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AN ACT

RELATING TO CHILD SUPPORT; UPDATING THE CHILD SUPPORT GUIDELINES TO REQUIRE THE HUMAN SERVICES DEPARTMENT TO ESTABLISH A NEW CHILD SUPPORT SCHEDULE BY RULE; OUTLINING REQUIREMENTS THAT THE HUMAN SERVICES DEPARTMENT MUST FOLLOW WHEN ESTABLISHING THE NEW CHILD SUPPORT SCHEDULE; UPDATING STATUTORY REFERENCES TO THE CHILD SUPPORT SCHEDULE.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. Section 40-4-11.1 NMSA 1978 (being Laws 1988, Chapter 87, Section 2, as amended) is amended to read:

"40-4-11.1. CHILD SUPPORT--GUIDELINES.--

A. In any action to establish or modify child support, the child support guidelines as set forth in this section and the child support schedule promulgated by the department shall be applied to determine the child support due and shall be a rebuttable presumption for the amount of such child support. Every decree or judgment or stipulation of child support that deviates from the guideline amount shall contain a statement of the reasons for the deviation.

B. The purposes of the child support guidelines are to:

(1) establish as state policy an adequate standard of support for children, subject to the ability of parents to pay;

1 (2) make awards more equitable by ensuring
2 more consistent treatment of persons in similar
3 circumstances; and

4 (3) improve the efficiency of the court
5 process by promoting settlements and giving courts and the
6 parties guidance in establishing levels of awards.

7 C. For purposes of the guidelines specified in
8 this section:

9 (1) "income" means actual gross income of a
10 parent if employed to full capacity or potential income if
11 unemployed or underemployed. The gross income of a parent
12 means only the income and earnings of that parent and not the
13 income of subsequent spouses, notwithstanding the community
14 nature of both incomes after remarriage; and

15 (2) "gross income" includes income from any
16 source and includes but is not limited to income from
17 salaries, wages, tips, commissions, bonuses, dividends,
18 severance pay, pensions, interest, trust income, annuities,
19 capital gains, social security benefits, workers'
20 compensation benefits, unemployment insurance benefits,
21 disability insurance benefits, significant in-kind benefits
22 that reduce personal living expenses, prizes and alimony or
23 maintenance received, provided:

24 (a) "gross income" shall not include
25 benefits received from: 1) means-tested public assistance

1 programs, including but not limited to temporary assistance
2 for needy families, supplemental security income and general
3 assistance; 2) the earnings or public assistance benefits of
4 a child who is the subject of a child support award; or 3)
5 child support received by a parent for the support of other
6 children;

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

15 (c) "gross income" shall not include
16 the amount of alimony payments actually paid in compliance
17 with a court order;

18 (d) "gross income" shall not include
19 the amount of child support actually paid by a parent in
20 compliance with a court order for the support of prior
21 children; and

22 (e) "gross income" shall not include a
23 reasonable amount for a parent's obligation to support prior
24 children who are in that parent's custody. A duty to support
25 subsequent children is not ordinarily a basis for reducing

1 support owed to children of the parties but may be a defense
2 to a child support increase for the children of the parties.
3 In raising such a defense, a party may use Table A as set
4 forth in Subsection M of this section to calculate the
5 support for the subsequent children.

6 D. If a court finds that a parent has willfully
7 failed to obtain or maintain appropriate employment or is
8 willfully underemployed, the court may impute to that parent
9 an income equal to that parent's earning and employment
10 potential.

11 (1) The following criteria shall be used:

- 12 (a) availability of employment
13 opportunities for the parent;
14 (b) the parent's employment history;
15 (c) the parent's income history;
16 (d) the parent's job skills;
17 (e) the parent's education;
18 (f) the parent's age and health;
19 (g) the parent's history of convictions
20 and incarceration; and
21 (h) the parent's ability to obtain or
22 maintain employment due to providing care for a child of the
23 parties who is under the age of six or is disabled.

24 (2) Minimum wage may be imputed if a parent
25 has no recent employment or earnings history and that parent

1 has the capacity to earn minimum wage. The minimum wage to
2 be imputed to that parent is the prevailing minimum wage in
3 the locality where that parent resides.

