

## HOUSE BILL NO. HB0256

Child support guidelines-amendments.

Sponsored by: Representative(s) Connolly

A BILL

for

1 AN ACT relating to child support; amending child support  
2 guidelines; making conforming amendments; repealing  
3 provisions related to abatements; and providing for an  
4 effective date.

5

6 *Be It Enacted by the Legislature of the State of Wyoming:*

7

8       **Section 1.** W.S. 14-2-204(d), 14-3-435(b),  
9 14-6-236(b), 14-6-435(b), 20-2-303(a) by creating a new  
10 paragraph (iv) and by renumbering (iv) as (v) and  
11 20-2-304(a)(i) through (v) and (b) through (d) are amended  
12 to read:

13

14       **14-2-204. Liability for support; right of action;**  
15 **venue; service; measure of recovery; remedies cumulative;**  
16 **execution; continuing jurisdiction; notice.**

1

2 (d) The measure of recovery from the defendant is the  
3 reasonable value of the care or support, including medical  
4 support furnished to the child by the petitioner and the  
5 child support ordered pursuant to W.S. 20-2-303, ~~through~~  
6 ~~20-2-305~~ 20-2-304, 20-2-307 and 20-2-311. In addition, the  
7 court may make other suitable order for future care or  
8 support of the child. These remedies are cumulative and in  
9 addition to other remedies provided by law. Payments of  
10 future support shall be paid to the clerk of the district  
11 court.

12

13 **14-3-435. Ordering payment for support and treatment**  
14 **of child; how paid; enforcement.**

15

16 (b) An order for the payment of money entered against  
17 a parent or other person legally obligated to support a  
18 child under the provisions of W.S. 14-3-434, 20-2-101  
19 through 20-2-406 or this section shall be entered  
20 separately from the decree of disposition under W.S.  
21 14-3-429 and shall not be treated as a part of the  
22 confidential court record under W.S. 14-3-437. The order  
23 may be filed in the district court of any county in the

1 state. From the time of filing, the order shall have the  
2 same effect as a judgment or decree of the district court  
3 in a civil action and may be enforced by the district  
4 attorney, or the department of family services in the same  
5 manner and with the same powers as in other child support  
6 cases under W.S. 20-2-303, ~~through 20-2-305~~ 20-2-304,  
7 20-2-307, 20-2-311, 20-2-401 through 20-2-406 and 20-6-101  
8 through 20-6-222, or in any manner provided by law for  
9 enforcement of a civil judgment for money.

10  
11 **14-6-236. Ordering payment for support and treatment**  
12 **of child; how paid; enforcement.**

13  
14 (b) An order for the payment of money entered against  
15 a parent or other person legally obligated to support a  
16 child under the provisions of W.S. 14-6-235, 20-2-101  
17 through 20-2-406 or this section shall be entered  
18 separately from the decree of disposition under W.S.  
19 14-6-229 and shall not be treated as a part of the  
20 confidential court record under W.S. 14-6-239. The order  
21 may be filed in the district court of any county in the  
22 state. From the time of filing, the order shall have the  
23 same effect as a judgment or decree of the district court

1 in a civil action and may be enforced by the district  
2 attorney, or the department of family services in the same  
3 manner and with the same powers as in other child support  
4 cases under W.S. 20-2-303, ~~through 20-2-305~~ 20-2-304,  
5 20-2-307, 20-2-311, 20-2-401 through 20-2-406 and 20-6-101  
6 through 20-6-222, or in any manner provided by law for  
7 enforcement of a civil judgment for money.

