FIFTY-FIFTH LEGISLATURE  
FIRST SESSION, 2021  

February 27, 2021  

Mr. Speaker: 

Your JUDICIARY COMMITTEE, to whom has been referred 

HOUSE BILL 190  

has had it under consideration and reports same with recommendation that it DO PASS, amended as follows: 

1. On page 71, between lines 5 and 6, insert the following new subsection: 

"F. "gross income" means income from any source and includes income from salaries, wages, tips, commissions, bonuses, dividends, severance pay, pensions, interest, trust income, annuities, capital gains, social security benefits, workers' compensation benefits, unemployment insurance benefits, disability insurance benefits, significant in-kind benefits that reduce personal living expenses, prizes and alimony or maintenance received; provided that: 

(1) "gross income" does not include benefits received from: 

(a) means-tested public assistance programs, including temporary assistance for needy families, supplemental security income and general assistance; 

(b) the earnings or public assistance benefits of a child who is the subject of a child support award; or 

(c) child support received by a parent for the support of other children; 

(2) for income from self-employment, rent, royalties, proprietorship of a business or joint ownership of a partnership or closely held corporation, "gross income" means gross receipts minus ordinary and necessary expenses required to produce such income, but ordinary and necessary expenses do not include expenses determined by the court to be inappropriate for purposes of calculating child support; 

(3) "gross income" does not include the amount of alimony payments actually paid in compliance with a court order;"
(4) "gross income" does not include the amount of child support actually paid by a parent in compliance with a court order for the support of prior children; and

(5) "gross income" does not include a reasonable amount for a parent's obligation to support prior children who are in that parent's custody. A duty to support subsequent children is not ordinarily a basis for reducing support owed to children of the parties but may be a defense to a child support increase for the children of the parties. In raising such a defense, a party may use Table A as set forth in Subsection M of Section 40-4-11.1 NMSA 1978 to calculate the support for the subsequent children;"

2. Reletter the succeeding subsections accordingly.

3. On pages 72 through 75, strike Section 7 in its entirety.

4. Renumber the succeeding sections accordingly.

5. On page 91, line 10, after the period, strike the remainder of the line, strike lines 11 and 12 in their entirety and strike line 13 through the period.

Respectfully submitted,

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Gail Chasey, Chair

Adopted __________________________ Not Adopted __________________________
(Chief Clerk) (Chief Clerk)

Date ________________
The roll call vote was  12  For  0  Against
Yes:  12
No:  0
Excused:  None
Absent:  None