

Raymond P. Ward proposes the following substitute bill:

Child Support Modifications

2025 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Raymond P. Ward

Senate Sponsor:

LONG TITLE

General Description:

This bill modifies provisions related to child support and family law.

Highlighted Provisions:

This bill:

- creates a rebuttable presumption that an order terminating parental rights shall state the amount of any child support arrears and permit collection of arrears;
- requires that a divorce decree provide information about the Office of Recovery Services (office);
- beginning July 1, 2026, creates a rebuttable presumption that a child support order shall include a provision requiring an obligor parent to pay a recurring amount as an ongoing expense for child care;
- requires the office to study and prepare a proposed method for calculating the amount of an ongoing expense for child care and report the office's findings to the Health and Human Services Interim Committee;
- requires the office to propose to the Health and Human Services Interim Committee procedural and statutory considerations that are necessary to move from a receipt-based child care payment model to a model where all new or modified child support orders would instead require an ongoing expense for child care as the primary means for sharing child care costs; and
- gives reporting requirements to the office.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

29 AMENDS:

30 **26B-9-201**, as last amended by Laws of Utah 2024, Chapter 366

31 **26B-9-206**, as renumbered and amended by Laws of Utah 2023, Chapter 305

32 **80-4-105**, as last amended by Laws of Utah 2022, Chapter 334

33 **81-4-406**, as enacted by Laws of Utah 2024, Chapter 366

34 **81-6-101**, as renumbered and amended by Laws of Utah 2024, Chapter 366

35 **81-6-209**, as renumbered and amended by Laws of Utah 2024, Chapter 366

36 ENACTS:

37 **81-6-209.5**, Utah Code Annotated 1953

38

39 *Be it enacted by the Legislature of the state of Utah:*

40 Section 1. Section **26B-9-201** is amended to read:

41 **26B-9-201 . Definitions.**

42 As used in this part:

43 (1) "Adjudicative proceeding" means an action or proceeding of the office conducted in
44 accordance with Title 63G, Chapter 4, Administrative Procedures Act.

45 (2) "Administrative order" means an order that has been issued by the office, the
46 department, or an administrative agency of another state or other comparable jurisdiction
47 with similar authority to that of the office.

48 (3) "Arrears" means support debt.

49 (4) "Assistance" means public assistance as defined in Section 26B-9-101.

50 (5) "Cash medical support" means an obligation to equally share all reasonable and
51 necessary medical and dental expenses of children.

52 (6) "Child" means the same as that term is defined in Section 81-6-101.

53 (7) "Child support" means the same as that term is defined in Section 26B-9-101.

54 (8) "Child support guidelines" means the same as that term is defined in Section 81-6-101.

55 (9) "Child support order" means a judgment, decree, or order, whether temporary, final, or
56 subject to modification, issued by a tribunal for child support and related costs and fees,
57 interest and penalties, income withholding, attorney fees, and other relief.

58 (10) "Child support services" means the same as that term is defined in Section 26B-9-101.

59 (11) "Court order" means a judgment or order of a tribunal of appropriate jurisdiction of
60 this state, another state, Native American tribe, the federal government, or any other
61 comparable jurisdiction.

62 (12) "Director" means the director of the Office of Recovery Services.

- 63 (13) "Disposable earnings" means that part of the earnings of an individual remaining after
64 the deduction of all amounts required by law to be withheld.
- 65 (14) "High-volume automated administrative enforcement" in interstate cases means, on the
66 request of another state, the identification by the office, through automatic data matches
67 with financial institutions and other entities where assets may be found, of assets owned
68 by persons who owe child support in the requesting state, and the seizure of the assets by
69 the office, through levy or other appropriate processes.
- 70 (15) "Income" means the same as that term is defined in Section 26B-9-101.
- 71 (16) "IV-D services" means services provided pursuant to Part D of Title IV of the Social
72 Security Act, 42 U.S.C. Sec. 651, et seq.
- 73 (17) "Notice of agency action" means the notice required to commence an adjudicative
74 proceeding in accordance with Section 63G-4-201.
- 75 (18) "Obligee" means an individual, this state, another state, or other comparable
76 jurisdiction to whom a duty of child support is owed, or who is entitled to
77 reimbursement of child support or public assistance.
- 78 (19) "Obligor" means a person, firm, corporation, or the estate of a decedent owing a duty
79 of support to this state, to an individual, to another state, or other corporate jurisdiction
80 in whose behalf this state is acting.
- 81 (20) "Office" means the Office of Recovery Services.
- 82 (21) "Ongoing expense for child care" means the same as that term is defined in Section
83 81-6-101.
- 84 [~~(21)~~] (22) "Parent" means the same as that term is defined in Section 81-1-101.
- 85 [~~(22)~~] (23) "Past-due support" means support debt.
- 86 [~~(23)~~] (24) "Person" includes an individual, firm, corporation, association, political
87 subdivision, department, or office.
- 88 [~~(24)~~] (25) "Public assistance" means the same as that term is defined in Section 26B-9-101.
- 89 [~~(25)~~] (26) "Presiding officer" means a presiding officer described in Section 63G-4-103.
- 90 [~~(26)~~] (27) "Support" includes past-due, present, and future obligations established by:
91 (a) a tribunal or imposed by law for the financial support, maintenance, medical, or
92 dental care of a child; and
93 (b) a tribunal for the financial support of a spouse or former spouse with whom the
94 obligor's child resides if the obligor also owes a child support obligation that is being
95 enforced by the state.
- 96 [~~(27)~~] (28) "Support debt" means the debt created by nonpayment of support.

