



Senate

General Assembly

File No. 300

January Session, 2015

Senate Bill No. 987

Senate, March 30, 2015

The Committee on Labor and Public Employees reported through SEN. GOMES of the 23rd Dist., Chairperson of the Committee on the part of the Senate, that the bill ought to pass.

AN ACT CONCERNING OVERTIME PAY AND CHILD SUPPORT PAYMENTS.

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

1 Section 1. Section 46b-215d of the general statutes is repealed and
2 the following is substituted in lieu thereof (*Effective October 1, 2015*):

3 Notwithstanding the child support guidelines established pursuant
4 to section 46b-215a, in cases in which an obligor is an hourly wage
5 earner, [and has worked less than forty-five hours per week at the time
6 of the establishment of the support order,] any additional income
7 earned from working more than [forty-five] forty hours per week shall
8 [not] be considered income for purposes of such guidelines.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>October 1, 2015</i>	46b-215d
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LAB *Joint Favorable*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note***State Impact:*** None***Municipal Impact:*** None***Explanation***

The bill allows overtime income to be used to determine child support payments and does not result in a fiscal impact.

The Out Years***State Impact:*** None***Municipal Impact:*** None

OLR Bill Analysis**SB 987*****AN ACT CONCERNING OVERTIME PAY AND CHILD SUPPORT PAYMENTS.*****SUMMARY:**

The child support guidelines use parents' income as the basis for calculating child support obligation (see BACKGROUND).

This bill removes the 45-hour cap on the maximum paid hours per week that may be included in the calculation of an hourly wage earner's income for child support guidelines purposes. Under current law, the 45-hour cap applies when establishing (1) initial orders and (2) order modifications, if the hourly wage earner worked less than 45 hours per week at the time the initial order was established. The bill, instead, requires all income earned for hours worked above 40 hours per week to be included in the calculation of initial child support orders and subsequent modifications, regardless of how many hours the person worked at the time of the initial order.

EFFECTIVE DATE: October 1, 2015

BACKGROUND***Child Support Guidelines***

The Commission for Child Support Guidelines (1) issues child support and arrearage guidelines to ensure that appropriate criteria are used to establish child support awards and (2) reviews and issues updated guidelines every four years.

By law, the guidelines must ensure that current support, health care coverage, child care contribution, and arrearage orders are based on the income of both parents and the obligor's ability to pay (CGS § 46b-215a).

COMMITTEE ACTION

Labor and Public Employees Committee

Joint Favorable

Yea 13 Nay 0 (03/12/2015)