8

9 **14-6-435. Ordering payment for support and treatment**  
10 **of child; how paid; enforcement.**

11

12 (b) An order for the payment of money entered against  
13 a parent or other person legally obligated to support a  
14 child under the provisions of W.S. 14-6-434, 20-2-101  
15 through 20-2-406 or this section shall be entered  
16 separately from the decree of disposition under W.S.  
17 14-6-429 and shall not be treated as a part of the  
18 confidential court record under W.S. 14-6-437. The order  
19 may be filed in the district court of any county in the  
20 state. From the time of filing, the order shall have the  
21 same effect as a judgment or decree of the district court  
22 in a civil action and may be enforced by the district  
23 attorney, or the department of family services in the same

1 manner and with the same powers as in other child support  
2 cases under W.S. 20-2-303, ~~through 20-2-305~~ 20-2-304,  
3 20-2-307, 20-2-311, 20-2-401 through 20-2-406 and 20-6-101  
4 through 20-6-222, or in any manner provided by law for  
5 enforcement of a civil judgment for money.

6

7 **20-2-303. Definitions.**

8

9 (a) As used in this article:

10

11 (iv) "Overnight" means the percentage of  
12 parenting time determined by calculating the number of  
13 overnights that a child spends with a parent or by using a  
14 method other than overnights if the parent has significant  
15 time periods on separate days where the child is in the  
16 parent's physical custody and under the direct care of the  
17 parent but does not stay overnight;

18

19 ~~(iv)~~ (v) "This article" means W.S. 20-2-301  
20 through 20-2-315.

21

22 **20-2-304. Presumptive child support.**

23

1           (a) Child support shall be expressed in a specific  
2 dollar amount. The following child support tables shall be  
3 used to determine the total child support obligation  
4 considering the combined income of both parents. The  
5 appropriate table is based upon the number of children for  
6 whom the parents share joint legal responsibility and for  
7 whom support is being sought. After the combined net income  
8 of both parents is determined it shall be used in the first  
9 column of the tables to find the appropriate line from  
10 which the total child support obligation of both parents  
11 can be computed from the third column. The child support  
12 obligation computed from the third column of the tables  
13 shall be divided between the parents in proportion to the  
14 net income of each. The noncustodial parent's share of the  
15 joint child support obligation shall be paid to the  
16 custodial parent through the clerk as defined by W.S.  
17 20-6-102(a) (x):

18

19                   (i) One (1) child:

20

|    |             |               |                   |
|----|-------------|---------------|-------------------|
| 21 | Net Monthly | Percentage of |                   |
| 22 | Income of   | Income        |                   |
| 23 | Both        | Allocated for | Base Support Plus |

| 1  | Parents                                   | One Child | Marginal Percentage                              |
|----|---|-----------|--|
| 2  |   |           |  |
| 3  | <del>\$846.00</del> <u>\$873.00</u>       | 22.0      | <del>\$186.00</del> <u>\$192.00</u> + 21.3% over |
| 4  |   |           | <del>\$846.00</del> <u>\$873.00</u>              |
| 5  | <del>\$2,961.00</del> <u>\$3,054.00</u>   | 21.5      | <del>\$637.00</del> <u>\$657.00</u> + 14.3% over |
| 6  |   |           | <del>\$2,961.00</del> <u>\$3,054.00</u>          |
| 7  | <del>\$4,652.00</del> <u>\$4,799.00</u>   | 18.9      | <del>\$879.00</del> <u>\$907.00</u> + 11.8% over |
| 8  |   |           | <del>\$4,652.00</del> <u>\$4,799.00</u>          |
| 9  | <del>\$5,498.00</del> <u>\$5,672.00</u>   | 17.8      | <del>\$979.00</del> <u>\$1,010.00</u> + 10.2%    |
| 10 |   |           | over <del>\$5,498.00</del> <u>\$5,672.00</u>     |
| 11 | <del>\$7,613.00</del> <u>\$7,853.00</u>   | 15.7      | <del>\$1,195.00</del> <u>\$1,233.00</u> + 9.3%   |
| 12 |   |           | over <del>\$7,613.00</del> <u>\$7,853.00</u>     |
| 13 | <del>\$10,151.00</del> <u>\$10,471.00</u> | 14.1      | <del>\$1,431.00</del> <u>\$1,476.00</u> + 7.5%   |
| 14 |   |           | over <del>\$10,151.00</del> <u>\$10,471.00</u>   |
| 15 | <del>\$12,900.00</del> <u>\$13,306.00</u> | 12.7      | <del>\$1,638.00</del> <u>\$1,690.00</u> + 5.9%   |
| 16 |   |           | of anything over <del>\$12,900.00</del>          |
| 17 |   |           | <u>\$13,306.00</u>                               |

