The original instrument was prepared by Xavier I. Alexander. The following digest, which does not constitute a part of the legislative instrument, was prepared by Linda Nugent.

DIGEST

SB 330 Reengrossed 2018 Regular Session Colomb

Present law provides that a child support obligation shall not be modified unless there is a material change in circumstances.

Proposed law retains present law and further provides that a material change in circumstances must be substantial and continuing.

Present law provides that material change of circumstances exists where there is a 25% change in a child support award. Further provides that in the best interest of the child, either party or DCFS shall provide for judicial review and the court may adjust the amount of support every three years without a material change of circumstances.

Proposed law provides that a court has the discretion to modify child support obligation even when there is not a 25% variation between the current support obligation. Further provides that the court has the discretion to modify a child support award even when the 25% variation exists.

Proposed law provides that in the best interest of the child judicial review shall be called upon by either party or DCFS. Further provides that the court may adjust a child support award every three years if existing award differs from the previous award.

Proposed law repeals present law that provides that a modified order for support shall be retroactive to the filing date of the rule for modification.

Effective upon signature of the governor or upon lapse of time for gubernatorial action.

(Amends R.S. 9:311(A)(1), (C), (E), and (F); repeals R.S. 9:311(G))

Summary of Amendments Adopted by Senate

Senate Floor Amendments to engrossed bill

1. Legislative Bureau technical amendments.