

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)



128th MAINE LEGISLATURE

FIRST REGULAR SESSION-2017

Legislative Document

No. 364

H.P. 270

House of Representatives, February 2, 2017

An Act To Make Technical Changes to the Laws Governing Child Support

Submitted by the Department of the Attorney General pursuant to Joint Rule 204.
Reference to the Committee on Judiciary suggested and ordered printed.

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative CARDONE of Bangor.
Cosponsored by Senator HILL of York and Representatives: McCREIGHT of Harpswell,
SHERMAN of Hodgdon, Senator: KATZ of Kennebec.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 19-A MRSA §1653, sub-§13**, as enacted by PL 1995, c. 694, Pt. B, §2
3 and affected by Pt. E, §2, is repealed.

4 **Sec. 2. 19-A MRSA §2001, sub-§1**, as enacted by PL 1995, c. 694, Pt. B, §2 and
5 affected by Pt. E, §2, is amended to read:

6 **1. Basic support entitlement.** "Basic support entitlement" means the sum derived
7 from the child support table appropriate ~~to the age of~~ for each child and the parties' gross
8 income.

9 **Sec. 3. 19-A MRSA §2001, sub-§11**, as enacted by PL 1995, c. 694, Pt. B, §2
10 and affected by Pt. E, §2, is repealed.

11 **Sec. 4. 19-A MRSA §2006, sub-§1**, as enacted by PL 1995, c. 694, Pt. B, §2 and
12 affected by Pt. E, §2, is amended to read:

13 **1. Determination of basic support entitlement.** After the court or hearing officer
14 determines the annual gross income of both parties, the 2 incomes must be added together
15 to provide a combined annual gross income and applied to the child support table to
16 determine the basic support entitlement for each child.

17 ~~When there is a child within each age category, the~~ The court or hearing officer shall
18 refer to the table and locate the figure in the left-hand column that is closest to the
19 parents' combined annual gross income. ~~In each age category the~~ The court or hearing
20 officer shall determine the dollar figure for the total number of children for whom support
21 is being determined, and multiply the dollar figure ~~in each age category~~ by the number of
22 children ~~in that category and add the 2 products.~~ The resulting dollar amount represents
23 the basic support entitlement.

24 **Sec. 5. 19-A MRSA §2006, sub-§6**, as enacted by PL 1995, c. 694, Pt. B, §2 and
25 affected by Pt. E, §2, is repealed.

26 **Sec. 6. 19-A MRSA §2006, sub-§7, ¶C**, as enacted by PL 1995, c. 694, Pt. B, §2
27 and affected by Pt. E, §2, is amended to read:

28 C. The amount of the basic weekly support entitlement attributable to each child
29 ~~under 12 years of age~~, as indicated per child per week on the child support table;

30 **Sec. 7. 19-A MRSA §2006, sub-§7, ¶D**, as enacted by PL 1995, c. 694, Pt. B, §2
31 and affected by Pt. E, §2, is repealed.

32 **Sec. 8. 19-A MRSA §2006, sub-§8, ¶D**, as enacted by PL 1995, c. 694, Pt. B, §2
33 and affected by Pt. E, §2, is repealed.

34 **Sec. 9. 19-A MRSA §2006, sub-§8, ¶E**, as amended by PL 2005, c. 352, §4, is
35 further amended to read:

1 E. If ~~each child for whom~~ a parental support obligation is being established for more
2 than one child and a child has attained ~~12~~ 15 years of age, a specific sum to be paid
3 depending on the number of minor children remaining with the primary care
4 provider. Because the support guidelines are based on the actual costs of raising a
5 given number of children in a household, the order must provide a specific dollar
6 amount for every combination of minor children. Except as provided in paragraph G,
7 the court or hearing officer may not apportion support between the parents by
8 determining the parental support obligation amount and dividing by the total number
9 of children;

10 **Sec. 10. 19-A MRSA §2006, sub-§11** is enacted to read:

11 **11. Child between 18 and 19 years of age attending secondary school.** The child
12 support table and the support guidelines include a child between 18 and 19 years of age
13 who is attending a secondary school for whom an obligation of support is established or
14 deemed to remain in force pursuant to section 1653, subsection 8, paragraph B; section
15 1653, subsection 12, paragraph A; or section 2306, subsection 4, paragraph D.

16 **SUMMARY**

17 This bill amends the laws governing child support guidelines to conform to changes
18 made by the Department of Health and Human Services by rule that eliminate the age
19 categories in the child support table.