(ii) Two (2) children:

| 21 | Net Monthly                         | Percentage of |  |
|----|-------------------------------------|---------------|--|
| 22 | Income of                           | Income        |  |
| 23 | Both                                | Allocated for | Base Support Plus                                |
| 24 | Parents                             | Two Children  | Marginal Percentage                              |
| 25 |                                     |               |  |
| 26 | <del>\$846.00</del> <u>\$873.00</u> | 32.9          | <del>\$278.00</del> <u>\$287.00</u> + 32.8% over |
| 27 |                                     |               | <del>\$846.00</del> <u>\$873.00</u>              |

|    |   |      |   |
|----|---|------|---|
| 1  | <del>\$2,961.00</del> <u>\$3,054.00</u>   | 32.8 | <del>\$971.00</del> <u>\$1,002.00</u> + 20.7%   |
| 2  |   |      | over <del>\$2,961.00</del> <u>\$3,054.00</u>    |
| 3  | <del>\$4,652.00</del> <u>\$4,799.00</u>   | 28.4 | <del>\$1,321.00</del> <u>\$1,363.00</u> + 17.4% |
| 4  |   |      | over <del>\$4,652.00</del> <u>\$4,799.00</u>    |
| 5  | <del>\$5,498.00</del> <u>\$5,672.00</u>   | 26.7 | <del>\$1,468.00</del> <u>\$1,514.00</u> + 15.2% |
| 6  |   |      | over <del>\$5,498.00</del> <u>\$5,672.00</u>    |
| 7  | <del>\$7,613.00</del> <u>\$7,853.00</u>   | 23.5 | <del>\$1,789.00</del> <u>\$1,845.00</u> + 14.3% |
| 8  |   |      | over <del>\$7,613.00</del> <u>\$7,853.00</u>    |
| 9  | <del>\$10,151.00</del> <u>\$10,471.00</u> | 21.2 | <del>\$2,152.00</del> <u>\$2,220.00</u> + 10.4% |
| 10 |   |      | over <del>\$10,151.00</del> <u>\$10,471.00</u>  |
| 11 | <del>\$12,900.00</del> <u>\$13,306.00</u> | 18.9 | <del>\$2,438.00</del> <u>\$2,515.00</u> + 9.5%  |
| 12 |   |      | of anything over <del>\$12,900.00</del>         |
| 13 |   |      | <u>\$13,306.00</u>                              |

15 (iii) Three (3) children:

|    |   |                |  |
|----|---|----------------|--|
| 17 | Net Monthly                             | Percentage of  |  |
| 18 | Income of                               | Income         |  |
| 19 | Both                                    | Allocated for  | Base Support Plus                                |
| 20 | Parents                                 | Three Children | Marginal Percentage                              |
| 21 |   |                |  |
| 22 | <del>\$846.00</del> <u>\$873.00</u>     | 40.2           | <del>\$340.00</del> <u>\$351.00</u> + 39.4% over |
| 23 |   |                | <del>\$846.00</del> <u>\$873.00</u>              |
| 24 | <del>\$2,961.00</del> <u>\$3,054.00</u> | 39.6           | <del>\$1,173.00</del> <u>\$1,209.00</u> + 23.9%  |
| 25 |   |                | over <del>\$2,961.00</del> <u>\$3,054.00</u>     |
| 26 | <del>\$4,652.00</del> <u>\$4,799.00</u> | 33.9           | <del>\$1,577.00</del> <u>\$1,627.00</u> + 20.9%  |
| 27 |   |                | over <del>\$4,652.00</del> <u>\$4,799.00</u>     |