97 [~~28~~] (29) "Support order" means a child support order.

98 [~~29~~] (30) "Tribunal" means the district court, the department, the Office of Recovery
99 Services, or court or administrative agency of any state, territory, possession of the
100 United States, the District of Columbia, the Commonwealth of Puerto Rico, Native
101 American Tribe, or other comparable domestic or foreign jurisdiction.

102 Section 2. Section **26B-9-206** is amended to read:

103 **26B-9-206 . Issuance or modification of administrative order -- Compliance with**
104 **court order -- Authority of office -- Stipulated agreements -- Notification requirements.**

105 (1) Through an adjudicative proceeding the office may issue or modify an administrative
106 order that:

107 (a) determines paternity;

108 (b) determines whether an obligor owes support;

109 (c) determines temporary orders of child support upon clear and convincing evidence of
110 paternity in the form of genetic test results or other evidence;

111 (d) requires an obligor to pay a specific or determinable amount of present and future
112 support;

113 (e) determines the amount of past-due support;

114 (f) orders an obligor who owes past-due support and is obligated to support a child
115 receiving public assistance to participate in appropriate work activities if the obligor
116 is unemployed and is not otherwise incapacitated;

117 (g) requires an obligor to pay an ongoing expense for child care in accordance with
118 Section 81-6-209.5;

119 [~~g~~] (h) imposes a penalty authorized under this chapter;

120 [~~h~~] (i) determines an issue that may be specifically contested under this chapter by a
121 party who timely files a written request for an adjudicative proceeding with the
122 office; and

123 [~~i~~] (j) renews an administrative judgment.

124 (2)(a) An abstract of a final administrative order issued under this section or a notice of
125 judgment-lien under Section 26B-9-214 may be filed with the clerk of any district
126 court.

127 (b) Upon a filing under Subsection (2)(a), the clerk of the court shall:

128 (i) docket the abstract or notice in the judgment docket of the court and note the time
129 of receipt on the abstract or notice and in the judgment docket; and

130 (ii) at the request of the office, place a copy of the abstract or notice in the file of a

- 131 child support action involving the same parties.
- 132 (3) If a judicial order has been issued, the office may not issue an order under Subsection (1)
- 133 that is not based on the judicial order, except:
- 134 (a) the office may establish a new obligation in those cases in which the juvenile court
- 135 has ordered the parties to meet with the office to determine the support pursuant to
- 136 Section 78A-6-356; or
- 137 (b) the office may issue an order of current support in accordance with the child support
- 138 guidelines if the conditions of Subsection 78B-14-207(2)(c) are met.
- 139 (4) The office may proceed under this section in the name of this state, another state under
- 140 Section 26B-9-209, any department of this state, the office, or the obligee.
- 141 (5) The office may accept voluntary acknowledgment of a support obligation and enter into
- 142 stipulated agreements providing for the issuance of an administrative order under this
- 143 part.
- 144 (6) The office may act in the name of the obligee in endorsing and cashing any drafts,
- 145 checks, money orders, or other negotiable instruments received by the office for support.
- 146 (7) The obligor shall, after a notice of agency action has been served on the obligor in
- 147 accordance with Section 63G-4-201, keep the office informed of:
- 148 (a) the obligor's current address;
- 149 (b) the name and address of current payors of income;
- 150 (c) availability of or access to health insurance coverage; and
- 151 (d) applicable health insurance policy information.