4 E. Income may not be imputed to a parent if the
5 parent is incarcerated for a period of one hundred eighty
6 days or longer. Incarceration is not considered a voluntary
7 unemployment.

8 F. As used in this section:

9 (1) "department" means the human services
10 department;

11 (2) "children of the parties" means the
12 natural or adopted child or children of the parties to the
13 action before the court but shall not include the natural or
14 adopted child or children of only one of the parties;

15 (3) "basic visitation" means a custody
16 arrangement whereby one parent has physical custody and the
17 other parent has visitation with the children of the parties
18 less than thirty-five percent of the time. Such arrangements
19 can exist where the parties share responsibilities pursuant
20 to Section 40-4-9.1 NMSA 1978;

21 (4) "shared responsibility" means a custody
22 arrangement whereby each parent provides a suitable home for
23 the children of the parties, when the children of the parties
24 spend at least thirty-five percent of the year in each home
25 and the parents significantly share the duties,

1 responsibilities and expenses of parenting; and

2 (5) "schedule" means the child support
3 schedule promulgated by the department.

4 G. The basic child support obligation shall be
5 calculated based on the combined income of both parents and
6 shall be paid by them proportionately pursuant to Subsection
7 L of this section.

8 H. Physical custody adjustments shall be made as
9 follows:

10 (1) for basic visitation situations, the
11 basic child support obligation shall be calculated using the
12 basic child support schedule promulgated by the department,
13 Worksheet A and instructions contained in Subsection M of
14 this section. The court may provide for a partial abatement
15 of child support for visitations of one month or longer; and

16 (2) for shared responsibility arrangements,
17 the basic child support obligation shall be calculated using
18 the basic child support schedule promulgated by the
19 department, Worksheet B and instructions contained in
20 Subsection M of this section.

21 I. In shared responsibility situations, each
22 parent retains the percentage of the basic support obligation
23 equal to the number of twenty-four-hour days of
24 responsibility spent by each child with each respective
25 parent divided by three hundred sixty-five.

1 J. The cost of providing medical and dental
2 insurance for the children of the parties and the net
3 reasonable child-care costs incurred on behalf of these
4 children due to employment or job search of either parent
5 shall be paid by each parent in proportion to that parent's
6 income, in addition to the basic obligation.

7 K. The child support may also include the payment
8 of the following expenses not covered by the basic child
9 support obligation:

10 (1) any extraordinary medical, dental and
11 counseling expenses incurred on behalf of the children of the
12 parties. Such extraordinary expenses are uninsured expenses
13 in excess of one hundred dollars (\$100) per child per year;

14 (2) any extraordinary educational expenses
15 for children of the parties; and

16 (3) transportation and communication
17 expenses necessary for long distance visitation or time
18 sharing.

19 L. Whenever application of the child support
20 guidelines set forth in this section requires a person to pay
21 to another person more than forty percent of the paying
22 person's gross income for a single child support obligation
23 for current support, there shall be a presumption of a
24 substantial hardship, justifying a deviation from the
25 guidelines.

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M. The department shall:

(1) establish the basic child support schedule by rule, using the recommendations of the child support guidelines review commission as the initial proposed rules; and

(2) update and adjust the basic child support schedule when such a change is necessary to ensure that the child support schedule complies with the child support guidelines set forth in this section. The basic child support schedule shall be promulgated pursuant to the State Rules Act and shall be published and available to the public through the New Mexico Administrative Code, the New Mexico supreme court's website and the department's website. When the department is developing or updating the child support schedule, it shall consider:

(a) all of the earnings and income of the noncustodial and custodial parent;

(b) the basic subsistence needs of a noncustodial parent who may have a limited ability to pay by incorporating a mechanism that adjusts the basic support obligation for low-income parents;

(c) economic data on the costs of raising children;

(d) state and local labor market data;

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and

(e) regional and national trends in
child support schedule adjustments.

WORKSHEET A - BASIC VISITATION

_____ JUDICIAL DISTRICT COURT

COUNTY OF _____

STATE OF NEW MEXICO

NO. _____

_____,

Petitioner,

vs.

_____,

Respondent.

