

As Introduced

132nd General Assembly

Regular Session

2017-2018

S. B. No. 125

Senator Beagle

Cosponsors: Senators Eklund, Hite, Manning, Terhar, Wilson

A BILL

To amend sections 3119.01, 3119.02, 3119.021, 1
3119.04, 3119.05, 3119.06, 3119.22, 3119.23, 2
3119.24, 3119.29, 3119.30, 3119.302, 3119.31, 3
3119.32, 3119.61, 3119.63, 3119.76, 3119.79, 4
3119.89, 3121.36, and 3123.14 and to enact new 5
sections 3119.022 and 3119.023 and sections 6
3119.051, 3119.231, and 3119.303, and to repeal 7
sections 3119.022, 3119.023, and 3119.024 of the 8
Revised Code to make changes to the laws 9
governing child support. 10

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That sections 3119.01, 3119.02, 3119.021, 11
3119.04, 3119.05, 3119.06, 3119.22, 3119.23, 3119.24, 3119.29, 12
3119.30, 3119.302, 3119.31, 3119.32, 3119.61, 3119.63, 3119.76, 13
3119.79, 3119.89, 3121.36, and 3123.14 be amended and new 14
sections 3119.022 and 3119.023 and sections 3119.051, 3119.231, 15
and 3119.303 of the Revised Code be enacted to read as follows: 16

Sec. 3119.01. (A) As used in the Revised Code, "child 17
support enforcement agency" means a child support enforcement 18

agency designated under former section 2301.35 of the Revised Code prior to October 1, 1997, or a private or government entity designated as a child support enforcement agency under section 307.981 of the Revised Code.

(B) As used in this chapter and Chapters 3121., 3123., and 3125. of the Revised Code:

(1) "Administrative child support order" means any order issued by a child support enforcement agency for the support of a child pursuant to section 3109.19 or 3111.81 of the Revised Code or former section 3111.211 of the Revised Code, section 3111.21 of the Revised Code as that section existed prior to January 1, 1998, or section 3111.20 or 3111.22 of the Revised Code as those sections existed prior to March 22, 2001.

(2) "Child support order" means either a court child support order or an administrative child support order.

(3) "Obligee" means the person who is entitled to receive the support payments under a support order.

(4) "Obligor" means the person who is required to pay support under a support order.

(5) "Support order" means either an administrative child support order or a court support order.

(C) As used in this chapter:

~~(1) "Combined gross income" means the combined gross income of both parents.~~

~~(2) "Cash medical support" means an amount ordered to be paid in a child support order toward the ordinary medical expenses incurred during a calendar year.~~

(2) "Child care cost" means annual out-of-pocket costs for the care and supervision of a child or children subject to the order that is related to work or employment training. 46
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(3) "Court child support order" means any order issued by a court for the support of a child pursuant to Chapter 3115. of the Revised Code, section 2151.23, 2151.231, 2151.232, 2151.33, 2151.36, 2151.361, 2151.49, 3105.21, 3109.05, 3109.19, 3111.13, 3113.04, 3113.07, 3113.31, 3119.65, or 3119.70 of the Revised Code, or division (B) of former section 3113.21 of the Revised Code. 49
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~~(3)~~(4) "Court-ordered parenting time" means the amount of parenting time a parent is to have under a parenting time order or the amount of time the children are to be in the physical custody of a parent under a shared parenting order. 56
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(5) "Court support order" means either a court child support order or an order for the support of a spouse or former spouse issued pursuant to Chapter 3115. of the Revised Code, section 3105.18, 3105.65, or 3113.31 of the Revised Code, or division (B) of former section 3113.21 of the Revised Code. 60
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~~(4)~~(6) "CPI-U" means the consumer price index for all urban consumers, published by the United States department of labor, bureau of labor statistics. 65
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(7) "Extraordinary medical expenses" means any uninsured medical expenses incurred for a child during a calendar year that exceed ~~one hundred dollars~~ the total cash medical support amount owed by the parents during that year. 68
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~~(5)~~(8) "Federal poverty level" has the same meaning as in section 5121.30 of the Revised Code. 72
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~~(10)~~(9) "Income" means either of the following: 74

(a) For a parent who is employed to full capacity, the 75
gross income of the parent; 76

(b) For a parent who is unemployed or underemployed, the 77
sum of the gross income of the parent and any potential income 78
of the parent. 79

~~(6)~~ (10) "Income share" means the percentage derived from 80
a comparison of each parent's annual income after allowable 81
deductions and credits as indicated on the worksheet to the 82
total annual income of both parents. 83

(11) "Insurer" means any person authorized under Title 84
XXXIX of the Revised Code to engage in the business of insurance 85
in this state, any health insuring corporation, and any legal 86
entity that is self-insured and provides benefits to its 87
employees or members. 88

~~(7)~~ (12) "Gross income" means, except as excluded in 89
division (C) ~~(7)~~ (12) of this section, the total of all earned and 90
unearned income from all sources during a calendar year, whether 91
or not the income is taxable, and includes income from salaries, 92
wages, overtime pay, and bonuses to the extent described in 93
division (D) of section 3119.05 of the Revised Code; 94
commissions; royalties; tips; rents; dividends; severance pay; 95
pensions; interest; trust income; annuities; social security 96
benefits, including retirement, disability, and survivor 97
benefits that are not means-tested; workers' compensation 98
benefits; unemployment insurance benefits; disability insurance 99
benefits; benefits that are not means-tested and that are 100
received by and in the possession of the veteran who is the 101
beneficiary for any service-connected disability under a program 102
or law administered by the United States department of veterans' 103
affairs or veterans' administration; spousal support actually 104

received; and all other sources of income. "Gross income" 105
includes income of members of any branch of the United States 106
armed services or national guard, including, amounts 107
representing base pay, basic allowance for quarters, basic 108
allowance for subsistence, supplemental subsistence allowance, 109
cost of living adjustment, specialty pay, variable housing 110
allowance, and pay for training or other types of required 111
drills; self-generated income; and potential cash flow from any 112
source. 113

"Gross income" does not include any of the following: 114

(a) Benefits received from means-tested government 115
administered programs, including Ohio works first; prevention, 116
retention, and contingency; means-tested veterans' benefits; 117
supplemental security income; supplemental nutrition assistance 118
program; disability financial assistance; or other assistance 119
for which eligibility is determined on the basis of income or 120
assets; 121

(b) Benefits for any service-connected disability under a 122
program or law administered by the United States department of 123
veterans' affairs or veterans' administration that are not 124
means-tested, that have not been distributed to the veteran who 125
is the beneficiary of the benefits, and that are in the 126
possession of the United States department of veterans' affairs 127
or veterans' administration; 128

(c) Child support amounts received for children who ~~were~~ 129
~~not born or adopted during the marriage at issue~~ are not 130
included in the current calculation; 131

(d) Amounts paid for mandatory deductions from wages such 132
as union dues but not taxes, social security, or retirement in 133

lieu of social security;	134
(e) Nonrecurring or unsustainable income or cash flow	135
items;	136
(f) Adoption assistance and foster care maintenance	137
payments made pursuant to Title IV-E of the "Social Security	138
Act," 94 Stat. 501, 42 U.S.C.A. 670 (1980), as amended.	139
(8) <u>(13)</u> "Nonrecurring or unsustainable income or cash	140
flow item" means an income or cash flow item the parent receives	141
in any year or for any number of years not to exceed three years	142
that the parent does not expect to continue to receive on a	143
regular basis. "Nonrecurring or unsustainable income or cash	144
flow item" does not include a lottery prize award that is not	145
paid in a lump sum or any other item of income or cash flow that	146
the parent receives or expects to receive for each year for a	147
period of more than three years or that the parent receives and	148
invests or otherwise uses to produce income or cash flow for a	149
period of more than three years.	150
(9) <u>(14)</u> " <u>Ordinary medical expenses" includes copayments</u>	151
<u>and deductibles, and uninsured medical-related costs for the</u>	152
<u>children of the order.</u>	153
<u>(15)</u> (a) "Ordinary and necessary expenses incurred in	154
generating gross receipts" means actual cash items expended by	155
the parent or the parent's business and includes depreciation	156
expenses of business equipment as shown on the books of a	157
business entity.	158
(b) Except as specifically included in "ordinary and	159
necessary expenses incurred in generating gross receipts" by	160
division (C) (9) <u>(15)</u> (a) of this section, "ordinary and necessary	161
expenses incurred in generating gross receipts" does not include	162

depreciation expenses and other noncash items that are allowed 163
as deductions on any federal tax return of the parent or the 164
parent's business. 165