|   |   |      |   |
|---|---|------|---|
| 1 | <del>\$5,498.00</del> <u>\$5,672.00</u>   | 31.9 | <del>\$1,754.00</del> <u>\$1,809.00</u> + 17.9% |
| 2 |   |      | over <del>\$5,498.00</del> <u>\$5,672.00</u>    |
| 3 | <del>\$7,613.00</del> <u>\$7,853.00</u>   | 28.0 | <del>\$2,132.00</del> <u>\$2,199.00</u> + 16.8% |
| 4 |   |      | over <del>\$7,613.00</del> <u>\$7,853.00</u>    |
| 5 | <del>\$10,151.00</del> <u>\$10,471.00</u> | 25.2 | <del>\$2,558.00</del> <u>\$2,639.00</u> + 11.6% |
| 6 |   |      | over <del>\$10,151.00</del> <u>\$10,471.00</u>  |
| 7 | <del>\$12,900.00</del> <u>\$13,306.00</u> | 22.3 | <del>\$2,877.00</del> <u>\$2,967.00</u> + 11.6% |
| 8 |   |      | of anything over <del>\$12,900.00</del>         |
| 9 |   |      | <u>\$13,306.00</u>                              |

11 (iv) Four (4) children:

|    |   |               |  |
|----|---|---------------|--|
| 13 | Net Monthly                             | Percentage of |  |
| 14 | Income of                               | Income        |  |
| 15 | Both                                    | Allocated for | Base Support Plus                                |
| 16 | Parents                                 | Four Children | Marginal Percentage                              |
| 17 |   |               |  |
| 18 | <del>\$846.00</del> <u>\$873.00</u>     | 44.9          | <del>\$380.00</del> <u>\$392.00</u> + 43.9% over |
| 19 |   |               | <del>\$846.00</del> <u>\$873.00</u>              |
| 20 | <del>\$2,961.00</del> <u>\$3,054.00</u> | 44.2          | <del>\$1,309.00</del> <u>\$1,350.00</u> + 26.8%  |
| 21 |   |               | over <del>\$2,961.00</del> <u>\$3,054.00</u>     |
| 22 | <del>\$4,652.00</del> <u>\$4,799.00</u> | 37.9          | <del>\$1,763.00</del> <u>\$1,819.00</u> + 22.9%  |
| 23 |   |               | over <del>\$4,652.00</del> <u>\$4,799.00</u>     |
| 24 | <del>\$5,498.00</del> <u>\$5,672.00</u> | 35.6          | <del>\$1,957.00</del> <u>\$2,019.00</u> + 20.1%  |
| 25 |   |               | over <del>\$5,498.00</del> <u>\$5,672.00</u>     |
| 26 | <del>\$7,613.00</del> <u>\$7,853.00</u> | 31.3          | <del>\$2,383.00</del> <u>\$2,458.00</u> + 18.5%  |
| 27 |   |               | over <del>\$7,613.00</del> <u>\$7,853.00</u>     |

1 ~~\$10,151.00~~ \$10,471.00 28.1 ~~\$2,852.00~~ \$2,942.00 + 13.1%  
 2 over ~~\$10,151.00~~ \$10,471.00  
 3 ~~\$12,900.00~~ \$13,306.00 24.9 ~~\$3,212.00~~ \$3,313.00 + 13.0%  
 4 of anything over ~~\$12,900.00~~  
 5 \$13,306.00  
 6

7 (v) Five (5) or more children:

