



House of Representatives *State of Utah*

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February 10, 2005

Mr. Speaker:

The Government Operations Committee reports a favorable recommendation on **H.B. 248**, CHILD SUPPORT OBLIGATIONS, by Representative E. Hutchings, with the following amendments:

1. *Page 4, Lines 95 through 100:*

95 (15) "Incarcerated obligor" means a person who:
96 (a) is or may become subject to an order establishing or modifying child support;
 and
97 (b) is ~~{or is expected to be}~~ confined in a correctional **facility** , secure
 correctional facility, or
98 secure facility for at least 12 consecutive months from the date of initiation of an action to
99 establish a support order or from the date of a request to modify an existing order
 pursuant to
100 this section.

2. *Page 11, Lines 322 through 325*

322 (4) In cases where the monthly adjusted gross income of [~~the obligor~~] either
 parent is
323 between \$650 and \$1,050, the base child support award **for that parent** shall be
 the lesser of the amount
324 calculated in accordance with Subsection (2) and the amount calculated using the
 low income
325 table. If the income and number of children is found in an area of the low income
 table in

3. *Page 13, Lines 386 through 388*

386 (5) A child support award entered pursuant to Subsections (3) and (4) is
 effective only
387 during the period of incarceration, institutionalization, residential treatment, or
 physical or
388 mental disability, and for ~~{six}~~ **three** months after the parent's release or

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termination of the disability.

4. Page 13, Lines 389 through 393

389 (6) An order entered in accordance with this section that establishes or modifies a
390 child
391 support order may automatically adjust prospective support to a specified amount, based
392 on
393 minimum wage or other projected income using the best available information, to take
effect
without further notice to the parent on the first day of the month following
{-six} **three** months after the
parent's release or termination of disability.

5. Page 13, Lines 396 through 399

396 (8) This section does not apply to a parent who is incarcerated because of:
397 (a) nonpayment of child support;
398 (b) child abuse or neglect; ~~{-or-}~~
399 (c) domestic violence ;
(d) a conviction of any crime from a plea agreement where a charge for an
offense listed in subsection (a), (b), or (c) is dismissed; or
(e) any other crime in which the victim is a child .

Respectfully,

Douglas C. Aagard
Committee Chair

Voting: 10-1-0

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