

1                   **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2                               STATE OF OKLAHOMA

3                               1st Session of the 57th Legislature (2019)

4   HOUSE BILL 2616

                              By: Echols

7                               AS INTRODUCED

8           An Act relating to child support; amending 43 O.S.  
9           2011, Section 119.1, which relates to review of child  
10          support guidelines; creating the Child Support  
11          Guidelines Review Committee; requiring at least  
12          quadrennial review of child support guidelines and  
13          schedule; providing for membership of Committee;  
14          prohibiting compensation of members; providing for  
15          travel reimbursement and per diem; prescribing  
16          reimbursement methods; directing Committee to gather  
17          certain information and input; mandating Internet  
18          publication for public to access information about  
19          review; listing information to be included; requiring  
20          Committee to consider certain factors in review  
21          process; directing Committee to submit a report after  
22          each review; setting deadline for review report; and  
23          specifying review report recipients.  
24

18   BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

19           SECTION 1.           AMENDATORY           43 O.S. 2011, Section 119.1, is  
20   amended to read as follows:

21           Section 119.1   ~~The~~ A. To ensure that their application results  
22   in the determination of appropriate child support award amounts, the  
23   child support guidelines and schedule of basic child support  
24   obligations shall be reviewed at least once every four (4) years by

1 ~~the Judiciary Committees of the Senate and the House of~~  
2 ~~Representatives to ensure that their application results in the~~  
3 ~~determination of appropriate child support award amounts~~ Child  
4 Support Guidelines Review Committee consisting of eleven (11)  
5 members as follows:

6 1. Chairs of the House of Representatives and Senate Judiciary  
7 Committees;

8 2. One Senator appointed by the Senate President Pro Tempore;

9 3. One Representative appointed by the Speaker of the House of  
10 Representatives;

11 4. The Director of the Department of Human Services or  
12 designee;

13 5. One member of the Oklahoma Bar Association from the Title  
14 IV-D Child Support Program to be designated by the Director of the  
15 Department of Human Services;

16 6. One member of the judiciary appointed by the Senate  
17 President Pro Tempore;

18 7. One member of the judiciary appointed by the Speaker of the  
19 House of Representatives;

20 8. One member appointed by the Governor;

21 9. One member of the Oklahoma Bar Association appointed by the  
22 Senate President Pro Tempore; and

23 10. One member of the Oklahoma Bar Association appointed by the  
24 Speaker of the House of Representatives.

1       B. Members of the Child Support Guidelines Review Committee  
2 shall serve without compensation for their services, except for  
3 reimbursement of necessary travel, lodging and per diem expenses  
4 while performing their duties. Members of state government shall  
5 receive reimbursement as provided by law, and other members shall be  
6 reimbursed by the Legislature for their travel, lodging and per diem  
7 expenses in accordance with Section 500.2 of Title 74 of the  
8 Oklahoma Statutes.

9       C. The Child Support Guidelines Review Committee shall obtain  
10 the views and advice from the Title IV-D Child Support Program in  
11 the Department of Human Services, and provide for meaningful  
12 opportunity for public input, including input from low-income  
13 custodial and noncustodial parents and their representatives. The  
14 Committee shall publish on the Internet and make accessible to the  
15 public all aspects of the review, including the membership of the  
16 reviewing body, the effective date of the guidelines, and the date  
17 of the next quadrennial review.

18       D. As part of the review of the state's child support  
19 guidelines, the Child Support Guidelines Review Committee shall:

20       1. Consider economic data on the cost of raising children;  
21 labor market data, such as unemployment rates, employment rates,  
22 hours worked and earnings, by occupation and skill-level for the  
23 state and local job markets; the impact of guidelines, policies and  
24 amounts on custodial and noncustodial parents who have family

1 incomes below two hundred percent (200%) of the federal poverty  
2 level; and factors that influence employment rates among  
3 noncustodial parents and compliance with child support orders;

4 2. Use analysis of case data, gathered through sampling or  
5 other methods, on the application of and deviations from the child  
6 support guidelines, as well as the rates of default and imputed  
7 child support orders and orders determined using a low-income  
8 adjustment that takes into consideration the basic subsistence needs  
9 of the noncustodial parent, custodial parent and children; and

10 3. Include a comparison of payments on child support orders by  
11 case characteristics, including whether the order was entered by  
12 default, based on imputed income, or determined using a low-income  
13 adjustment. The analysis of the data shall be used in the state's  
14 review of the child support guidelines to ensure that deviations  
15 from the guidelines are limited and guideline amounts are  
16 appropriate based on Section 118H of this title.

17 E. The Child Support Guidelines Review Committee shall submit a  
18 report within sixty (60) days after each quadrennial review to the  
19 Governor, the President Pro Tempore of the Senate, the Speaker of  
20 the House of Representatives and the Director of Human Services.

21  
22 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY, dated 02/20/2019 - DO  
23 PASS.  
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