~~(10)~~ (16) "Personal earnings" means compensation paid or 166
payable for personal services, however denominated, and includes 167
wages, salary, commissions, bonuses, draws against commissions, 168
profit sharing, vacation pay, or any other compensation. 169

~~(11)~~ (17) "Potential income" means both of the following 170
for a parent who the court pursuant to a court support order, or 171
a child support enforcement agency pursuant to an administrative 172
child support order, determines is voluntarily unemployed or 173
voluntarily underemployed: 174

(a) Imputed income that the court or agency determines the 175
parent would have earned if fully employed as determined from 176
the following criteria: 177

(i) The parent's prior employment experience; 178

(ii) The parent's education; 179

(iii) The parent's physical and mental disabilities, if 180
any; 181

(iv) The availability of employment in the geographic area 182
in which the parent resides; 183

(v) The prevailing wage and salary levels in the 184
geographic area in which the parent resides; 185

(vi) The parent's special skills and training; 186

(vii) Whether there is evidence that the parent has the 187
ability to earn the imputed income; 188

(viii) The age and special needs of the child for whom 189

child support is being calculated under this section;	190
(ix) The parent's increased earning capacity because of experience;	191 192
(x) The parent's decreased earning capacity because of a felony conviction;	193 194
(xi) Any other relevant factor.	195
(b) Imputed income from any nonincome-producing assets of a parent, as determined from the local passbook savings rate or another appropriate rate as determined by the court or agency, not to exceed the rate of interest specified in division (A) of section 1343.03 of the Revised Code, if the income is significant.	196 197 198 199 200 201
(12) (19) <u>(18)</u> "Schedule" means the basic child support schedule set forth in <u>created pursuant to</u> section 3119.021 of the Revised Code.	202 203 204
(13) <u>(19)</u> "Self-generated income" means gross receipts received by a parent from self-employment, proprietorship of a business, joint ownership of a partnership or closely held corporation, and rents minus ordinary and necessary expenses incurred by the parent in generating the gross receipts. "Self-generated income" includes expense reimbursements or in-kind payments received by a parent from self-employment, the operation of a business, or rents, including company cars, free housing, reimbursed meals, and other benefits, if the reimbursements are significant and reduce personal living expenses.	205 206 207 208 209 210 211 212 213 214 215
(14) <u>(20)</u> " <u>Self-sufficiency reserve</u> " means the minimal amount necessary for an obligor to adequately subsist upon, as <u>determined under section 3119.021 of the Revised Code.</u>	216 217 218

(21) "Split parental rights and responsibilities" means a 219
situation in which there is more than one child who is the 220
subject of an allocation of parental rights and responsibilities 221
and each parent is the residential parent and legal custodian of 222
at least one of those children. 223

~~(15)~~(22) "Worksheet" means the applicable worksheet 224
created in rules adopted under section 3119.022 of the Revised 225
Code that is used to calculate a parent's child support 226
obligation ~~as set forth in sections 3119.022 and 3119.023 of the~~ 227
~~Revised Code.~~ 228

Sec. 3119.02. In any action in which a court child support 229
order is issued or modified, in any other proceeding in which 230
the court determines the amount of child support that will be 231
ordered to be paid pursuant to a child support order, or when a 232
child support enforcement agency determines the amount of child 233
support that will be ordered to be paid pursuant to an 234
administrative child support order, issues a new administrative 235
child support order, or issues a modified administrative child 236
support order, the court or agency shall calculate the amount of 237
the ~~obligor's parents'~~ child support ~~obligation and cash medical~~ 238
support in accordance with the basic child support schedule, the 239
applicable worksheet, and the other provisions of ~~sections~~ 240
~~3119.02 to 3119.24~~ Chapter 3119. of the Revised Code. The court 241
or agency shall specify the support obligation as a monthly 242
amount due and shall order the support obligation to be paid in 243
periodic increments as it determines to be in the best interest 244
of the children. In performing its duties under this section, 245
the court or agency is not required to accept any calculations 246
in a worksheet prepared by any party to the action or 247
proceeding. 248

16200 3179 4635 5490 5877 5940 6003	280
16800 3278 4780 5660 6254 6355 6423	281
17400 3378 4924 5830 6442 6771 6843	282
18000 3478 5069 5999 6629 7186 7262	283
18600 3578 5213 6169 6816 7389 7682	284
19200 3678 5358 6339 7004 7592 8102	285
19800 3778 5502 6508 7191 7796 8341	286
20400 3878 5647 6678 7378 7999 8558	287
21000 3977 5790 6847 7565 8201 8774	288
21600 4076 5933 7015 7750 8402 8989	289
22200 4176 6075 7182 7936 8602 9204	290
22800 4275 6216 7345 8116 8798 9413	291
23400 4373 6357 7509 8297 8994 9623	292
24000 4471 6498 7672 8478 9190 9832	293
24600 4570 6639 7836 8658 9386 10042	294
25200 4668 6780 8000 8839 9582 10251	295
25800 4767 6920 8163 9020 9778 10461	296
26400 4865 7061 8327 9200 9974 10670	297
27000 4963 7202 8490 9381 10170 10880	298
27600 5054 7332 8642 9548 10351 11074	299
28200 5135 7448 8776 9697 10512 11246	300
28800 5216 7564 8911 9845 10673 11418	301
29400 5297 7678 9045 9995 10833 11592	302
30000 5377 7792 9179 10143 10994 11764	303
30600 5456 7907 9313 10291 11154 11936	304
31200 5535 8022 9447 10439 11315 12107	305
31800 5615 8136 9581 10587 11476 12279	306
32400 5694 8251 9715 10736 11636 12451	307
33000 5774 8366 9849 10884 11797 12623	308
33600 5853 8480 9983 11032 11957 12794	309
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34800 6012 8709 10251 11328 12279 13138	311

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37200 6330- 9168- 10787 11920 12921 13825	314
37800 6406- 9275- 10913 12058 13071 13988	315
38400 6447- 9335- 10984 12137 13156 14079	316
39000 6489- 9395- 11055 12215 13242 14170	317
39600 6530- 9455- 11126 12294 13328 14261	318
40200 6571- 9515- 11197 12373 13413 14353	319
40800 6613- 9575- 11268 12451 13499 14444	320
41400 6653- 9634- 11338 12529 13583 14534	321
42000 6694- 9693- 11409 12607 13667 14624	322
42600 6735- 9752- 11479 12684 13752 14714	323
43200 6776- 9811- 11549 12762 13836 14804	324
43800 6817- 9871- 11619 12840 13921 14894	325
44400 6857- 9930- 11690 12917 14005 14985	326
45000 6898- 9989- 11760 12995 14090 15075	327
45600 6939- 10049 11830 13073 14174 15165	328
46200 6978- 10103 11897 13146 14251 15250	329
46800 7013- 10150 11949 13203 14313 15316	330
47400 7048- 10197 12000 13260 14375 15382	331
48000 7083- 10245 12052 13317 14437 15448	332
48600 7117- 10292 12103 13374 14498 15514	333
49200 7152- 10339 12155 13432 14560 15580	334
49800 7187- 10386 12206 13489 14622 15646	335
50400 7222- 10433 12258 13546 14684 15712	336
51000 7257- 10481 12309 13603 14745 15778	337
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52200 7326- 10575 12412 13717 14869 15910	339
52800 7361- 10622 12463 13774 14931 15976	340
53400 7396- 10669 12515 13832 14992 16042	341
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54600 7468- 10765 12622 13946 15120 16178	343

