

1 **REVISIONS TO CHILD SUPPORT**

2 **DEFINITIONS**

3 2007 GENERAL SESSION

4 STATE OF UTAH

5 **Chief Sponsor: Lyle W. Hillyard**

6 House Sponsor: Lorie D. Fowlke

7

LONG TITLE

8 **General Description:**

9 This bill adds attorney fees incurred in obtaining a child support award to the
10 definitions of child support.

11 **Highlighted Provisions:**

12 This bill:

13 ▶ adds attorney fees incurred in obtaining a child support award to the definitions of
14 child support.

15 **Monies Appropriated in this Bill:**

16 None

17 **Other Special Clauses:**

18 None

19 **Utah Code Sections Affected:**

20 AMENDS:

21 **62A-11-401**, as last amended by Chapter 161, Laws of Utah 2000

22

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

23 Section 1. Section **62A-11-401** is amended to read:

24 **62A-11-401. Definitions.**

25 As used in this part and in Part 5:



28 (1) "Business day" means a day on which state offices are open for regular business.

29 (2) "Child" is defined in Section 62A-11-303.

30 (3) "Child support" means a base child support award as defined in Subsection
31 78-45-2(4), or a financial award for uninsured monthly medical expenses, ordered by a tribunal
32 for the support of a child, including current periodic payments, all arrearages which accrue
33 under an order for current periodic payments, and sum certain judgments awarded for
34 arrearages, medical expenses, and child care costs. Child support includes:

35 (a) obligations ordered by a tribunal for the support of a spouse or former spouse with
36 whom the child resides if the spousal support is collected with the child support[-]; and

37 (b) attorney fees incurred in establishing a child support order.

38 (4) "Child support order" or "support order" means a judgment, decree, or order,
39 whether temporary, final, or subject to modification, issued by a tribunal for child support and
40 related costs and fees, interest and penalties, income withholding, [~~attorneys~~] attorney fees, and
41 other relief.

42 (5) "Child support services" is defined in Section 62A-11-103.

43 (6) "Delinquent" or "delinquency" means that child support in an amount at least equal
44 to current child support payable for one month is overdue.

45 (7) "Immediate income withholding" means income withholding without regard to
46 whether a delinquency has occurred.

47 (8) "Income" is defined in Section 62A-11-103.

48 (9) "Jurisdiction" means a state or political subdivision of the United States, a territory
49 or possession of the United States, the District of Columbia, the Commonwealth of Puerto
50 Rico, an Indian tribe or tribal organization, or any comparable foreign nation or political
51 subdivision.

52 (10) "Obligee" is defined in Section 62A-11-303.

53 (11) "Obligor" is defined in Section 62A-11-303.

54 (12) "Office" is defined in Section 62A-11-103.

55 (13) "Payor" means an employer or any person who is a source of income to an obligor.

Legislative Review Note
as of 1-24-07 4:46 PM

Office of Legislative Research and General Counsel

S.B. 184 - Revisions to Child Support Definitions

Fiscal Note

2007 General Session

State of Utah

State Impact

Enactment of this bill will not require additional appropriations.

Individual, Business and/or Local Impact

Enactment of this bill likely will not result in direct, measurable costs and/or benefits for businesses or local governments. Custodial parents could recover attorney fees incurred in establishing a child support order.

1/30/2007, 3:16:33 PM, Lead Analyst: Headden, D.

Office of the Legislative Fiscal Analyst