MONTHLY CHILD SUPPORT OBLIGATION

| | Custodial | | Other | | |
|-----------------------------------|-----------|---|----------|---|----------|
| | Parent | | Parent | | Combined |
| 1. Gross Monthly Income | \$ _____ | + | \$ _____ | = | \$ _____ |
| 2. Percentage of Combined Income | | | | | |
| (Each parent's income divided | | | | | |
| by combined income) | _____ % | + | _____ % | = | 100% |
| 3. Number of Children | _____ | | | | |
| 4. Basic Support from Schedule | | | | | |
| (Use combined income from Line 1) | | | | = | _____ |
| 5. Children's Health and | | | | | |
| Dental Insurance Premium | _____ | + | _____ | = | _____ |

1 6. Work-Related Child Care _____ + _____ = _____

2 7. Additional Expenses _____ + _____ = _____

3 8. Total Support (Add
4 Lines 5, 6 and
5 7 for each parent
6 and Lines 4, 5, 6 and 7 for combined
7 column) _____ + _____ = _____

8 9. Each Parent's Obligation
9 (Combined Column Line
10 8 x each parent's
11 Line 2) _____

12 10. Enter amount for
13 each parent from
14 Line 8 - _____ - _____

15 11. Each Parent's Net
16 Obligation (Subtract
17 Line 10 from Line 9
18 for each parent). _____ Other
19 Parent pays Custodial
20 Parent this Amount

21 _____ PAYS _____ EACH MONTH \$ _____

22 _____
23 Petitioner's Signature Respondent's Signature

24 Date: _____

1 BASIC VISITATION

2 INSTRUCTIONS FOR WORKSHEET A

3 Line 1. Gross monthly income:

4 Includes all income, except temporary assistance for needy
5 families, food stamps and supplemental security income. If a
6 parent pays child support by court order to other children,
7 subtract from gross income. Use current income if steady.
8 If income varies a lot from month to month, use an average of
9 the last twelve months, if available, or last year's income
10 tax return. Add both parents' gross incomes and put total
11 under the combined column.

12 Line 2. Percentage of Combined Income:

13 Divide each parent's income by combined income to get that
14 parent's percentage of combined income.

15 Lines 3 and 4. Basic Support:

16 Fill in number of children on worksheet (Line 3). Round
17 combined income to nearest fifty dollars (\$50.00). Look at
18 the basic child support schedule. In the far left-hand
19 column of the basic child support schedule, find the rounded
20 combined income figure. Read across to the column with the
21 correct number of children. Enter that amount on Line 4.

22 Line 5. Children's Health and Dental Insurance Premium:

23 Enter the cost paid by a parent for covering these children
24 with medical and dental insurance under that parent's column
25 on Line 5. Add costs paid by each parent and enter under the

1 combined column on Line 5.

2 Line 6. Work-Related Child Care:

3 Enter the cost paid by each parent for work-related child
4 care. If the cost varies (for example, between school year
5 and summer), take the total yearly cost and divide by twelve.

6 Enter each parent's figure in that parent's column on Line 6.

7 Add the cost for both parents and enter in the combined
8 column on Line 6.

9 Line 7. Additional Expenses:

10 Enter the amounts paid by each parent for additional expenses
11 provided by Subsection J of this section on Line 7. Add the
12 cost for both parents and enter in the combined column on
13 Line 7.

14 Line 8. Total Support:

15 Total the basic support amount from Line 4 in the combined
16 column with the combined column on Lines 5, 6 and 7 and enter
17 the totals in the combined column on Line 8.

18 Line 9. Each Parent's Obligation:

19 Multiply the total child support amount on Line 8 by each
20 parent's percentage share on Line 2, and enter each parent's
21 dollar share under that parent's column on Line 9.

22 Line 10. Total Support:

23 Enter the total amount shown for each parent on Line 8 beside
24 the "minus" marks on Line 10.

25 Line 11. Each Parent's Net Obligation:

1 For each parent, subtract the amount on Line 10 from the
2 amount on Line 9. Enter the difference for each parent in
3 that parent's column on Line 11. The amount in the box
4 "other parent" is what that parent pays to the custodial
5 parent each month. Do not subtract the amount on the
6 custodial parent's Line 11 from the amount in the other
7 parent's box. The custodial parent is presumed to use the
8 amount in that parent's column on Line 11 for the children.