152 Section 3. Section **80-4-105** is amended to read:

153 **80-4-105 . Effect of decree.**

- 154 (1) An order for the termination of parental rights divests the child and the parents of all
- 155 legal rights, powers, immunities, duties, and obligations with respect to each other,
- 156 except the right of the child to inherit from the parent.
- 157 (2)(a) An order or decree entered under this chapter may not disentitle a child to any
- 158 benefit due to the child from any third person, including any Indian tribe, agency,
- 159 state, or the United States.
- 160 (b)(i) An order or decree entered under this chapter shall explicitly address whether
- 161 any arrears in child support in relation to the child exist and, subject to Subsection
- 162 (2)(b)(ii), shall:
- 163 (A) order that the child support arrears be preserved and be subject to collection,
- 164 including through the Office of Recovery Services; and

165 (B) state the amount of child support arrears owing as of the time of entry of the
166 order or decree.

167 (ii) The order required by Subsection (2)(b)(i) is a presumption that is rebuttable only
168 upon a showing by a preponderance of the evidence that the best interest of the
169 child mitigates all or part of any child support arrears owing.

170 (3) Except as provided in Sections 80-4-401 and 80-4-402, after the termination of a
171 parent's parental rights, the former parent:

172 (a) is not entitled to any notice of proceedings for the adoption of the child; and

173 (b) does not have any right to object to the adoption or to participate in any other
174 placement proceedings.

175 (4) An order terminating the rights of a parent, guardian, or custodian does not expire with
176 termination of the jurisdiction of the juvenile court.

177 Section 4. Section **81-4-406** is amended to read:

178 **81-4-406 . Decree of divorce -- When decree becomes absolute -- Remarriage --**

179 **Jurisdiction to modify a decree for a child born after the decree.**

180 (1)(a) The court shall enter a decree of divorce upon the evidence or the petitioner's
181 affidavit in the case of default as described in Subsection (1)(b).

182 (b) A court may not grant a divorce upon default, unless there is evidence to support a
183 decree of divorce upon an affidavit by the petitioner as provided by Rule 104 of the
184 Utah Rules of Civil Procedure.

185 (2) Unless the requirement is waived by the court under Subsection 81-4-402(5), a court
186 may not grant a decree of divorce for parties with a minor child until:

187 (a) both parties have attended the mandatory courses described in Sections 81-4-105 and
188 81-4-106; and

189 (b) both parties have presented a certificate of course completion for each course to the
190 court.

191 (3) In a decree of divorce, the court shall:

192 (a) specify which party is responsible for the payment of joint debts, obligations, or
193 liabilities of the parties contracted or incurred during marriage in accordance with
194 Section 15-4-6.5;

195 (b) require the parties to notify respective creditors or obligees, regarding the court's
196 division of debts, obligations, or liabilities and regarding the parties' separate and
197 current addresses in accordance with Section 15-4-6.5;

198 (c) provide for the enforcement of the orders described in Subsections (1)(a) and (b);

- 199 (d) if a party owns a life insurance policy or an annuity contract, include an
200 acknowledgment by the court that the party:
- 201 (i) has reviewed and updated, where appropriate, the list of beneficiaries;
 - 202 (ii) has affirmed that those listed as beneficiaries are in fact the intended beneficiaries
203 after the divorce becomes final; and
 - 204 (iii) understands that, if no changes are made to the policy or contract, the
205 beneficiaries currently listed will receive any funds paid by the insurance
206 company under the terms of the policy or contract; and
- 207 (e) if the parties have a child as defined in Section 81-6-101, include:
- 208 (i) [-]an order for child support and medical expenses as described in Chapter 6,
209 Child Support[-] ;
 - 210 (ii) a provision in the child support order that requires payment of an ongoing
211 expense for child care subject to the procedures and requirements of Section
212 81-6-209.5; and
 - 213 (iii) a statement providing notice that the Office of Recovery Services provides
214 services to individuals who are seeking assistance in the collection or enforcement
215 of child support orders.
- 216 (4) The court may include in the divorce decree any equitable orders relating to:
- 217 (a) the parties, including any alimony to be awarded to a party in accordance with Part 5,
218 Spousal Support;
 - 219 (b) a child of the parties; and
 - 220 (c) any property, debts, or obligations.
- 221 (5) A decree of divorce becomes absolute:
- 222 (a) on the date it is signed by the court and entered by the clerk in the register of actions;
 - 223 (b) at the expiration of a period of time the court may specifically designate, unless an
224 appeal or other proceedings for review are pending;
 - 225 (c) if an appeal is taken, when the decree is affirmed; or
 - 226 (d) when the court, before the decree becomes absolute, for sufficient cause otherwise
227 orders.
- 228 (6) The court, upon application or on the court's own motion for good cause shown, may
229 waive, alter, or extend a designated period of time before the decree becomes absolute,
230 but not to exceed six months from the signing and entry of the decree.
- 231 (7) A party to a divorce proceeding may not marry another individual other than the other
232 party for whom the divorce was granted until the party's divorce becomes absolute.

