

CHILD SUPPORT GUIDELINES

2002 GENERAL SESSION

STATE OF UTAH

Sponsor: Fred J. Fife

This act modifies the duties of the child support guidelines advisory committee by requiring that it use Utah specific data in its determinations.

This act affects sections of Utah Code Annotated 1953 as follows:

AMENDS:

78-45-7.13, as last amended by Chapter 233, Laws of Utah 1997

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

Section 1. Section **78-45-7.13** is amended to read:

78-45-7.13. Advisory committee -- Membership and functions.

(1) On or before March 1, 1995, the governor shall appoint an advisory committee consisting of:

(a) one representative recommended by the Office of Recovery Services;

(b) one representative recommended by the Judicial Council;

(c) two representatives recommended by the Utah State Bar Association;

(d) two representatives of noncustodial parents, one male and one female, appointed by the governor;

(e) two representatives of custodial parents, one male and one female, appointed by the governor; and

(f) an uneven number of additional persons, not to exceed three, who represent diverse interests related to child support issues, as the governor may consider appropriate. However, none of the individuals appointed under this Subsection (1) may be members of the Utah State Bar Association.

(2) (a) Except as required by Subsection (2)(b), as terms of current committee members expire, the governor shall appoint each new member or reappointed member to a four-year term.



(b) Notwithstanding the requirements of Subsection (2)(a), the governor shall, at the time of appointment or reappointment, adjust the length of terms to ensure that the terms of committee members are staggered so that approximately half of the committee is appointed every two years.

(3) When a vacancy occurs in the membership for any reason, the replacement shall be appointed for the unexpired term.

(4) (a) The advisory committee shall review the child support guidelines using Utah specific data to ensure their application results in the determination of appropriate child support award amounts.

(b) The committee shall report to the Legislative Judiciary Interim Committee on or before October 1 in 1989 and 1991, and then on or before October 1 of every fourth year subsequently.

(c) The committee's report shall include recommendations of the majority of the committee, as well as specific recommendations of individual members of the committee.

(5) (a) (i) Members who are not government employees shall receive no compensation or benefits for their services, but may receive per diem and expenses incurred in the performance of the member's official duties at the rates established by the Division of Finance under Sections 63A-3-106 and 63A-3-107.

(ii) Members may decline to receive per diem and expenses for their service.

(b) (i) State government officer and employee members who do not receive salary, per diem, or expenses from their agency for their service may receive per diem and expenses incurred in the performance of their official duties from the committee at the rates established by the Division of Finance under Sections 63A-3-106 and 63A-3-107.

(ii) State government officer and employee members may decline to receive per diem and expenses for their service.

(6) Staff for the committee shall be provided from the existing budgets of the Department of Human Services.

(7) The committee ceases to exist no later than the date the subsequent committee under this section is appointed.

Legislative Review Note
as of 2-7-02 10:03 AM

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

Office of Legislative Research and General Counsel