9 WORKSHEET B - SHARED RESPONSIBILITY

10 _____ JUDICIAL DISTRICT COURT

11 COUNTY OF _____

12 STATE OF NEW MEXICO

13 NO. _____

14 _____,

15 Petitioner,

16 vs.

17 _____,

18 Respondent.

19 MONTHLY CHILD SUPPORT OBLIGATION

20 Part 1 - Basic Support: Parent One Parent Two Combined

21 1. Gross Monthly Income \$_____ + \$_____ = \$_____

22 2. Percentage of Combined Income

23 (Each parent's income divided

24 by combined income) _____ % + _____ % = 100%

25 3. Number of Children _____

1 4. Basic Support from Schedule
 2 (Use combined income from Line 1) = _____
 3 5. Shared Responsibility Basic
 4 Obligation (Line 4 x 1.5) = _____
 5 6. Each Parent's Share (Line 5
 6 x each parent's Line 2) _____
 7 7. Number of 24-Hour Days
 8 with Each Parent (must
 9 total 365) _____ + _____ = 365
 10 8. Percentage with Each Parent
 11 (Line 7 divided by 365) _____% + _____% = 100%
 12 9. Amount Retained (Line
 13 6 x Line 8 for Each
 14 Parent) _____
 15 10. Each Parent's Basic
 16 Obligation (subtract
 17 Line 9 from Line 6) _____
 18 11. Amount Transferred
 19 (subtract smaller amount
 20 on Line 10 from larger
 21 amount on Line 10). Parent
 22 with larger amount on Line
 23 10 pays other parent the
 24 difference. _____

25 Part 2 - Additional Payments:

1 12. Children's Health and
 2 Dental Insurance
 3 Premium _____ + _____ = _____
 4 13. Work-Related Child
 5 Care _____ + _____ = _____
 6 14. Additional
 7 Expenses _____ + _____ = _____
 8 15. Total Additional
 9 Payments (Add Lines
 10 12, 13 and 14 for each
 11 parent and for combined
 12 column) _____ + _____ = _____
 13 16. Each Parent's Obligation
 14 (Combined Column Line 15
 15 x each parent's Line 2) _____
 16 17. Amount Transferred
 17 (Subtract each parent's
 18 Line 16 from that parent's Line 15).
 19 Parent with "minus"
 20 figure pays that amount
 21 to other parent. _____

22 Part 3 - Net Amount Transferred:

23 18. Combine Lines 11 and 17 by
 24 addition if same parent pays
 25 on both lines, otherwise by

1 subtraction. _____
2 _____ PAYS _____ EACH MONTH \$ _____
3 _____
4 Petitioner's Signature Respondent's Signature
5 Date: _____
6 _____

7 SHARED RESPONSIBILITY

8 INSTRUCTIONS FOR WORKSHEET B

9 Part 1 - Basic Support:

10 Line 1. Gross Monthly Income:

11 Includes all income, except temporary assistance for needy
12 families, food stamps and supplemental security income. See
13 text for allowed deductions from income. Use current income
14 if steady. If income varies a lot from month to month, use
15 an average of the last twelve months, if available, or last
16 year's income tax return. Add both parents' gross incomes
17 and put total under the combined column.

18 Line 2. Percentage of Combined Income:

19 Divide each parent's income by combined income to get that
20 parent's percentage of combined income.

21 Lines 3 and 4. Basic Support:

22 Fill in the number of children on the worksheet (Line 3).
23 Round combined income to nearest fifty dollars (\$50.00).
24 Look at the basic child support schedule. In the far
25 left-hand column of that schedule, find the rounded combined

1 income figure. Read across to the column with the correct
2 number of children. Enter that amount on Line 4.

3 Line 5. Shared Responsibility Basic Obligation:
4 Multiply the basic obligation on Line 4 by 1.5.

5 Line 6. Each Parent's Share:
6 Multiply the support amount on Line 5 by each parent's
7 percentage share on Line 2, and enter each parent's dollar
8 share under that parent's column on Line 6.

9 Line 7. Each Parent's Time of Care for Children:
10 Enter the number of twenty-four-hour days of responsibility
11 that each parent has each child in a year according to the
12 parenting plan.

13 Line 8. Percentage of Twenty-Four-Hour Days With Each
14 Parent:
15 Divide each parent's number of twenty-four-hour days (Line 7)
16 by three hundred sixty-five to obtain a percentage.