———55200 7524— 10845 12716 14050 15232 16298	344
———55800 7582— 10929 12814 14159 15350 16425	345
———56400 7643— 11016 12918 14273 15474 16558	346
———57000 7704— 11104 13021 14388 15598 16691	347
———57600 7765— 11192 13125 14502 15722 16824	348
———58200 7825— 11277 13225 14613 15842 16953	349
———58800 7883— 11361 13324 14723 15961 17079	350
———59400 7941— 11445 13423 14832 16079 17206	351
———60000 8000— 11529 13522 14941 16197 17333	352
———60600 8058— 11612 13620 15050 16315 17460	353
———61200 8116— 11696 13719 15160 16433 17587	354
———61800 8175— 11780 13818 15269 16552 17714	355
———62400 8233— 11864 13917 15378 16670 17840	356
———63000 8288— 11945 14011 15481 16783 17958	357
———63600 8344— 12024 14102 15582 16893 18075	358
———64200 8399— 12103 14194 15683 17002 18193	359
———64800 8454— 12183 14285 15784 17111 18310	360
———65400 8510— 12262 14376 15885 17220 18427	361
———66000 8565— 12341 14468 15986 17330 18544	362
———66600 8620— 12421 14559 16087 17439 18661	363
———67200 8676— 12500 14650 16188 17548 18778	364
———67800 8731— 12579 14741 16289 17657 18895	365
———68400 8786— 12659 14833 16390 17767 19012	366
———69000 8842— 12738 14924 16491 17876 19129	367
———69600 8897— 12817 15015 16592 17985 19246	368
———70200 8953— 12897 15107 16693 18094 19363	369
———70800 9008— 12974 15196 16791 18201 19476	370
———71400 9060— 13047 15281 16885 18302 19585	371
———72000 9111— 13120 15366 16979 18404 19694	372
———72600 9163— 13194 15451 17073 18506 19803	373
———73200 9214— 13267 15536 17167 18608 19912	374
———73800 9266— 13340 15621 17261 18709 20021	375

74400	9318	13413	15706	17355	18811	20130	376
75000	9369	13487	15791	17449	18913	20239	377
75600	9421	13560	15876	17543	19015	20347	378
76200	9473	13633	15961	17636	19116	20456	379
76800	9524	13707	16046	17730	19218	20565	380
77400	9576	13780	16131	17824	19320	20674	381
78000	9627	13853	16216	17918	19422	20783	382
78600	9679	13927	16300	18012	19523	20892	383
79200	9731	14000	16385	18106	19625	21001	384
79800	9782	14073	16470	18200	19727	21109	385
80400	9834	14147	16555	18294	19829	21218	386
81000	9885	14220	16640	18387	19930	21326	387
81600	9936	14292	16723	18480	20030	21434	388
82200	9987	14364	16807	18573	20131	21541	389
82800	10038	14439	16891	18665	20235	21651	390
83400	10090	14514	16979	18762	20340	21763	391
84000	10142	14589	17066	18859	20444	21875	392
84600	10194	14663	17154	18956	20549	21987	393
85200	10246	14738	17241	19052	20653	22099	394
85800	10298	14813	17329	19149	20758	22211	395
86400	10350	14887	17417	19246	20863	22323	396
87000	10403	14962	17504	19343	20967	22435	397
87600	10455	15037	17592	19440	21072	22547	398
88200	10507	15111	17679	19537	21176	22659	399
88800	10559	15186	17767	19633	21281	22771	400
89400	10611	15261	17855	19730	21386	22883	401
90000	10663	15335	17942	19827	21490	22995	402
90600	10715	15410	18030	19924	21595	23107	403
91200	10767	15485	18118	20021	21700	23219	404
91800	10819	15559	18205	20118	21804	23331	405
92400	10872	15634	18293	20215	21909	23443	406
93000	10924	15709	18380	20311	22013	23555	407

93600	10976	15783	18468	20408	22118	23667	408
94200	11028	15858	18556	20505	22223	23779	409
94800	11080	15933	18643	20602	22327	23891	410
95400	11132	16007	18731	20699	22432	24003	411
96000	11184	16082	18818	20796	22536	24115	412
96600	11236	16157	18906	20892	22641	24227	413
97200	11289	16231	18994	20989	22746	24339	414
97800	11341	16306	19081	21086	22850	24451	415
98400	11393	16381	19169	21183	22955	24563	416
99000	11446	16450	19255	21279	23062	24676	417
99600	11491	16516	19334	21366	23156	24777	418
100200	11536	16583	19413	21453	23250	24878	419
100800	11581	16649	19491	21539	23345	24978	420
101400	11625	16714	19569	21625	23437	25077	421
102000	11670	16779	19646	21710	23530	25177	422
102600	11714	16844	19724	21796	23623	25276	423
103200	11759	16909	19801	21881	23715	25375	424
103800	11803	16974	19879	21967	23808	25475	425
104400	11847	17039	19956	22052	23901	25574	426
105000	11892	17104	20034	22138	23994	25673	427
105600	11934	17167	20108	22220	24083	25769	428
106200	11979	17232	20186	22305	24176	25868	429
106800	12023	17297	20263	22391	24269	25968	430
107400	12068	17362	20341	22476	24361	26067	431
108000	12110	17425	20415	22559	24451	26162	432
108600	12155	17490	20493	22644	24543	26262	433
109200	12199	17555	20570	22730	24636	26361	434
109800	12243	17620	20648	22815	24729	26460	435
110400	12286	17683	20722	22897	24818	26556	436
111000	12331	17748	20800	22983	24911	26655	437
111600	12375	17813	20877	23068	25004	26755	438
112200	12419	17878	20955	23154	25096	26854	439

112800	12462	17941	21029	23236	25186	26949	440
113400	12506	18006	21107	23322	25278	27049	441
114000	12551	18071	21184	23407	25371	27148	442
114600	12595	18136	21262	23493	25464	27247	443
115200	12640	18202	21339	23578	25557	27347	444
115800	12682	18264	21414	23660	25646	27442	445
116400	12727	18329	21491	23746	25739	27542	446
117000	12771	18394	21569	23831	25832	27641	447
117600	12815	18460	21646	23917	25924	27740	448
118200	12858	18522	21721	23999	26013	27836	449
118800	12902	18587	21798	24084	26106	27935	450
119400	12947	18652	21876	24170	26199	28034	451
120000	12991	18718	21953	24256	26292	28134	452
120600	13034	18780	22028	24338	26381	28229	453
121200	13078	18845	22105	24423	26474	28329	454
121800	13123	18910	22183	24509	26567	28428	455
122400	13167	18976	22260	24594	26659	28527	456
123000	13210	19038	22335	24676	26749	28623	457
123600	13254	19103	22412	24762	26841	28722	458
124200	13299	19168	22490	24847	26934	28821	459
124800	13343	19234	22567	24933	27027	28921	460
125400	13386	19296	22642	25015	27116	29016	461
126000	13430	19361	22719	25101	27209	29115	462
126600	13474	19426	22797	25186	27302	29215	463
127200	13519	19492	22874	25272	27395	29314	464
127800	13561	19554	22949	25354	27484	29410	465
128400	13606	19619	23026	25439	27576	29509	466
129000	13650	19684	23104	25525	27669	29608	467
129600	13695	19750	23181	25610	27762	29708	468
130200	13739	19815	23259	25696	27855	29807	469
130800	13783	19879	23335	25780	27946	29905	470
131400	13828	19945	23414	25868	28041	30007	471

