21 holidays throughout the year, for a total of approximately 80 days per calendar year.

22 (3)(A) If the Noncustodial Parent is ordered more than 120 days of court ordered
23 visitation per calendar year with a Child, the Noncustodial Parent's Basic Support
24 Obligation may be reduced as provided in subparagraph (B) of this paragraph.

25 (B) Determine the Adjustment Percentage based upon the following schedule:

26	Number of Days	Adjustment Percentage
27	121 - 136 Days	10 percent
28	137 - 151 Days	20 percent
29	152 - 166 Days	30 percent
30	167 - 181 Days	40 percent
31	182 or more Days	50 percent

1 (C) Multiply the adjustment percentage by the Noncustodial Parent's Basic Child
2 Support Obligation, and the resulting number from this multiplication may be
3 subtracted from the Noncustodial Parent's Basic Child Support Obligation to arrive at
4 the Parenting Time Adjustment upon a showing by the preponderance of the evidence
5 that the Parenting Time Adjustment is consistent with the best interests of the Child.

6 (D) If there is more than one Child in the case with whom the Noncustodial Parent is
7 ordered more than 120 days of visitation per calendar year, and the Noncustodial Parent
8 is ordered different amounts of visitation time with each Child, then the time the
9 Noncustodial Parent is ordered with each Child shall be averaged to determine the
10 Parenting Time Adjustment.

11 (E) If the Adjusted Incomes of the Parents are equal and the court ordered visitation
12 with each Parent is equal, neither Parent shall pay any Basic Child Support Obligation;
13 provided, however, that either Parent may be responsible for additional support
14 obligations, including a Parent's pro rata share for Health Insurance, Work Related
15 Child Care Costs, Uninsured Health Care Expenses, and Deviations for Extraordinary
16 Expenses as set forth in subparagraph (i)(2)(I) of this Code section.

17 (4) Where a Parenting Time Adjustment is ordered and the Noncustodial Parent fails to
18 exercise the court ordered visitation, the court shall have the power to sanction the
19 Noncustodial Parent to the same extent as is provided by law for contempt of the court
20 in any other action or proceeding cognizable by the court. Any proceeding for
21 compliance pursuant to this authority shall be a part of the underlying action, and a
22 motion for such enforcement shall not constitute the filing of a new action or require the
23 payment of a new filing fee.

24 (5) In accordance with subsection (d) of Code Section 19-11-8, if any action or claim for
25 Parenting Time Adjustment is brought under this subsection, it shall be an action or claim
26 solely between the Custodial Parent and the Noncustodial Parent, and not any third
27 parties, including the Child Support Enforcement Agency.