17 Line 9. Amount Retained:
18 Under shared responsibility arrangements, each parent retains
19 the percentage of the basic support obligation equal to the
20 number of twenty-four-hour days of responsibility spent by
21 each child with each respective parent divided by three
22 hundred sixty-five. Multiply each parent's share of basic
23 support (Line 6) by the percentage in that parent's Line 8
24 and enter the result on that parent's Line 9. This is the
25 amount that each parent retains to pay the children's

1 expenses during that parent's periods of responsibility.

2 Line 10. Each Parent's Basic Obligation:

3 Subtract the amount retained by each parent for direct
4 expenses (Line 9) from that parent's share (Line 6) and enter
5 the difference on that parent's Line 10.

6 Line 11. Amount Transferred for Basic Support:

7 In shared responsibility situations, both parents are
8 entitled not only to retain money for direct expenses but
9 also to receive contributions from the other parent toward
10 those expenses. Therefore, subtract the smaller amount on
11 Line 10 from the larger amount on Line 10 to arrive at a net
12 amount transferred for basic support.

13 Part 2 - Additional Payments:

14 Line 12. Children's Health and Dental Insurance

15 Premium: Enter the cost paid by a parent for covering these
16 children with medical and dental insurance under that
17 parent's column on Line 12. Add costs paid by each parent
18 and enter under the combined column on Line 12.

19 Line 13. Work-Related Child Care:

20 Enter the cost paid by each parent for work-related child
21 care. If the cost varies (for example, between school year
22 and summer), take the total yearly cost and divide by twelve.
23 Enter each parent's figure in that parent's column on Line
24 13. Add the cost for both parents and enter in the combined
25 column on Line 13.

1 Line 14. Additional Expenses:

2 Enter the cost paid by each parent for additional expenses
3 provided by Subsection J of this section on Line 14.

4 Line 15. Total Additional Payments:

5 For each parent, total the amount paid by that parent for
6 insurance, child care and additional expenses (Lines 12, 13
7 and 14). Enter the total in that parent's column on Line 15
8 and the total of both parents' expenses under the combined
9 column on Line 15.

10 Line 16. Each Parent's Obligation:

11 Multiply the total additional payments (combined column on
12 Line 15) by each parent's percentage share of income on Line
13 2, and enter each parent's dollar share of the additional
14 payments on that parent's Line 16.

15 Line 17. Amount Transferred:

16 Subtract each parent's obligation for additional expenses
17 (that parent's Line 16) from the total additional payments
18 made by that parent (that parent's Line 15). The parent with
19 a "minus" figure pays the other parent the amount on Line 17.

20 Part 3 - Net Amount Transferred:

21 Line 18. Combine Lines 11 and 17:

22 Combine the amount owed by one parent to the other for basic
23 support (Line 11) and the amount owed by one parent to the
24 other for additional payments (Line 17). If the same parent
25 owes for both obligations, add Lines 11 and 17, and enter the

1 total on Line 18. If one parent owes for basic support and
2 the other owes for additional payments, subtract the smaller
3 amount from the larger and enter on Line 18. Fill in the
4 blanks by stating which parent pays and which parent receives
5 the net amount transferred."

6 SECTION 2. Section 40-4-11.2 NMSA 1978 (being Laws
7 1989, Chapter 36, Section 1, as amended) is amended to read:

8 "40-4-11.2. GROUNDS FOR DEVIATION FROM CHILD SUPPORT
9 GUIDELINES.--Any deviation from the child support guidelines
10 set forth in Section 40-4-11.1 NMSA 1978 and the basic child
11 support schedule promulgated by the human services department
12 shall be supported by a written finding in the decree,
13 judgment or order of child support that application of the
14 guidelines and basic child support schedule would be unjust
15 or inappropriate. A finding that rebuts the child support
16 guidelines and basic child support schedule shall state the
17 amount of support that would have been required under the
18 guidelines and basic child support schedule and the
19 justification of why the order varies from the guidelines and
20 the basic child support schedule. Circumstances creating a
21 substantial hardship in the obligor, obligee or subject
22 children may justify a deviation upward or downward from the
23 amount that would otherwise be payable under the guidelines
24 and basic child support schedule."