132000	13874	20012	23494	25955	28136	30108	472
132600	13919	20079	23573	26043	28231	30210	473
133200	13963	20143	23649	26127	28323	30308	474
133800	14008	20210	23729	26215	28418	30410	475
134400	14054	20276	23808	26302	28513	30511	476
135000	14099	20343	23887	26390	28608	30613	477
135600	14143	20407	23964	26474	28699	30711	478
136200	14188	20474	24043	26561	28794	30813	479
136800	14234	20541	24123	26649	28889	30914	480
137400	14279	20607	24202	26737	28984	31016	481
138000	14323	20671	24278	26821	29075	31114	482
138600	14368	20738	24358	26908	29170	31215	483
139200	14414	20805	24437	26996	29265	31317	484
139800	14459	20872	24516	27083	29361	31419	485
140400	14503	20936	24593	27168	29452	31517	486
141000	14549	21002	24672	27255	29547	31618	487
141600	14594	21069	24751	27343	29642	31720	488
142200	14639	21136	24831	27430	29737	31822	489
142800	14683	21200	24907	27515	29828	31920	490
143400	14729	21267	24986	27602	29923	32021	491
144000	14774	21333	25066	27690	30018	32123	492
144600	14820	21400	25145	27777	30113	32225	493
145200	14865	21467	25225	27865	30208	32327	494
145800	14909	21531	25301	27949	30300	32424	495
146400	14963	21596	25377	28041	30396	32526	496
147000	15006	21659	25452	28124	30486	32622	497
147600	15049	21722	25527	28207	30576	32718	498
148200	15090	21782	25599	28286	30662	32810	499
148800	15133	21845	25674	28369	30752	32907	500
149400	15176	21908	25749	28452	30842	33003	501
150000	15218	21971	25823	28534	30931	33099	502
						<u>the maximum</u>	502
						<u>guidelines income listed on the schedule.</u>	503

(B) (1) The basic child support schedule created under 504
division (A) of this section shall consist of a table containing 505
a guidelines income column followed by six columns for the total 506
number of children subject to the order. The table shall begin 507
at a guidelines income of \$8,400 and increase at \$600 increments 508
through a guidelines income of \$300,000. The child support 509
obligation amount shall be contained at each intersection of the 510
guidelines income row with the column containing the number of 511
children subject to the order. The department shall derive the 512
child support obligation amounts by multiplying the guidelines 513
income amount at \$600 increments by the basic obligation 514
percentages listed for each income range, for each child, as 515
indicated below: 516

- 517

(a) For one child: 518

- 519

- 520

GUIDELINES INCOME BASIC OBLIGATION 521

522

\$11,510.40 or less 19.193% of the amount of income 523

524

More than \$11,510.40, but Income of \$11,510.40 multiplied by 525

not more than \$39,044.16 19.193% plus 16.047% of the amount of 526

income in excess of \$11,510.40 527

- 528

More than \$39,044.16 but Income of \$39,044.16 multiplied by 529

<u>not more than \$49,984.92</u>	<u>16.974% plus 14.788% of the amount of</u>	530
	<u>income in excess of \$39,044.16</u>	531
—		532
<u>More than \$49,984.92 but</u>	<u>Income of \$49,984.92 multiplied by</u>	533
<u>not more than \$58,239.48</u>	<u>16.496% plus 11.039% of the amount of</u>	534
	<u>income in excess of \$49,984.92</u>	535
—		536
<u>More than \$58,239.48 but</u>	<u>Income of \$58,239.48 multiplied by</u>	537
<u>not more than \$66,433.56</u>	<u>15.722% plus 7.167% of the amount of</u>	538
	<u>income in excess of \$58,239.48</u>	539
—		540
<u>More than \$66,433.56 but</u>	<u>Income of \$66,433.56 multiplied by</u>	541
<u>not more than \$78,814.80</u>	<u>14.667% plus 5.915% of the amount of</u>	542
	<u>income in excess of \$66,433.56</u>	543
—		544
<u>More than \$78,814.80 but</u>	<u>Income of \$78,814.80 multiplied by</u>	545
<u>not more than \$91,196.16</u>	<u>13.292% plus 8.162% of the amount of</u>	546
	<u>income in excess of \$78,814.80</u>	547
—		548
<u>More than \$91,196.16 but</u>	<u>Income of \$91,196.16 multiplied by</u>	549
<u>not more than \$99,495.72</u>	<u>12.596% plus 4.377% of the amount of</u>	550
	<u>income in excess of \$91,196.16</u>	551

—		552
<u>More than \$99,495.72 but</u>	<u>Income of \$99,495.72 multiplied by</u>	553
<u>not more than \$108,267.96</u>	<u>11.910% plus 2.057% of the amount of</u>	554
	<u>income in excess of \$99,495.72</u>	555
—		556
<u>More than \$108,267.96 but</u>	<u>Income of \$108,267.96 multiplied by</u>	557
<u>not more than \$121,158.48</u>	<u>11.112% plus 7.636% of the amount of</u>	558
	<u>income in excess of \$108,267.96</u>	559
—		560
<u>More than \$121,158.48 but</u>	<u>Income of \$121,158.48 multiplied by</u>	561
<u>not more than \$133,213.56</u>	<u>10.742% plus 8.458% of the amount of</u>	562
	<u>income in excess of \$121,158.48</u>	563
—		564
<u>More than \$133,213.56 but</u>	<u>Income of \$133,213.56 multiplied by</u>	565
<u>not more than \$145,268.76</u>	<u>10.535% plus 5.620% of the amount of</u>	566
	<u>income in excess of \$133,213.56</u>	567
—		568
<u>More than \$145,268.76 but</u>	<u>Income of \$145,268.76 multiplied by</u>	569
<u>not more than \$161,342.28</u>	<u>10.127% plus 6.293% of the amount of</u>	570
	<u>income in excess of \$145,268.76</u>	571
—		572
<u>More than \$161,342.28 but</u>	<u>Income of \$161,342.28 multiplied by</u>	573

<u>not more than \$177,417.24</u>	<u>9.745% plus 5.562% of the amount of</u>	574
	<u>income in excess of \$161,342.28</u>	575
—		576
<u>More than \$177,417.24 but</u>	<u>Income of \$177,417.24 multiplied by</u>	577
<u>not more than \$193,489.32</u>	<u>9.366% plus 7.068% of the amount of</u>	578
	<u>income in excess of \$177,417.24</u>	579
—		580
<u>More than \$193,489.32 but</u>	<u>Income of \$193,489.32 multiplied by</u>	581
<u>not more than \$219,296.76</u>	<u>9.175% plus 2.815% of the amount of</u>	582
	<u>income in excess of \$193,489.32</u>	583
—		584
<u>More than \$219,296.76 but</u>	<u>Income of \$219,296.76 multiplied by</u>	585
<u>not more than \$258,292.92</u>	<u>8.427% plus 4.394% of the amount of</u>	586
	<u>income in excess of \$219,296.76</u>	587
—		588
<u>More than \$258,292.92 but</u>	<u>Income of \$258,292.92 multiplied by</u>	589
<u>not more than \$336,467.04</u>	<u>7.818% plus 3.761% of the amount of</u>	590
	<u>income in excess of \$258,292.92</u>	591
—		592
<u>(b) For two children:</u>		593
<u>GUIDELINES INCOME</u>	<u>BASIC OBLIGATION</u>	594
—		595

