

1 **SHB 1478 - H AMD 421**

2 By Representative Carrell

3 On page 8, beginning on line 23, after "calculation))" strike
4 everything through "obligor parent" on page 9 line 2 and insert the
5 following:

6 "The court may deviate from the standard calculation when the
7 parent making the transfer payment (obligor) has natural or adopted
8 children from other relationships to whom the obligor owes a duty
9 of support and is actually supporting.

10 (a) The deviation shall be calculated according to the
11 following formula: (i) Apply the child support schedule to the
12 mother, father, and children of the family before the court to
13 determine the basic support obligation and each parent's
14 proportionate share of the basic amount; (ii) Then apply the
15 schedule to the mother and father before the court and to all
16 natural and adopted children the obligor has a duty to support and
17 is supporting; (iii) Separate from the total amount established in
18 subsection (ii) of this subsection, the monthly basic child support
19 obligation for only those children before the court and multiply
20 that amount by the obligor's proportionate share; (iv) Calculate
21 the deviation by subtracting the obligor's basic support obligation
22 for all children from the obligor's basic support obligation for
23 the children before the court; and (v) Subtract the deviation
24 amount from the obligor's basic support obligation for the children
25 before the court. This amount shall be the presumptive support
26 transfer payment unless the obligor is responsible for a
27 proportionate share of day care or other special child rearing
28 expenses.

29 (b) If an obligor requests a deviation for children from other
30 relationships, the court shall consider the income and resources of
31 the other parent of the natural or adopted children for whom the

1 deviation is sought if the other parent lives with the obligor. The
2 other parent's income and resources shall not be included when
3 calculating the basic support obligation or deviation amount under
4 subsection (a) of this section but may be a basis to adjust the
5 presumptive support transfer payment calculated under subsection
6 (a) of this section"

EFFECT: The formula for calculating a deviation for the obligor's children from other relationships is rewritten to clarify some ambiguities. No substantive change is intended.