233 (8) The court has jurisdiction to modify a decree of divorce to address child support,
234 parent-time, and other matters related to a minor child born to the parties after the decree
235 of divorce is entered.

236 Section 5. Section **81-6-101** is amended to read:

237 **81-6-101 . Definitions for chapter.**

238 As used in this chapter:

239 (1) "Administrative agency" means the Office of Recovery Services or the Department of
240 Health and Human Services.

241 (2) "Administrative order" means the same as that term is defined in Section 26B-9-201.

242 (3) "Alimony" means the same as that term is defined in Section 81-4-101.

243 (4) "Base child support award" means the award that may be ordered and is calculated
244 using the child support guidelines before additions for medical expenses and
245 work-related child care costs.

246 (5) "Base combined child support obligation" means the presumed amount of child support
247 that the parents should provide for their child as described in Subsection 81-6-204(1).

248 (6) "Base combined child support obligation table" means the appropriate table described in
249 Sections 81-6-302 and 81-6-304.

250 (7) "Child" means:

251 (a) a son or daughter who is under 18 years old and who is not otherwise emancipated,
252 self-supporting, married, or a member of the armed forces of the United States;

253 (b) a son or daughter who is 18 years old or older while enrolled in high school during
254 the normal and expected year of graduation and not otherwise emancipated,
255 self-supporting, married, or a member of the armed forces of the United States; or

256 (c) a son or daughter of any age who is incapacitated from earning a living and, if able to
257 provide some financial resources to the family, is not able to support self by own
258 means.

259 (8)(a) "Child support" means a base child support award, or a monthly financial award
260 for uninsured medical expenses, ordered by a tribunal for the support of a child.

261 (b) "Child support" includes current periodic payments, arrearages that accrue under an
262 order for current periodic payments, and sum certain judgments awarded for
263 arrearages, medical expenses, and child care costs.

264 (9) "Child support guidelines" means the calculation and application of child support as
265 described in Part 2, Calculation and Adjustment of Child Support.

266 (10) "Child support order" means a judgment, decree, or order issued by a tribunal whether

- 267 temporary, final, or subject to modification, that:
- 268 (a) establishes or modifies child support;
- 269 (b) reduces child support arrearages to judgment; or
- 270 (c) establishes child support or registers a child support order under Title 78B, Chapter
- 271 14, Utah Uniform Interstate Family Support Act.
- 272 (11) "Child support tables" means the tables described in Part 3, Child Support Tables.
- 273 (12) "Child support services" means the same as that term is defined in Section 26B-9-101.
- 274 (13) "Gross income" means the amount of income calculated for a parent as described in
- 275 Section 81-6-203.
- 276 (14) "Health care coverage" means coverage under which medical services are provided to
- 277 a child through:
- 278 (a) fee for service;
- 279 (b) a health maintenance organization;
- 280 (c) a preferred provider organization;
- 281 (d) any other type of private health insurance; or
- 282 (e) public health care coverage.
- 283 (15)(a) "Income" means earnings, compensation, or other payment due to an individual,
- 284 regardless of source, whether denominated as wages, salary, commission, bonus, pay,
- 285 allowances, contract payment, or otherwise, including severance pay, sick pay, and
- 286 incentive pay.
- 287 (b) "Income" includes:
- 288 (i) all gain derived from capital assets, labor, or both, including profit gained through
- 289 sale or conversion of capital assets;
- 290 (ii) interest and dividends;
- 291 (iii) periodic payments made under pension or retirement programs or insurance
- 292 policies of any type;
- 293 (iv) unemployment compensation benefits;
- 294 (v) workers' compensation benefits; and
- 295 (vi) disability benefits.
- 296 (16) "Joint physical custody" means the same as that term is defined in Section 81-9-101.
- 297 (17) "Low income table" means the appropriate table under Section 81-6-303 or 81-6-305.
- 298 (18) "Medical expenses" means health and dental expenses and related insurance costs.
- 299 (19) "Minor child" means a child who is younger than 18 years old.
- 300 (20) "Obligee" means an individual, this state, another state, or another comparable

301 jurisdiction to whom child support is owed or who is entitled to reimbursement of child
302 support or public assistance.