<u>\$11,510.40 or less</u>	<u>29.209% of the amount of income</u>	596
		597
<u>More than \$11,510.40 but not</u>	<u>Income of \$11,510.40 multiplied by</u>	598
<u>more than \$39,044.16</u>	<u>29.209% plus 24.327% of the amount of</u>	599
	<u>income in excess of \$11,510.40</u>	600
-		601
<u>More than \$39,044.16 but not</u>	<u>Income of \$39,044.16 multiplied by</u>	602
<u>more than \$49,984.92</u>	<u>25.776% plus 21.938% of the amount of</u>	603
	<u>income in excess of \$39,044.16</u>	604
-		605
<u>More than \$49,984.92 but not</u>	<u>Income of \$49,984.92 multiplied by</u>	606
<u>more than \$58,239.48</u>	<u>24.928% plus 15.953% of the amount of</u>	607
	<u>income in excess of \$49,984.92</u>	608
-		609
<u>More than \$58,239.48 but not</u>	<u>Income of \$58,239.48 multiplied by</u>	610
<u>more than \$66,433.56</u>	<u>23.656% plus 9.625% of the amount of</u>	611
	<u>income in excess of \$58,239.48</u>	612
-		613
<u>More than \$66,433.56 but not</u>	<u>Income of \$66,433.56 multiplied by</u>	614
<u>more than \$78,814.80</u>	<u>21.926% plus 8.545% of the amount of</u>	615
	<u>income in excess of \$66,433.56</u>	616
-		617

<u>More than \$78,814.80 but not</u>	<u>Income of \$78,814.80 multiplied by</u>	618
<u>more than \$91,196.16</u>	<u>19.824% plus 12.507% of the amount of</u>	619
	<u>income in excess of \$78,814.80</u>	620
-		621
<u>More than \$91,196.16 but not</u>	<u>Income of \$91,196.16 multiplied by</u>	622
<u>more than \$99,495.72</u>	<u>18.830% plus 5.263% of the amount of</u>	623
	<u>income in excess of \$91,196.16</u>	624
-		625
<u>More than \$99,495.72 but not</u>	<u>Income of \$99,495.72 multiplied by</u>	626
<u>more than \$108,267.96</u>	<u>17.699% plus 2.955% of the amount of</u>	627
	<u>income in excess of \$99,495.72</u>	628
-		629
<u>More than \$108,267.96 but</u>	<u>Income of \$108,267.96 multiplied by</u>	630
<u>not more than \$121,158.48</u>	<u>16.504% plus 11.607% of the amount of</u>	631
	<u>income in excess of \$108,267.96</u>	632
-		633
<u>More than \$121,158.48 but</u>	<u>Income of \$121,158.48 multiplied by</u>	634
<u>not more than \$133,213.56</u>	<u>15.983% plus 12.776% of the amount of</u>	635
	<u>income in excess of \$121,158.48</u>	636
-		637
<u>More than \$133,213.56 but</u>	<u>Income of \$133,213.56 multiplied by</u>	638
<u>not more than \$145,268.76</u>	<u>15.693% plus 7.608% of the amount of</u>	639

<u>income in excess of \$133,213.56</u>	640	
-	641	
<u>More than \$145,268.76 but</u>	<u>Income of \$145,268.76 multiplied by</u>	642
<u>not more than \$161,342.28</u>	<u>15.022% plus 9.323% of the amount of</u>	643
<u>income in excess of \$145,268.76</u>		644
-		645
<u>More than \$161,342.28 but</u>	<u>Income of \$161,342.28 multiplied by</u>	646
<u>not more than \$177,417.24</u>	<u>14.454% plus 9.180% of the amount of</u>	647
<u>income in excess of \$161,342.28</u>		648
-		649
<u>More than \$177,417.24 but</u>	<u>Income of \$177,417.24 multiplied by</u>	650
<u>not more than \$193,489.32</u>	<u>13.976% plus 9.536% of the amount of</u>	651
<u>income in excess of \$177,417.24</u>		652
-		653
<u>More than \$193,489.32 but</u>	<u>Income of \$193,489.32 multiplied by</u>	654
<u>not more than \$219,296.76</u>	<u>13.607% plus 4.327% of the amount of</u>	655
<u>income in excess of \$193,489.32</u>		656
-		657
<u>More than \$219,296.76 but</u>	<u>Income of \$219,296.76 multiplied by</u>	658
<u>not more than \$258,292.92</u>	<u>12.515% plus 5.952% of the amount of</u>	659
<u>income in excess of \$219,296.76</u>		660
-		661

<u>More than \$258,292.92 but</u>	<u>Income of \$258,292.92 multiplied by</u>	662
<u>not more than \$336,467.04</u>	<u>11.524% plus 6.081% of the amount of</u>	663
	<u>income in excess of \$258,292.92</u>	664
-		665
<u>(c) For three children:</u>		666
<u>GUIDELINES INCOME</u>	<u>BASIC OBLIGATION</u>	667
-		668
<u>\$11,510.40 or less</u>	<u>35.410% of the amount of income</u>	669
-		670
<u>More than \$11,510.40 but</u>	<u>Income of \$11,510.40 multiplied by</u>	671
<u>not more than \$39,044.16</u>	<u>35.410% plus 29.128% of the amount of</u>	672
	<u>income in excess of \$11,510.40</u>	673
-		674
<u>More than \$39,044.16 but</u>	<u>Income of \$39,044.16 multiplied by</u>	675
<u>not more than \$49,984.92</u>	<u>30.980% plus 25.763% of the amount of</u>	676
	<u>income in excess of \$39,044.16</u>	677
-		678
<u>More than \$49,984.92 but</u>	<u>Income of \$49,984.92 multiplied by</u>	679
<u>not more than \$58,239.48</u>	<u>29.838% plus 18.202% of the amount of</u>	680
	<u>income in excess of \$49,984.92</u>	681
-		682
<u>More than \$58,239.48 but</u>	<u>Income of \$58,239.48 multiplied by</u>	683

<u>not more than \$66,433.56</u>	<u>28.189% plus 10.034% of the amount of</u>	684
	<u>income in excess of \$58,239.48</u>	685
—		686
<u>More than \$66,433.56 but</u>	<u>Income of \$66,433.56 multiplied by</u>	687
<u>not more than \$78,814.80</u>	<u>25.950% plus 9.747% of the amount of</u>	688
	<u>income in excess of \$66,433.56</u>	689
—		690
<u>More than \$78,814.80 but</u>	<u>Income of \$78,814.80 multiplied by</u>	691
<u>not more than \$91,196.16</u>	<u>23.404% plus 15.193% of the amount of</u>	692
	<u>income in excess of \$78,814.80</u>	693
—		694
<u>More than \$91,196.16 but</u>	<u>Income of \$91,196.16 multiplied by</u>	695
<u>not more than \$99,495.72</u>	<u>22.290% plus 4.632% of the amount of</u>	696
	<u>income in excess of \$91,196.16</u>	697
—		698
<u>More than \$99,495.72 but</u>	<u>Income of \$99,495.72 multiplied by</u>	699
<u>not more than \$108,267.96</u>	<u>20.817% plus 3.351% of the amount of</u>	700
	<u>income in excess of \$99,495.72</u>	701
—		702
<u>More than \$108,267.96 but</u>	<u>Income of \$108,267.96 multiplied by</u>	703
<u>not more than \$121,158.48</u>	<u>19.401% plus 13.987% of the amount of</u>	704
	<u>income in excess of \$108,267.96</u>	705

