



General Assembly

January Session, 2003

Raised Bill No. 859

LCO No. 2729

Referred to Committee on Judiciary

Introduced by:
(JUD)

***AN ACT CONCERNING DISABILITY DETERMINATIONS FOR
PURPOSES OF CHILD SUPPORT.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 46b-215b of the general statutes is repealed and
2 the following is substituted in lieu thereof (*Effective October 1, 2003*):

3 (a) The child support and arrearage guidelines promulgated
4 pursuant to section 8 of public act 85-548* and any updated guidelines
5 issued pursuant to section 46b-215a shall be considered in all
6 determinations of child support amounts and payment on arrearages
7 and past due support within the state. In all such determinations, there
8 shall be a rebuttable presumption that the amount of such awards
9 which resulted from the application of such guidelines is the amount
10 of support or payment on any arrearage or past due support to be
11 ordered. A specific finding on the record that the application of the
12 guidelines would be inequitable or inappropriate in a particular case,
13 as determined under criteria established by the [commission]
14 Commission for Child Support Guidelines under section 46b-215a,
15 shall be [sufficient] required in order to rebut the presumption in such
16 case.

17 (b) In any determination pursuant to subsection (a) of this section,
18 when a party has been determined by the Social Security
19 Administration, or a state agency authorized to award disability
20 benefits, to qualify for disability benefits under the federal
21 Supplemental Security Income Program, the Social Security disability
22 program, the state supplement to the federal Supplemental Security
23 Income Program, the state-administered general assistance program or
24 the general assistance program, parental earning capacity shall not be a
25 basis for deviating from the presumptive support amount that results
26 from the application of the child support guidelines to such party's
27 income.

28 [(b)] (c) In any proceeding for the establishment or modification of a
29 child support award, the child support guidelines shall be considered
30 in addition to and not in lieu of the criteria for such awards established
31 in sections 46b-84, 46b-86, 46b-130, 46b-171, 46b-172, 46b-215, 17b-179
32 and 17b-745.

This act shall take effect as follows:	
Section 1	October 1, 2003

Statement of Purpose:

To assure that formal determinations of disability are recognized in the determination of child support.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]