303 (21) "Obligor" means a person owing a duty of support.

304 (22) "Office" means the Office of Recovery Services within the Department of Health and
305 Human Services.

306 (23) "Ongoing expense for child care" means a periodic payment that an administrative
307 agency or court orders an obligor parent to pay to assist with the child care expenses of
308 the obligor parent's child.

309 [~~(23)~~] (24) "Pregnancy expenses" means an amount equal to:

310 (a) the sum of a pregnant mother's:

311 (i) health insurance premiums while pregnant that are not paid by an employer or
312 government program; and

313 (ii) medical costs related to the pregnancy, incurred after the date of conception and
314 before the pregnancy ends; and

315 (b) minus any portion of the amount described in Subsection [~~(23)~~](a)] (24)(a) that a court
316 determines is equitable based on the totality of the circumstances, not including any
317 amount paid by the mother or father of the child.

318 [~~(24)~~] (25) "Split custody" means that each parent has physical custody of at least one of the
319 children.

320 [~~(25)~~] (26) "State" means a state, territory, possession of the United States, the District of
321 Columbia, the Commonwealth of Puerto Rico, Native American tribe, or other
322 comparable domestic or foreign jurisdiction.

323 [~~(26)~~] (27) "Support" means past-due, present, and future obligations to provide for the
324 financial support, maintenance, or medical expenses of a child.

325 [~~(27)~~] (28) "Support order" means:

326 (a) a child support order; or

327 (b) a judgment, decree, or order by a tribunal, whether temporary, final, or subject to
328 modification, for alimony.

329 [~~(28)~~] (29) "Temporary" means a period of time that is projected to be less than 12 months
330 in duration.

331 [~~(29)~~] (30) "Third party" means an agency or a person other than a parent or a child who
332 provides care, maintenance, and support to a child.

333 [~~(30)~~] (31) "Tribunal" means the district court, the Department of Health and Human
334 Services, Office of Recovery Services, or court or administrative agency of a state,

335 territory, possession of the United States, the District of Columbia, the Commonwealth
336 of Puerto Rico, Native American tribe, or other comparable domestic or foreign
337 jurisdiction.

338 [(31)] (32) "Work-related child care expenses" means reasonable child care costs for up to a
339 full-time work week or training schedule as necessitated by the employment or training
340 of a parent.

341 [(32)] (33) "Worksheet" means a form used to aid in calculating the base child support
342 award.

343 Section 6. Section **81-6-209** is amended to read:

344 **81-6-209 . Requirements for a child support order regarding child care costs and**
345 **expenses -- Actual expenses for child care.**

346 (1) The court or administrative agency shall require in a child support order that each parent
347 share equally the reasonable work-related child care expenses of the parents.

348 (2)(a) If an actual expense for child care is incurred, a parent shall begin paying the
349 parent's share on a monthly basis immediately upon presentation of proof of the child
350 care expense.

351 (b) If the child care expense ceases to be incurred, the parent may suspend making
352 monthly payment of that expense, while the expense is not being incurred, without
353 obtaining a modification of the child support order.

354 (c)(i) In the absence of a court order to the contrary, a parent who incurs child care
355 expense shall provide written verification of the cost and identity of a child care
356 provider to the other parent upon initial engagement of a provider and thereafter
357 on the request of the other parent.

358 (ii) In the absence of a court order to the contrary, the parent shall notify the other
359 parent of any change of child care provider or the monthly expense of child care
360 within 30 calendar days after the day on which the change occurred.

361 (3) The court may deny a parent incurring child care expenses the right to receive credit for
362 the expenses or to recover the other parent's share of the expenses if the parent incurring
363 the expenses fails to comply with Subsection (2)(c).

364 (4)(a) The court or administrative agency shall presume that child care costs should be
365 included in a child support order if a parent, during extended parent-time, is working
366 and actually incurring the child care costs.

367 (b) The presumption under Subsection (4)(a) is rebutted if:

368 (i) the obligor's base child support award, in combination with the award of medical

369 expenses, exceeds 50% of the obligor's adjusted gross income; or
370 (ii) by adding the child care costs, the obligor's child support obligation would exceed
371 50% of the obligor's adjusted gross income.