—		706
<u>More than \$121,158.48 but</u>	<u>Income of \$121,158.48 multiplied by</u>	707
<u>not more than \$133,213.56</u>	<u>18.825% plus 15.296% of the amount of</u>	708
	<u>income in excess of \$121,158.48</u>	709
—		710
<u>More than \$133,213.56 but</u>	<u>Income of \$133,213.56 multiplied by</u>	711
<u>not more than \$145,268.76</u>	<u>18.506% plus 8.018% of the amount of</u>	712
	<u>income in excess of \$133,213.56</u>	713
—		714
<u>More than \$145,268.76 but</u>	<u>Income of \$145,268.76 multiplied by</u>	715
<u>not more than \$161,342.28</u>	<u>17.636% plus 10.937% of the amount of</u>	716
	<u>income in excess of \$145,268.76</u>	717
—		718
<u>More than \$161,342.28 but</u>	<u>Income of \$161,342.28 multiplied by</u>	719
<u>not more than \$177,417.24</u>	<u>16.968% plus 11.954% of the amount of</u>	720
	<u>income in excess of \$161,342.28</u>	721
—		722
<u>More than \$177,417.24 but</u>	<u>Income of \$177,417.24 multiplied by</u>	723
<u>not more than \$193,489.32</u>	<u>16.541% plus 10.010% of the amount of</u>	724
	<u>income in excess of \$177,417.24</u>	725
—		726
<u>More than \$193,489.32 but</u>	<u>Income of \$193,489.32 multiplied by</u>	727

<u>not more than \$219,296.76</u>	<u>15.974% plus 5.274% of the amount of</u>	728
	<u>income in excess of \$193,489.32</u>	729
-		730
<u>More than \$219,296.76 but</u>	<u>Income of \$219,296.76 multiplied by</u>	731
<u>not more than \$258,292.92</u>	<u>14.715% plus 6.280% of the amount of</u>	732
	<u>income in excess of \$219,296.76</u>	733
-		734
<u>More than \$258,292.92 but</u>	<u>Income of \$258,292.92 multiplied by</u>	735
<u>not more than \$336,467.04</u>	<u>13.441% plus 7.776% of the amount of</u>	736
	<u>income in excess of \$258,292.92</u>	737
-		738
<u>(d) For four children:</u>		739
<u>GUIDELINES INCOME</u>	<u>BASIC OBLIGATION</u>	740
-		741
<u>\$11,510.40 or less</u>	<u>39.553% of the amount of income</u>	742
-		743
<u>More than \$11,510.40 but</u>	<u>Income of \$11,510.40 multiplied by</u>	744
<u>not more than \$39,044.16</u>	<u>39.553% plus 32.536% of the amount of</u>	745
	<u>income in excess of \$11,510.40</u>	746
-		747
<u>More than \$39,044.16 but</u>	<u>Income of \$39,044.16 multiplied by</u>	748
<u>not more than \$49,984.92</u>	<u>34.605% plus 28.778% of the amount of</u>	749

<u>income in excess of \$39,044.16</u>	750	
—	751	
<u>More than \$49,984.92 but</u>	<u>Income of \$49,984.92 multiplied by</u>	752
<u>not more than \$58,239.48</u>	<u>33.329% plus 20.331% of the amount of</u>	753
<u>income in excess of \$49,984.92</u>		754
—		755
<u>More than \$58,239.48 but</u>	<u>Income of \$58,239.48 multiplied by</u>	756
<u>not more than \$66,433.56</u>	<u>31.487% plus 11.208% of the amount of</u>	757
<u>income in excess of \$58,239.48</u>		758
—		759
<u>More than \$66,433.56 but</u>	<u>Income of \$66,433.56 multiplied by</u>	760
<u>not more than \$78,814.80</u>	<u>28.986% plus 10.887% of the amount of</u>	761
<u>income in excess of \$66,433.56</u>		762
—		763
<u>More than \$78,814.80 but</u>	<u>Income of \$78,814.80 multiplied by</u>	764
<u>not more than \$91,196.16</u>	<u>26.143% plus 16.971% of the amount of</u>	765
<u>income in excess of \$78,814.80</u>		766
—		767
<u>More than \$91,196.16 but</u>	<u>Income of \$91,196.16 multiplied by</u>	768
<u>not more than \$99,495.72</u>	<u>24.897% plus 5.174% of the amount of</u>	769
<u>income in excess of \$91,196.16</u>		770
—		771

<u>More than \$99,495.72 but</u>	<u>Income of \$99,495.72 multiplied by</u>	772
<u>not more than \$108,267.96</u>	<u>23.252% plus 3.743% of the amount of</u>	773
	<u>income in excess of \$99,495.72</u>	774
-		775
<u>More than \$108,267.96 but</u>	<u>Income of \$108,267.96 multiplied by</u>	776
<u>not more than \$121,158.48</u>	<u>21.671% plus 15.623% of the amount of</u>	777
	<u>income in excess of \$108,267.96</u>	778
-		779
<u>More than \$121,158.48 but</u>	<u>Income of \$121,158.48 multiplied by</u>	780
<u>not more than \$133,213.56</u>	<u>21.028% plus 17.086% of the amount of</u>	781
	<u>income in excess of \$121,158.48</u>	782
-		783
<u>More than \$133,213.56 but</u>	<u>Income of \$133,213.56 multiplied by</u>	784
<u>not more than \$145,268.76</u>	<u>20.671% plus 8.957% of the amount of</u>	785
	<u>income in excess of \$133,213.56</u>	786
-		787
<u>More than \$145,268.76 but</u>	<u>Income of \$145,268.76 multiplied by</u>	788
<u>not more than \$161,342.28</u>	<u>19.699% plus 12.217% of the amount of</u>	789
	<u>income in excess of \$145,268.76</u>	790
-		791
<u>More than \$161,342.28 but</u>	<u>Income of \$161,342.28 multiplied by</u>	792
<u>not more than \$177,417.24</u>	<u>18.954% plus 13.353% of the amount of</u>	793

<u>income in excess of \$161,342.28</u>	794	
—	795	
<u>More than \$177,417.24 but</u>	<u>Income of \$177,417.24 multiplied by</u>	796
<u>not more than \$193,489.32</u>	<u>18.446% plus 11.181% of the amount of</u>	797
<u>income in excess of \$177,417.24</u>		798
—		799
<u>More than \$193,489.32 but</u>	<u>Income of \$193,489.32 multiplied by</u>	800
<u>not more than \$219,296.76</u>	<u>17.843% plus 5.891% of the amount of</u>	801
<u>income in excess of \$193,489.32</u>		802
—		803
<u>More than \$219,296.76 but</u>	<u>Income of \$219,296.76 multiplied by</u>	804
<u>not more than \$258,292.92</u>	<u>16.436% plus 7.015% of the amount of</u>	805
<u>income in excess of \$219,296.76</u>		806
—		807
<u>More than \$258,292.92 but</u>	<u>Income of \$258,292.92 multiplied by</u>	808
<u>not more than \$336,467.04</u>	<u>15.014% plus 8.686% of the amount of</u>	809
<u>income in excess of \$258,292.92</u>		810
—		811
<u>(e) For five children:</u>		812
<u>GUIDELINES INCOME</u>	<u>BASIC OBLIGATION</u>	813
—		814
<u>\$11,510.40 or less</u>	<u>43.508% of the amount of income</u>	815

—		816
<u>More than \$11,510.40 but</u>	<u>Income of \$11,510.40 multiplied by</u>	817
<u>not more than \$39,044.16</u>	<u>43.508% plus 35.790% of the amount of</u>	818
	<u>income in excess of \$11,510.40</u>	819
—		820
<u>More than \$39,044.16 but</u>	<u>Income of \$39,044.16 multiplied by</u>	821
<u>not more than \$49,984.92</u>	<u>38.065% plus 31.656% of the amount of</u>	822
	<u>income in excess of \$39,044.16</u>	823
—		824
<u>More than \$49,984.92 but</u>	<u>Income of \$49,984.92 multiplied by</u>	825
<u>not more than \$58,239.48</u>	<u>36.662% plus 22.365% of the amount of</u>	826
	<u>income in excess of \$49,984.92</u>	827
—		828
<u>More than \$58,239.48 but</u>	<u>Income of \$58,239.48 multiplied by</u>	829
<u>not more than \$66,433.56</u>	<u>34.636% plus 12.329% of the amount of</u>	830
	<u>income in excess of \$58,239.48</u>	831
—		832
<u>More than \$66,433.56 but</u>	<u>Income of \$66,433.56 multiplied by</u>	833
<u>not more than \$78,814.80</u>	<u>31.884% plus 11.976% of the amount of</u>	834
	<u>income in excess of \$66,433.56</u>	835
—		836
<u>More than \$78,814.80 but</u>	<u>Income of \$78,814.80 multiplied by</u>	837

