

SENATE BILL NO. 330

BY SENATOR COLOMB

1 AN ACT

2 To amend and reenact R.S. 9:311 (A)(1), (C), and (F), relative to the modification of support  
3 orders; to provide relative to a material change in circumstances; to provide relative  
4 to support orders when the Department of Children and Family Services provides  
5 support enforcement services; to provide for a rebuttable presumption; to provide for  
6 judicial discretion in modifying a support obligation; to provide for judicial review  
7 in some circumstances; and provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 9:311 (A)(1), (C), and (F) are hereby amended and reenacted to read  
10 as follows:

11 §311. Modification or suspension of support; material change in circumstances;  
12 periodic review by Department of Children and Family Services;  
13 medical support

14 A.(1) An award for support shall not be modified unless the party seeking the  
15 modification shows a material change in circumstances of one of the parties between  
16 the time of the previous award and the time of the rule for modification of the award.

17 **The material change in circumstances must be substantial and continuing since**  
18 **the last award for support.**

19 \* \* \*

20 C. For purposes of this Section, in cases where the Department of Children  
21 and Family Services is providing support enforcement services:

22 (1) ~~There shall be a rebuttable presumption that a~~ material change in  
23 ~~circumstance~~ **circumstances** exists when a strict application of the child support  
24 guidelines, Part I-A of this Chapter, would result in at least a twenty-five percent  
25 change in the existing child support award. A material change in ~~circumstance~~  
26 **circumstances** does not exist under this Paragraph if the amount of the award was  
27 the result of the court's deviating from the guidelines pursuant to R.S. 9:315.1 and



1           Section 2. This Act shall become effective upon signature by the governor or, if not  
2 signed by the governor, upon expiration of the time for bills to become law without signature  
3 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
4 vetoed by the governor and subsequently approved by the legislature, this Act shall become  
5 effective on the day following such approval.

---

PRESIDENT OF THE SENATE

---

SPEAKER OF THE HOUSE OF REPRESENTATIVES

---

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_