

**CHILD SUPPORT OBLIGATIONS - USE OF
UTAH DATA**

2003 GENERAL SESSION
STATE OF UTAH

Sponsor: Eric K. Hutchings

This act modifies the duties of the child support guidelines advisory committee by requiring that it use Utah specific data in its determinations. ^h THIS ACT TAKES EFFECT JANUARY 1, 2004. ^h

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) ^h ~~(f)~~ ^h may be members of the Utah State

Bar Association.

(2) (a) Except as required by Subsection (2)(b), as terms of current committee members



28 expire, the governor shall appoint each new member or reappointed member to a four-year
29 term.

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

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

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

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

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

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

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

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

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

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

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

58a **h Section 2. Effective date.**

58b **THIS ACT TAKES EFFECT JANUARY 1, 2004. h**

Legislative Review Note

as of 2-10-03 7:02 AM

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

Office of Legislative Research and General Counsel

Fiscal Note
Bill Number HB0360

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04-Mar-03

7:12 PM

AMENDED BILL

State Impact

It is estimated that provisions of this bill can be implemented with existing resources.

Individual and Business Impact

The provisions of this bill may affect the amount of child support received and/or paid by some individuals.

Office of the Legislative Fiscal Analyst