

2022 Regular Session

SENATE BILL NO. 479

BY SENATOR LUNEAU

CHILDREN. Provides relative to child support. (1/1/23)

1 AN ACT

2 To amend and reenact R.S. 9:315.1(C)(1)(a) and 315.2(D), and to repeal R.S. 9:315.14,
3 relative to child support; to provide relative to the guidelines for determination of
4 child support; to provide with respect to the calculation of basic child support
5 obligation; to provide relative to the mandatory minimum child support award; to
6 provide for an effective date; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 9:315.1(C)(1)(a) and 315.2(D) are hereby amended and reenacted to
9 read as follows:

10 §315.1. Rebuttable presumption; deviation from guidelines by court; stipulations by
11 parties

12 * * *

13 C. In determining whether to deviate from the guidelines, the court's
14 considerations may include:

15 (1) * * *

16 (a) If the combined adjusted gross income of the parties is less than the
17 lowest sum shown on the schedule, the court shall determine an amount of child

1 support based on the facts of the case, ~~except that the amount awarded shall not be~~
2 ~~less than the minimum child support provided in R.S. 9:315.14.~~

3 * * *

4 §315.2. Calculation of basic child support obligation

5 * * *

6 D. The court shall determine the basic child support obligation amount from
7 the schedule in R.S. 9:315.19 by using the combined adjusted gross income of the
8 parties and the number of children involved in the proceeding, ~~but in no event shall~~
9 ~~the amount of child support be less than the amount provided in R.S. 9:315.14.~~

10 * * *

11 Section 2. R.S. 9:315.14 is hereby repealed.

12 Section 3. This Act shall become effective on January 1, 2023; if vetoed by the
13 governor and subsequently approved by the legislature, this Act shall become effective on
14 the day following such approval by the legislature or January 1, 2023, whichever is later.

The original instrument and the following digest, which constitutes no part
of the legislative instrument, were prepared by Yoursheka Butler.

DIGEST

SB 479 Original

2022 Regular Session

Luneau

Present law provides that if the combined adjusted gross income of the parties is less than the lowest sum shown on the child support guideline schedule, the court shall determine an amount of child support based on the facts of the case.

Present law prohibits a court from setting an award of child support less than \$100.00 except in cases of shared or split custody, or when the obligor has a medically documented disability that limits his ability to meet the mandatory minimum.

Proposed law repeals present law.

Effective January 1, 2023.

(Amends R.S. 9:315.1(C)(1)(a) and 315.2(D); repeals R.S. 9:315.14)