

Effective 9/1/2024

81-6-204 General provisions for calculating child support -- Determination of base combined child support obligation.

- (1) To calculate child support, the court or administrative agency shall determine the base combined child support obligation for the parents by:
 - (a) except as provided in Subsection (3), adjusting the average monthly gross income for each parent by subtracting any alimony previously ordered and paid and any child support previously ordered for that parent;
 - (b) adjusting the average monthly gross income for each parent by subtracting any credits deemed appropriate under Subsections 81-6-202(7) and (8);
 - (c) combining the adjusted average monthly gross incomes for both parents; and
 - (d) locating the base combined child support obligation in the base combined child support obligation table by finding:
 - (i) the combined adjusted average monthly gross incomes of the parents in the table; and
 - (ii) the total number of children in common to the parents.
- (2) The court or administrative agency may only use the income of the parents of the child to determine the base child support award.
- (3) The court or administrative agency may not subtract any alimony ordered in the pending proceeding from the gross incomes of the parents as described in Subsection (1)(a).
- (4) If there is no amount listed for the base combined child support obligation in the base combined child support obligation table, the base combined support obligation for the parents is \$0.
- (5) Upon determining the base combined child support obligation, the court or administrative agency shall make additional calculations as described in Section 81-6-205, 81-6-206, or 81-6-207 to determine the base child support award.
- (6)
 - (a) Except as provided in Subsection (6)(b), the court may consider any amount that an incapacitated adult child can contribute to the child's support and use the amount to justify a reduction in the amount of support ordered.
 - (b) If the case described in Subsection (6)(a) involves more than one child, the reduction may not be greater than the effect of reducing the total number of children by one.
- (7)
 - (a) The base combined child support obligation table provides combined child support obligations for up to six children.
 - (b) If a case involves more than six children, the court may add additional amounts to the base child support obligation shown in the base combined child support obligation table.
 - (c) Unless rebutted by Subsection 81-6-202(3), the court or administrative agency may not order an amount less than the amount that would be ordered for up to six children.
- (8)
 - (a) If the combined adjusted gross income exceeds the highest level specified in the base combined child support obligation table, the court shall order an appropriate and just amount of child support on a case-by-case basis, except that the court may not order an amount that is less than the highest level specified in the table for the number of children due child support.
 - (b) There is no maximum limit on the base child support award that a court may order using the child support tables.
- (9) The amount shown in a child support table is the child support amount for the total number of children not an amount per child.
- (10) For all worksheets, income and child support award figures are rounded to the nearest dollar.

Enacted by Chapter 366, 2024 General Session