8  
 9 Net Monthly Percentage of  
 10 Income of Income Allocated  
 11 Both for Five or Base Support Plus  
 12 Parents More Children Marginal Percentage  
 13  
 14 ~~\$846.00~~ \$873.00 49.4 ~~\$418.00~~ \$431.00 + 48.3% over  
 15 ~~\$846.00~~ \$873.00  
 16 ~~\$2,961.00~~ \$3,054.00 48.6 ~~\$1,439.00~~ \$1,484.00 + 29.6%  
 17 over ~~\$2,961.00~~ \$3,054.00  
 18 ~~\$4,652.00~~ \$4,799.00 41.7 ~~\$1,940.00~~ \$2,001.00 + 24.8%  
 19 over ~~\$4,652.00~~ \$4,799.00  
 20 ~~\$5,498.00~~ \$5,672.00 39.1 ~~\$2,150.00~~ \$2,281.00 + 22.2%  
 21 over ~~\$5,498.00~~ \$5,672.00  
 22 ~~\$7,613.00~~ \$7,853.00 34.4 ~~\$2,619.00~~ \$2,701.00 + 20.4%  
 23 over ~~\$7,613.00~~ \$7,853.00  
 24 ~~\$10,151.00~~ \$10,471.00 30.9 ~~\$3,137.00~~ \$3,236.00 + 14.5%  
 25 over ~~\$10,151.00~~ \$10,471.00

1 ~~\$12,900.00~~ \$13,306.00 27.4 ~~\$3,535.00~~ \$3,646.00 + 14.3%  
 2 of anything over ~~\$12,900.00~~  
 3 \$13,306.00  
 4

5 (b) Where the combined income of the custodial parent  
 6 and the noncustodial parent is less than ~~eight hundred~~  
 7 ~~forty-six dollars (\$846.00)~~ eight hundred seventy-three  
 8 dollars (\$873.00), the support obligation of the  
 9 noncustodial parent shall be twenty-two percent (22%) of  
 10 net income for one (1) child and twenty-five percent (25%)  
 11 of net income for two (2) or more children, but in no case  
 12 shall the support obligation be less than fifty dollars  
 13 (\$50.00) per month for each family unit in which there are  
 14 children to whom the noncustodial parent owes a duty of  
 15 support.

16  
 17 (c) When each parent keeps the children overnight for  
 18 more than ~~forty percent (40%)~~ twenty-five percent (25%) of  
 19 the year and both parents contribute substantially to the  
 20 expenses of the children in addition to the payment of  
 21 child support, a ~~joint presumptive~~ shared responsibility  
 22 child support obligation shall be determined by ~~use of the~~  
 23 ~~tables~~ multiplying the parents' total child support

1 obligation as derived from W.S. 20-2-304(a) by one hundred  
2 fifty percent (150%). After the ~~joint presumptive shared~~  
3 responsibility child support obligation is ~~derived from~~  
4 ~~column three of the tables~~ determined, that amount shall be  
5 divided between the parents in proportion to the net income  
6 of each. The proportionate share of the total obligation of  
7 each parent shall then be multiplied by the percentage of  
8 time the children spend with the other parent to determine  
9 the theoretical support obligation owed to the other  
10 parent. The parent owing the greater amount of child  
11 support shall pay the difference between the two (2)  
12 amounts as the net child support obligation.

13

14 (d) When each parent has physical custody of at least  
15 one (1) of the children, a ~~joint presumptive shared~~  
16 responsibility child support obligation for all of the  
17 children shall be determined by use of the tables. The  
18 ~~joint presumptive shared~~ responsibility child support  
19 amount shall be divided by the number of children to  
20 determine the presumptive support obligation for each  
21 child, which amount shall then be allocated to each parent  
22 based upon the number of those children in the physical  
23 custody of that parent. That sum shall be multiplied by the

1 percentage that the other parent's net income bears to the  
2 total net income of both parents. The obligations so  
3 determined shall then be offset, with the parent owing the  
4 larger amount paying the difference between the two (2)  
5 amounts to the other parent as a net child support  
6 obligation.

7

8       **Section 2.** W.S. 20-2-305 is repealed.

9

10       **Section 3.** This act is effective July 1, 2017.

11

12

(END)