<u>not more than \$91,196.16</u>	<u>28.757% plus 18.668% of the amount of</u>	838
	<u>income in excess of \$78,814.80</u>	839
—		840
<u>More than \$91,196.16 but</u>	<u>Income of \$91,196.16 multiplied by</u>	841
<u>not more than \$99,495.72</u>	<u>27.387% plus 5.692% of the amount of</u>	842
	<u>income in excess of \$91,196.16</u>	843
—		844
<u>More than \$99,495.72 but</u>	<u>Income of \$99,495.72 multiplied by</u>	845
<u>not more than \$108,267.96</u>	<u>25.577% plus 4.117% of the amount of</u>	846
	<u>income in excess of \$99,495.72</u>	847
—		848
<u>More than \$108,267.96 but</u>	<u>Income of \$108,267.96 multiplied by</u>	849
<u>not more than \$121,158.48</u>	<u>23.839% plus 17.186% of the amount of</u>	850
	<u>income in excess of \$108,267.96</u>	851
—		852
<u>More than \$121,158.48 but</u>	<u>Income of \$121,158.48 multiplied by</u>	853
<u>not more than \$133,213.56</u>	<u>23.131% plus 18.794% of the amount of</u>	854
	<u>income in excess of \$121,158.48</u>	855
—		856
<u>More than \$133,213.56 but</u>	<u>Income of \$133,213.56 multiplied by</u>	857
<u>not more than \$145,268.76</u>	<u>22.738% plus 9.852% of the amount</u>	858
	<u>income in excess of \$133,213.56</u>	859

—		860
<u>More than \$145,268.76 but</u>	<u>Income of \$145,268.76 multiplied by</u>	861
<u>not more than \$161,342.28</u>	<u>21.669% plus 13.438% of the amount of</u>	862
	<u>income in excess of \$145,268.76</u>	863
—		864
<u>More than \$161,342.28 but</u>	<u>Income of \$161,342.28 multiplied by</u>	865
<u>not more than \$177,417.24</u>	<u>20.849% plus 14.688% of the amount of</u>	866
	<u>income in excess of \$161,342.28</u>	867
—		868
<u>More than \$177,417.24 but</u>	<u>Income of \$177,417.24 multiplied by</u>	869
<u>not more than \$193,489.32</u>	<u>20.291% plus 12.299% of the amount of</u>	870
	<u>income in excess of \$177,417.24</u>	871
—		872
<u>More than \$193,489.32 but</u>	<u>Income of \$193,489.32 multiplied by</u>	873
<u>not more than \$219,296.76</u>	<u>19.627% plus 6.480% of the amount of</u>	874
	<u>income in excess of \$193,489.32</u>	875
—		876
<u>More than \$219,296.76 but</u>	<u>Income of \$219,296.76 multiplied by</u>	877
<u>not more than \$258,292.92</u>	<u>18.080% plus 7.716% of the amount of</u>	878
	<u>income in excess of \$219,296.76</u>	879
—		880
<u>More than \$258,292.92 but</u>	<u>Income of \$258,292.92 multiplied by</u>	881

<u>not more than \$336,467.04</u>	<u>16.515% plus 9.555% of the amount of</u>	882
	<u>income in excess of \$258,292.92</u>	883
-		884
<u>(f) For six children</u>		885
<u>GUIDELINES INCOME</u>	<u>BASIC OBLIGATION</u>	886
-		887
<u>\$11,510.40 or less</u>	<u>47.293% of the amount of income</u>	888
-		889
<u>More than \$11,510.40 but</u>	<u>Income of \$11,510.40 multiplied by</u>	890
<u>not more than \$39,044.16</u>	<u>47.293% plus 38.904% of the amount of</u>	891
	<u>income in excess of \$11,510.40</u>	892
-		893
<u>More than \$39,044.16 but</u>	<u>Income of \$39,044.16 multiplied by</u>	894
<u>not more than \$49,984.92</u>	<u>41.377% plus 34.410% of the amount of</u>	895
	<u>income in excess of \$39,044.16</u>	896
-		897
<u>More than \$49,984.92 but</u>	<u>Income of \$49,984.92 multiplied by</u>	898
<u>not more than \$58,239.48</u>	<u>39.852% plus 24.310% of the amount of</u>	899
	<u>income in excess of \$49,984.92</u>	900
-		901
<u>More than \$58,239.48 but</u>	<u>Income of \$58,239.48 multiplied by</u>	902
<u>not more than \$66,433.56</u>	<u>37.649% plus 13.402% of the amount of</u>	903

<u>income in excess of \$58,239.48</u>	904	
—	905	
<u>More than \$66,433.56 but</u>	<u>Income of \$66,433.56 multiplied by</u>	906
<u>not more than \$78,814.80</u>	<u>34.658% plus 13.018% of the amount of</u>	907
<u>income in excess of \$66,433.56</u>	908	
—	909	
<u>More than \$78,814.80 but</u>	<u>Income of \$78,814.80 multiplied by</u>	910
<u>not more than \$91,196.16</u>	<u>31.259% plus 20.292% of the amount of</u>	911
<u>income in excess of \$78,814.80</u>	912	
—	913	
<u>More than \$91,196.16 but</u>	<u>Income of \$91,196.16 multiplied by</u>	914
<u>not more than \$99,495.72</u>	<u>29.770% plus 6.187% of the amount of</u>	915
<u>income in excess of \$91,196.16</u>	916	
—	917	
<u>More than \$99,495.72 but</u>	<u>Income of \$99,495.72 multiplied by</u>	918
<u>not more than \$108,267.96</u>	<u>27.803% plus 4.475% of the amount of</u>	919
<u>income in excess of \$99,495.72</u>	920	
—	921	
<u>More than \$108,267.96 but</u>	<u>Income of \$108,267.96 multiplied by</u>	922
<u>not more than \$121,158.48</u>	<u>25.913% plus 18.681% of the amount of</u>	923
<u>income in excess of \$108,267.96</u>	924	
—	925	

<u>More than \$121,158.48 but</u>	<u>Income of \$121,158.48 multiplied by</u>	926
<u>not more than \$133,213.56</u>	<u>25.143% plus 20.430% of the amount of</u>	927
	<u>income in excess of \$121,158.48</u>	928
-		929
<u>More than \$133,213.56 but</u>	<u>Income of \$133,213.56 multiplied by</u>	930
<u>not more than \$145,268.76</u>	<u>24.717% plus 10.709% of the amount of</u>	931
	<u>income in excess of \$133,213.56</u>	932
-		933
<u>More than \$145,268.76 but</u>	<u>Income of \$145,268.76 multiplied by</u>	934
<u>not more than \$161,342.28</u>	<u>23.554% plus 14.608% of the amount of</u>	935
	<u>income in excess of \$145,268.76</u>	936
-		937
<u>More than \$161,342.28 but</u>	<u>Income of \$161,342.28 multiplied by</u>	938
<u>not more than \$177,417.24</u>	<u>22.663% plus 15.966% of the amount of</u>	939
	<u>income in excess of \$161,342.28</u>	940
-		941
<u>More than \$177,417.24 but</u>	<u>Income of \$177,417.24 multiplied by</u>	942
<u>not more than \$193,489.32</u>	<u>22.056% plus 13.369% of the amount of</u>	943
	<u>income in excess of \$177,417.24</u>	944
-		945
<u>More than \$193,489.32 but</u>	<u>Income of \$193,489.32 multiplied by</u>	946
<u>not more than \$219,296.76</u>	<u>21.334% plus 7.044% of the amount of</u>	947