372 (5)(a) The court or administrative agency may award child care costs on a case-by-case
373 basis if the child care costs are related to the career and occupational training of the
374 custodial parent or the child care costs would be in the interest of justice.

375 (b) The court or administrative agency may assign financial responsibility in a child
376 support order for all or a portion of child care expenses incurred on behalf of a child
377 due to the employment or training of the custodial parent.

378 (6)(a) The court or administrative agency may impute a monthly obligation for child
379 care costs when the court imputes income to a parent who is providing child care for
380 the child so that the parties are not incurring child care costs for the child.

381 (b) The court shall apply any monthly obligation imputed under Subsection (6)(a)
382 towards any actual child care costs incurred within the same month for the child.

383 (7) Beginning July 1, 2026, collection of child care costs shall be subject to the
384 requirements of Section 81-6-209.5.

385 Section 7. Section **81-6-209.5** is enacted to read:

386 **81-6-209.5 . Costs of child care -- Ongoing expense for child care -- Office of**
387 **Recovery Services study item and report.**

388 (1) Beginning July 1, 2026:

389 (a) a court or administrative agency shall include in a child support order a provision
390 requiring the obligor parent to pay a reasonable ongoing expense for child care to
391 assist with the child care expenses for the obligor parent's child;

392 (b) if a previous child support order does not exist, a substantial change in circumstances
393 has occurred, or a petition to modify a child support order as described in Section
394 81-6-212 is filed, the court determining the amount of the ongoing expense for child
395 care shall require each party to file a proposed award of an ongoing expense for child
396 care before the court enters or modifies a child support order;

397 (c)(i) a court or administrative agency shall use guidelines or cost tables prepared by
398 the Office of Recovery Services as a rebuttable presumption in establishing or
399 modifying the amount of the ongoing expense for child care;

400 (ii) the court or administrative agency shall order that:

401 (A) the amount set for the ongoing expense for child care be payable periodically,
402 either monthly, or on a schedule determined by the court or administrative

- 403 agency;
- 404 (B) the payment for an ongoing expense for child care commence on a specific
- 405 date or circumstance; and
- 406 (C) if appropriate, the ongoing expense for child care payments cease on a
- 407 specified date or circumstance; and
- 408 (iii) the amount of an ongoing expense for child care, the frequency of ongoing
- 409 expense for child care payments, and the commencement and termination of
- 410 ongoing expense for child care payments as determined under Subsections (1)(c)(i)
- 411 and (1)(c)(ii) are rebuttable upon:
- 412 (A) an agreement of the parties that is acceptable to the court;
- 413 (B) the court's determination that the evidence presented favors a different amount
- 414 or schedule; or
- 415 (C) a showing by a preponderance of the evidence that a different amount or
- 416 schedule is in the best interest of the child;
- 417 (d) unless otherwise provided by the court, the ongoing expense for child care shall
- 418 terminate when the child turns 13 years old; and
- 419 (e) when determining an amount that a parent may owe for an ongoing expense for child
- 420 care, the court:
- 421 (i) shall give the obligor parent credit for any ongoing expense for child care
- 422 payments made during the relevant time; and
- 423 (ii) may set the amount at zero upon a showing by a preponderance of the evidence
- 424 that child care expenses will not be incurred.
- 425 (2) The Office of Recovery Services shall:
- 426 (a) study the costs, parental income considerations, and practical and procedural issues
- 427 related to establishing a requirement to provide an ongoing expense for child care for
- 428 a child who is subject to a child support order;
- 429 (b) based upon the study results:
- 430 (i) prepare guidelines or a cost table to be used for the calculation of the presumed
- 431 amount of an ongoing expense for child care in compliance with the requirements
- 432 of this section;
- 433 (ii) propose guidelines or practices to recommend how often periodic ongoing
- 434 expense for child care payments should be made;
- 435 (iii) propose guidelines or practices to recommend when ongoing expense for child
- 436 care payments should commence and when they should cease; and

437 (iv) propose all statutory and procedural changes that are required to change the
438 presumption from collecting child care costs through receipt-based reimbursement
439 as provided under Section 81-6-209, to a new presumption that all new and
440 modified child support orders shall contain a provision requiring child care costs
441 to be paid by means of an ongoing expense for child care; and

442 (c) report on the study items described in Subsections (2)(a) and (b) to the Health and
443 Human Services Interim Committee on or before the October 2025 interim meeting.

444 **Section 8. Effective Date.**

445 This bill takes effect on May 7, 2025.