25 SECTION 3. Section 40-4C-3 NMSA 1978 (being Laws 1990,

1 Chapter 78, Section 3, as amended) is amended to read:

2 "40-4C-3. DEFINITIONS.--As used in the Mandatory
3 Medical Support Act:

4 A. "carrier" means an entity that offers, delivers
5 or administers an employment-related or other group health
6 care coverage plan, a health maintenance organization, a
7 nonprofit health care plan or other type of health care
8 coverage plan under which medical or dental services are
9 provided, regardless of service delivery mechanism;

10 B. "cash medical support" means an amount ordered
11 to be paid toward the cost of health care coverage provided
12 by a public entity or by another parent through employment or
13 otherwise, or for other medical costs not covered by health
14 care coverage;

15 C. "court" means any district court ordering
16 support by a medical support obligor;

17 D. "department" means the human services
18 department;

19 E. "employer" means an individual, organization,
20 agency, business or corporation hiring a medical support
21 obligor for pay;

22 F. "gross income" means income from any source and
23 includes income from salaries, wages, tips, commissions,
24 bonuses, dividends, severance pay, pensions, interest, trust
25 income, annuities, capital gains, social security benefits,

1 workers' compensation benefits, unemployment insurance
2 benefits, disability insurance benefits, significant in-kind
3 benefits that reduce personal living expenses, prizes and
4 alimony or maintenance received; provided that:

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

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

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

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

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

22 (3) "gross income" does not include the
23 amount of alimony payments actually paid in compliance with a
24 court order;

25 (4) "gross income" does not include the

1 amount of child support actually paid by a parent in
2 compliance with a court order for the support of prior
3 children; and

4 (5) "gross income" does not include a
5 reasonable amount for a parent's obligation to support prior
6 children who are in that parent's custody. A duty to support
7 subsequent children is not ordinarily a basis for reducing
8 support owed to children of the parties but may be a defense
9 to a child support increase for the children of the parties.
10 In raising such a defense, a party may use the child support
11 schedule promulgated by the department pursuant to Subsection
12 M of Section 40-4-11.1 NMSA 1978 to calculate the support for
13 the subsequent children;

14 G. "health care coverage" means fee-for-service,
15 health maintenance organization, preferred provider
16 organization and other types of private health insurance and
17 public health care coverage under which medical services may
18 be provided to minor children;

19 H. "medical support obligee" means a person to
20 whom a duty of medical support is owed or a person, including
21 the department, who has commenced a proceeding for
22 enforcement of a duty to provide health support for each
23 minor child or for registration of a support order that
24 includes a provision for such support for each minor child;

25 I. "medical support obligor" means a person owing

1 a duty to provide health support or against whom a proceeding
2 for the enforcement of such a duty of support is commenced or
3 for registration of a support order that includes provisions
4 for such support for each minor child;

5 J. "minor child" means a child younger than
6 eighteen years of age who has not been emancipated; and

7 K. "national medical support notice" means a
8 notice to an employer that an employee's child must be
9 covered by the employment-related group health and dental
10 care coverage plan pursuant to a court order."

11 SECTION 4. TEMPORARY PROVISION--INITIAL CHILD SUPPORT
12 SCHEDULE LIMITATIONS.--The initial child support schedule
13 established by the human services department shall:

14 A. not decrease the yearly basic support
15 obligation for any level of combined parental income by more
16 than the dollar change in the federal poverty guidelines for
17 one person since 2018;

18 B. not increase the yearly support obligation for
19 any level of combined parental income by more than one and
20 one-half times the change in the consumer price index since
21 2018. Any increase in support obligation that is larger than
22 the increase in the consumer price index since 2018 must be
23 specifically supported by economic data and evidence;

24 C. not change the format of the child support
25 schedule in a way that would be inconsistent with Worksheet A

1 or Worksheet B in Subsection M of Section 1 of this act; and

2 D. be promulgated, published and available to the
3 public through the New Mexico Administrative Code, the
4 New Mexico supreme court's website and the human services
5 department's website no later than January 1, 2024.

6 SECTION 5. APPLICABILITY.--The provisions of this act
7 apply to all decrees, judgments or orders of child support
8 made on or after January 1, 2024.

9 SECTION 6. EFFECTIVE DATE.--The effective date of the
10 provisions of this act is January 1, 2024._____

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