

# Legal Assistance Resource Center

## ❖ of Connecticut, Inc. ❖

44 Capitol Ave., Suite 301 ❖ Hartford, Connecticut 06106  
(860) 278-5688 ❖ FAX (860) 278-2957

### H.B. 5620 -- Increase in child support age limit

Human Services Committee public hearing -- February 26, 2008

Testimony of Raphael L. Podolsky

**Recommended Committee action: NO ACTION ON THE BILL**

This bill would authorize support orders against parents in non-intact families for adult children until they are 21 years old. Under existing law, parental liability ends when the child becomes an adult, i.e., turns 18, except for very limited circumstances (e.g., the child is a full-time high school student and not yet 19 years old). We oppose the proposed change in the law.

Under Connecticut law, a child becomes an adult when he or she turns 18. As an adult, the child's behavior is no longer subject to any legal control by a parent and the child is responsible for his or her own support. While it is true that many children remain financially dependent on their parents well beyond turning 18, we have nevertheless made the decision as a state that such children are no longer in the "custody" of their parents and that parents do not have to continue to support 18-year-old adults if they do not want to. A parent can tell an 18-year-old that it is time to get a job, to move out of the house, or, even if the child continues to live at home, to pay rent and to contribute to the cost of the household. We have, however, made exceptions to that rule for the purpose of child support for 18-year-olds who are full-time high school students and are still living at home. In that case, parental liability continues until graduation from high school, except that such liability ends when the child turns 19, even if the child is still in high school.

H.B. 5620 is fundamentally incompatible with the treatment of age 18 as the age of majority. Indeed, Section 8 of the bill makes it a crime subject to up to one year in jail to fail to support a child during his or her first three years of adulthood. The bill also seems to create the peculiar situation that parents who are divorced or otherwise subject to a support order are liable for their adult children while parents in an intact marriage are not. This does not seem equitable.<sup>1</sup>

The bill implicitly asks the General Assembly to reconsider the present age of majority as age 18. If that is to happen, the legislature should address the issue directly. This bill, however, does not appear to be an appropriate way to do so.

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<sup>1</sup>The criminal provisions of Section 8 of the bill may possibly apply even to parents in an intact family.