

HOUSE BILL REPORT

HB 1619

As Reported By House Committee On:

Law & Justice

Title: An act relating to proportionate sharing of child support expenses not included in the child support economic table.

Brief Description: Revising child support provision for day care expenses.

Sponsors: Representative Appelwick.

Brief History:

Committee Activity:

Law & Justice: 2/15/95, 2/17/95 [DP].

HOUSE COMMITTEE ON LAW & JUSTICE

Majority Report: Do pass. Signed by 16 members: Representatives Padden, Chairman; Delvin, Vice Chairman; Hickel, Vice Chairman; Appelwick, Ranking Minority Member; Costa, Assistant Ranking Minority Member; Campbell; Carrell; Chappell; Cody; Lambert; McMahan; Morris; Sheahan; Smith; Thibaudeau and Veloria.

Staff: Pat Shelledy (786-7149).

Background: Washington's child support schedule contains an economic table. The economic table establishes a presumptive basic child support amount for the parents' children. The presumptive amount varies depending on the combined monthly income of the parents, the number of children, and the children's ages. Each parent's share of the presumptive amount is based on each parent's share of the combined monthly net income.

Day-care and special child rearing expenses, such as tuition and long-distance transportation costs are not included in the economic table. Those expenses are to be shared by the parents in the same proportion as the basic child support obligation. The court may include extraordinary expenses such as day care in a parent's monthly support payment the parent must make to the other parent. In other cases, the parent must pay his or her share when the extraordinary expense is incurred. The parent that makes the transfer payment is termed the "obligor." The parent that receives the transfer payment is the "obligee."

Summary of Bill: If a child support obligor pays more than his or her proportionate share of the actual expenses of day care or any other special child rearing expense for which he or she is ordered to pay, the obligor shall be entitled to credit in the amount of the overpayment.

Appropriation: None.

Fiscal Note: Available.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: A parent should be entitled to a credit for extraordinary expenses not actually incurred by the other parent.

Testimony Against: The Child Support Division of the Department of Social and Health Services is responsible for distributing child support in many cases and for conducting administrative hearings concerning contested issues. The bill does not address administrative issues or indicate in what manner the parent will be able to obtain the credit.

Testified: Pat Morgan, Washington State Bar Association, Family Law Section (pro); and Gary E. Marsoll, Washington Families (pro).