

SENATE CONCURRENT RESOLUTION NO. 98

BY SENATOR MURRAY

A CONCURRENT RESOLUTION

To urge and request the Louisiana State Law Institute to study and make recommendations on certain aspects of child support calculations involving net child care costs.

WHEREAS, Louisiana law in R.S. 9:315 et seq., sets forth guidelines for determination of child support; and

WHEREAS, a premise of such statutory guidelines together with Civil Code provisions is that child support is a continuous obligation of both parents, children are entitled to share in the current income of both parents, children should not be the economic victims of divorce or out-of-wedlock birth, and children should not be forced to live in poverty because of family disruption; and

WHEREAS, the child support calculations guidelines incorporate certain economic data and principles; and

WHEREAS, "net child care costs" is included in the calculation of the total child support obligation pursuant to the child support guidelines; and

WHEREAS, "net child care costs" is presently defined as the reasonable costs of child care incurred by a party due to employment or job search, minus the value of the federal income tax credit for child care; and

WHEREAS, the Louisiana State Law Institute should study whether it would be in the best interest of a child to authorize within the definition of "net child care costs" the inclusion of reasonable child care expenses incurred by a parent while receiving job training or an education to obtain employment, provided that such costs do not unreasonably burden the parent paying child support.

THEREFORE, BE IT RESOLVED that the Senate of the Legislature of Louisiana does hereby urge and request that the Louisiana State Law Institute study and make recommendations concerning "net child care costs" under laws for payment of child support and child support guidelines.

BE IT FURTHER RESOLVED that the Louisiana State Law Institute shall report its findings or recommended legislation to the legislature not later than February 1, 2013.

BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the director of the Louisiana State Law Institute.

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PRESIDENT OF THE SENATE

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SPEAKER OF THE HOUSE OF REPRESENTATIVES