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## DIGEST

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HB 337 Original

2023 Regular Session

Carpenter

**Abstract:** Eliminates the requirement of a minimum child support award.

Present law (R.S. 9:315.14) prohibits a court from setting a child support award below \$100 per month except in cases involving shared or split custody or a medically documented disability.

Proposed law repeals present law.

Present law (R.S. 9:315.1(C)(1)) provides that in determining whether to deviate from the guidelines for child support, the court's considerations may include that the combined adjusted gross income of the parties is not within the amounts shown on the schedule in R.S. 9:315.19.

Proposed law changes present law by providing that the court's considerations may include that the combined adjusted gross income of the parties is equal to or less than \$950.

Present law (R.S. 9:315.1(C)(1)(a)) provides that if the combined adjusted gross income of the parties is less than the lowest sum on the schedule, the court shall determine an amount of child support based on the facts of the case, except that the amount awarded shall not be less than the \$100 minimum child support provided in present law (R.S. 9:315.14).

Proposed law changes present law and provides that if the combined adjusted gross income of the parties is less than the lowest sum on the schedule, the court shall determine an amount of child support based on earnings, income, and other evidence of ability to pay.

Present law (R.S. 9:315.2(D)) provides that the court shall determine the basic child support obligation amount from the schedule in present law (R.S. 9:315.19) by using the combined adjusted gross income of the parties and the number of children involved in the proceeding, but in no event shall the amount of child support be less than the \$100 minimum provided in present law.

Proposed law changes present law by providing that in no event shall the lowest basic amount of child support in the schedule be construed as a limitation on the court's authority to deviate under proposed law (R.S. 9:315.1(C)).

Effective Jan. 1, 2024.

(Amends R.S. 9:315.1(C) and 315.2(D); Repeals R.S. 9:315.14)