

**Effective 9/1/2024**

**81-6-206 Joint physical custody -- Obligation calculations.**

- (1) This section applies to a case in which the parents are awarded joint physical custody of the children.
- (2) If the base combined child support obligation that is calculated as described in Subsection 81-6-204(1) is \$0, the base child support award for each parent is \$0.
- (3) If the base combined child support obligation that is calculated as described in Subsection 81-6-204(1) is greater than \$0, the court or administrative agency shall determine each parent's share of the base combined child support obligation by:
  - (a) dividing each parent's monthly adjusted gross income by the combined monthly adjusted gross income to determine each parent's percentage; and
  - (b) multiplying each parent's percentage by the base combined child support obligation.
- (4) The court or administrative agency shall determine the base child support award for the parent with the lesser number of overnights by:
  - (a) multiplying the number of overnights over 110 and under 131 for that parent by .0027;
  - (b) multiplying the number calculated under Subsection (4)(a) by the base combined child support obligation;
  - (c) multiplying the number of overnights over 130 for that parent by .0084;
  - (d) multiplying the number calculated under Subsection (4)(c) by the base combined child support obligation; and
  - (e) subtracting the numbers calculated in Subsections (4)(b) and (4)(d) from that parent's share of the base combined child support obligation calculated under Subsection (3).
- (5) If the base child support award calculated under Subsection (4) is greater than \$0, the parent with the lesser number of overnights is the obligor and is required to pay child support.
- (6) If the base child support award calculated under Subsection (4) is less than \$0:
  - (a) the parent with the lesser number of overnights is the obligee; and
  - (b) the parent with the greater number of overnights is the obligor and is required to pay child support.
- (7) If the parents have an equal parent-time schedule under Section 81-9-305, the amount of time to be spent with the parent who has the lower monthly adjusted gross income is considered 183 overnights, regardless of whether the parent receives 182 overnights or 183 overnights under the equal parent-time schedule.

Enacted by Chapter 366, 2024 General Session