

STATE OF OKLAHOMA

1st Session of the 57th Legislature (2019)

HOUSE BILL 2616

By: Echols

AS INTRODUCED

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

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

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

Section 119.1 ~~The~~ A. To ensure that their application results in the determination of appropriate child support award amounts, the child support guidelines and schedule of basic child support 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.

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