

2016 Regular Session

HOUSE BILL NO. 410

BY REPRESENTATIVE GREGORY MILLER

1 AN ACT

2 To amend and reenact R.S. 9:315.9(A)(1) and (2) and 315.10(A)(1) and (2), relative to child
3 custody; to provide relative to shared custody and split custody relating to child
4 support; to provide definitions; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 9:315.9(A)(1) and (2) and 315.10(A)(1) and (2) are hereby amended
7 and reenacted to read as follows:

8 §315.9. Effect of shared custodial arrangement

9 A.(1) "Shared custody" means ~~a joint custody order in which~~ that each parent
10 has physical custody of the child for an approximately equal amount of time.

11 (2) If there is a ~~the~~ joint custody order or joint plan for implementation
12 providing ~~provides~~ for shared custody, or if the court finds by a preponderance of the
13 evidence that shared custody exists, the basic child support obligation shall first be
14 multiplied by one and one-half and then divided between the parents in proportion
15 to their respective adjusted gross incomes.

16 * * *

17 §315.10. Effect of split custodial arrangement

18 A.(1) "Split custody" means that each party is the sole custodial or
19 domiciliary parent of at least one child to whom support is due. Split custody exists
20 where there is a custody order or joint plan of implementation providing for split
21 custody, or the court finds by a preponderance of the evidence that split custody
22 exists.

1 (2) If split custody exists as set forth in this Section ~~the custody order~~
 2 ~~provides for split custody~~, each parent shall compute a total child support obligation
 3 for the child or children in the custody of the other parent, based on a calculation
 4 pursuant to this Section.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____