

2016 Regular Session

HOUSE BILL NO. 330

BY REPRESENTATIVE GREGORY MILLER

1 AN ACT

2 To amend and reenact R.S. 9:315.11(A), relative to child support; to provide for imputing  
3 income; to provide relative to actual income or income earning potential; and to  
4 provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 9:315.11(A) is hereby amended and reenacted to read as follows:

7 §315.11. Voluntarily unemployed or underemployed party

8 A. If a party is voluntarily unemployed or underemployed, child support  
9 shall be calculated based on a determination of income earning potential, unless the  
10 party is physically or mentally incapacitated, or is caring for a child of the parties  
11 under the age of five years. In determining the party's income earning potential, the  
12 court may consider the most recently published Louisiana Occupational Employment  
13 Wage Survey. Absent evidence of a party's actual income or income earning  
14 potential, there is a rebuttable presumption that the party can earn a weekly gross  
15 amount equal to thirty-two hours at a minimum wage, according to the laws of his  
16 state of domicile or federal law, whichever is higher.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

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