

1                                   **REVIEW OF PARENT TIME, CUSTODY, AND**  
2                                   **CHILD SUPPORT LAWS**

3                                   2003 GENERAL SESSION

4                                   STATE OF UTAH

5                                   **Sponsor: James M. Evans**

6   **This act modifies the duties of the Child Support Guidelines Advisory Committee to**  
7   **require that it also review parent-time and custody issues.**

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

9   AMENDS:

10           **78-45-7.13**, as last amended by Chapter 233, Laws of Utah 1997

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

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

13           **78-45-7.13. Advisory committee -- Membership and functions.**

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

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

17           (b) one representative recommended by the Judicial Council;

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

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

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

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

27           (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, custody,  
37 and parent-time laws to ensure that their application results in [~~the determination of appropriate~~  
38 ~~child support award amounts~~] a seamless combination that works effectively for both parents  
39 and children.

40 (b) The committee shall report to the Legislative Judiciary Interim Committee on or  
41 before [~~October~~] November 1 in [~~1989~~] 2003 and [~~1991~~] 2005, and then on or before [~~October~~]  
42 November 1 of every fourth year subsequently.

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

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

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

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

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

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

58 (7) The committee ceases to exist no later than the date the subsequent committee

59 under this section is appointed.

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**Legislative Review Note**  
as of 2-19-03 3:57 PM

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

**Office of Legislative Research and General Counsel**

**State Impact**

The bill requires an ongoing appropriation of \$26,700 from the General Fund to the Department of Human Services

	<u>FY 04 Approp.</u>	<u>FY 05 Approp.</u>	<u>FY 04 Revenue</u>	<u>FY 05 Revenue</u>
General Fund	\$26,700	\$26,700	\$0	\$0
<b>TOTAL</b>	<b>\$26,700</b>	<b>\$26,700</b>	<b>\$0</b>	<b>\$0</b>

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**Individual and Business Impact**

No significant fiscal impact.

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