



House of Representatives

General Assembly

File No. 578

January Session, 2023

Substitute House Bill No. 6571

House of Representatives, April 13, 2023

The Committee on Judiciary reported through REP. STAFSTROM of the 129th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT CONCERNING THE AUTHORITY OF THE COURT TO ENTER AN ORDER OF SUPPORT FOR AN ADULT CHILD WHO HAS AN INTELLECTUAL OR MENTAL DISABILITY OR WHO IS PHYSICALLY DISABLED.

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

1 Section 1. Subsection (c) of section 46b-84 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective October*
3 *1, 2023*):

4 (c) (1) The court may make appropriate orders of support of any child
5 with intellectual disability, as defined in section 1-1g, or a mental
6 disability, as defined in section 46a-51, or [physical disability] who is
7 physically disabled, as defined in [subdivision (15) of] section 46a-51,
8 who resides with a parent and is principally dependent upon such
9 parent for maintenance until such child attains the age of twenty-one.
10 [The child support guidelines established pursuant to section 46b-215a
11 shall not apply to orders entered under this subsection.] The provisions
12 of this [subsection] subdivision shall apply only in cases where the

13 decree of dissolution of marriage, legal separation or annulment is
 14 entered on or after October 1, 1997, and before October 1, 2023, or where
 15 the initial support orders in actions not claiming any such decree are
 16 entered on or after October 1, 1997, and before October 1, 2023. (2) The
 17 court may make appropriate orders of support of any child with
 18 intellectual disability, as defined in section 1-1g, or a mental disability,
 19 as defined in section 46a-51, or who is physically disabled, as defined in
 20 section 46a-51, who resides with a parent and is principally dependent
 21 upon such parent for maintenance until such child attains the age of
 22 twenty-six. The provisions of this subdivision shall apply only in cases
 23 where the decree of dissolution of marriage, legal separation or
 24 annulment is entered on or after October 1, 2023, or where the initial
 25 support orders in actions not claiming any such decree are entered on
 26 or after October 1, 2023. (3) The child support guidelines established
 27 pursuant to section 46b-215a shall not apply to any order entered under
 28 this subsection.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2023	46b-84(c)

Statement of Legislative Commissioners:
 In Subsec. (c)(1), "and before October 1, 2023" was added after "October 1, 1997" for clarity; and in Subsec. (c)(2), the last sentence was redesignated as Subsec. (c)(3) for clarity.

JUD *Joint Favorable Subst. -LCO*

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**

This bill expands the length of time for which child support may be ordered at the discretion of a judge for children who are intellectually disabled and does not have a fiscal impact. The additional years are unlikely to pose a cost to the child support enforcement division of the Judicial Department due to the relatively small number of cases to be impacted.

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

OLR Bill Analysis**HB 6571*****AN ACT CONCERNING THE AUTHORITY OF THE COURT TO ENTER AN ORDER OF SUPPORT FOR AN ADULT CHILD WHO HAS AN INTELLECTUAL OR MENTAL DISABILITY OR WHO IS PHYSICALLY DISABLED.*****SUMMARY**

Current law allows the court to make appropriate support orders for a child up to age 21 who (1) has an intellectual disability, a mental disability, or who is physically disabled and (2) lives with a parent who they are primarily dependent on for support. Starting October 1, 2023, this bill increases the age limit from 21 to 26.

The bill's age limit increase applies to support orders entered on or after October 1, 2023, as (1) part of a divorce, legal separation, or annulment decree or (2) an initial support order not claiming such a decree. In cases entered before this date, the court may make the support orders only until the child attains age 21, as allowed under existing law.

Under the bill, as under existing law, the child support guidelines do not apply to these support orders.

EFFECTIVE DATE: October 1, 2023

DEFINITIONS***Intellectual Disability***

Under the bill, "intellectual disability" is a significant limitation in intellectual functioning existing concurrently with deficits in adaptive behavior that originated during the developmental period before age 18. "Significant limitation in intellectual functioning" is an intelligence quotient (IQ) more than two standard deviations below the mean as measured by general intellectual functioning tests that are individualized, standardized and clinically and culturally appropriate

to the individual. "Adaptive behavior" is the effectiveness or degree with which an individual meets the standards of personal independence and social responsibility expected for the individual's age and cultural group as measured by tests that are individualized, standardized, and clinically and culturally appropriate to the individual (CGS § 1-1g).

Mental Disability

Under the bill, "mental disability" refers to an individual who has a record of, or is regarded as having one or more mental disorders, as defined in the most recent edition of the American Psychiatric Association's "Diagnostic and Statistical Manual of Mental Disorders" (CGS § 46a-51(20)).

Physically Disabled

Under the bill, "physically disabled" refers to any individual who has any chronic physical handicap, infirmity, or impairment, whether congenital or resulting from bodily injury, organic processes, or changes or from illness, including epilepsy, deafness or being hard of hearing, or reliance on a wheelchair or other remedial appliance or device (CGS § 46a-51(15)).

COMMITTEE ACTION

Judiciary Committee

Joint Favorable

Yea 37 Nay 0 (03/27/2023)