<u>income in excess of \$193,489.32</u>	948	
<u>-</u>	949	
<u>More than \$219,296.76 but</u>	<u>Income of \$219,296.76 multiplied by</u>	950
<u>not more than \$258,292.92</u>	<u>19.653% plus 8.387% of the amount of</u>	951
<u>income in excess of \$219,296.76</u>		952
<u>-</u>		953
<u>More than \$258,292.92 but</u>	<u>Income of \$258,292.92 multiplied by</u>	954
<u>not more than \$336,467.04</u>	<u>17.952% plus 10.386% of the amount of</u>	955
<u>income in excess of \$258,292.92</u>		956
<u>(2) The basic child support schedule shall incorporate a</u>		957
<u>self-sufficiency reserve based on one hundred sixteen per cent</u>		958
<u>of the federal poverty level amount for a single person as</u>		959
<u>reported by the United States department of health and human</u>		960
<u>services in calendar year 2016. In order to incorporate the</u>		961
<u>self-sufficiency reserve, the department shall apply the</u>		962
<u>calculation described in division (B)(1) of this section to</u>		963
<u>develop an unadjusted schedule and then apply the following</u>		964
<u>steps to incorporate the self-sufficiency reserve:</u>		965
<u>(a) For a guideline income of eight thousand four hundred</u>		966
<u>dollars or less, the schedule amount shall be the minimum order</u>		967
<u>amount as provided in section 3119.06 of the Revised Code.</u>		968
<u>(b) For a guideline income greater than eight thousand</u>		969
<u>four hundred dollars but not greater than one hundred sixteen</u>		970
<u>per cent of the federal poverty level for a single person, the</u>		971
<u>schedule amount shall be the product of the following formula:</u>		972
<u>sliding scale multiplier X (guideline income - \$8,400) +</u>		973
<u>annual minimum support amount under section 3119.06 of the</u>		974

<u>Revised Code</u>	975
<u>(c) For a guideline income greater than one hundred</u>	976
<u>sixteen per cent of the federal poverty level for a single</u>	977
<u>person, the schedule amount shall be the lesser of the</u>	978
<u>following:</u>	979
<u>(i) The higher resulting product of the following</u>	980
<u>formulas:</u>	981
<u>(guideline income - 116% of federal poverty level) X 0.3</u>	982
<u>sliding scale multiplier X (guideline income - \$8,400) +</u>	983
<u>annual minimum support amount under section 3119.06 of the</u>	984
<u>Revised Code</u>	985
<u>(ii) The unadjusted schedule amount created in accordance</u>	986
<u>with division (B)(1) of this section.</u>	987
<u>(d) The sliding scale multipliers required for the</u>	988
<u>formulas in divisions (B)(2)(b) and (c) of this section are as</u>	989
<u>follows:</u>	990
<u>(i) For one child: five per cent;</u>	991
<u>(ii) For two children: ten per cent;</u>	992
<u>(iii) For three children: twelve per cent;</u>	993
<u>(iv) For four children: thirteen per cent;</u>	994
<u>(v) For five children: fourteen per cent;</u>	995
<u>(vi) For six or more children: fifteen per cent.</u>	996
<u>(C) Every four years after the effective date of this</u>	997
<u>section, the department shall update the basic child support</u>	998
<u>schedule and self-sufficiency reserve to reflect United States</u>	999
<u>department of labor changes in the CPI-U and for changes in the</u>	1000

federal poverty level amount for a single person as reported by 1001
the United States department of health and human services. 1002

(1) When updating the basic child support schedule for the 1003
most recent CPI-U, the department of job and family services 1004
shall update the figures in the guidelines income column for the 1005
percentage difference between the most recent CPI-U and the 1006
March 2015 CPI-U. 1007

(2) When updating the self-sufficiency reserve 1008
incorporated into the basic child support schedule, the 1009
department shall set the self-sufficiency reserve based on one 1010
hundred sixteen per cent of the federal poverty level for a 1011
single person as reported by the United States department of 1012
health and human services in the most recent calendar year. 1013

Sec. 3119.022. The director of job and family services 1014
shall adopt rules pursuant to Chapter 119. of the Revised Code 1015
governing the creation of child support guidelines worksheets 1016
and instructions that incorporate the requirements of Chapter 1017
3119. of the Revised Code for the calculation of child support 1018
and cash medical support obligations. In addition, the 1019
department shall: 1020

(A) Adopt standard worksheet forms that shall be used in 1021
all courts and child support enforcement agencies when 1022
calculating child support and cash medical support obligations; 1023
and 1024

(B) Adopt a standard instruction manual to provide 1025
guidance and assistance to persons calculating support 1026
obligations. 1027

The guidelines worksheet and instruction manual may be 1028
revised as needed, but shall be revised at least once every five 1029

years. 1030

Sec. 3119.023. (A) At least once every four years, the 1031
department of job and family services shall review the basic 1032
child support schedule issued by the department pursuant to 1033
section 3119.021 of the Revised Code to determine whether child 1034
support orders issued in accordance with that schedule and the 1035
worksheets created under rules adopted under section 3119.022 of 1036
the Revised Code adequately provide for the needs of children 1037
who are subject to the child support orders. The department may 1038
consider the adequacy and appropriateness of the current 1039
schedule, whether there are substantial and permanent changes in 1040
household consumption and savings patterns, particularly those 1041
resulting in substantial and permanent changes in the per cent 1042
of total household expenditures on children, and whether there 1043
have been substantial and permanent changes to the federal and 1044
state income tax code other than inflationary adjustments to 1045
such things as the exemption amount and income tax brackets, and 1046
other factors when conducting its review. The review is in 1047
addition to, and independent of, any schedule update completed 1048
as set forth in section 3119.021 of the Revised Code. The 1049
department shall prepare a report of its review and include 1050
recommendations for statutory changes, and submit a copy of the 1051
report to both houses of the general assembly. 1052

(B) For each review, the department shall establish a 1053
child support guideline advisory council to assist the 1054
department in the completion of its reviews and reports. Each 1055
council shall be composed of: 1056

(1) Obligors; 1057

(2) Obligees; 1058

(3) Judges of courts of common pleas who have jurisdiction 1059
over domestic relations and juvenile court cases that involve 1060
the determination of child support; 1061

(4) Attorneys whose practice includes a significant number 1062
of domestic relations or juvenile court cases that involve the 1063
determination of child support; 1064

(5) Representatives of child support enforcement agencies; 1065

(6) Other persons interested in the welfare of children; 1066

(7) Three members of the senate appointed by the president 1067
of the senate, not more than two of whom are members of the same 1068
political party; and 1069

(8) Three members of the house of representatives 1070
appointed by the speaker of the house, not more than two of whom 1071
are members of the same political party. 1072

(C) The department shall consider input from the council 1073
prior to the completion of any report under this section. The 1074
department shall submit its report on or before the first day of 1075
March of every fourth year after 2015. 1076

(D) The advisory council shall cease to exist at the time 1077
that the department submits its review to the general assembly 1078
under this section. 1079

(E) Any expenses incurred by an advisory council shall be 1080
paid by the department. 1081

Sec. 3119.04. ~~(A) If the combined gross income of both~~ 1082
~~parents is less than six thousand six hundred dollars per year,~~ 1083
~~the court or child support enforcement agency shall determine~~ 1084
~~the amount of the obligor's child support obligation on a case-~~ 1085
~~by case basis using the schedule as a guideline. The court or~~ 1086

~~agency shall review the obligor's gross income and living expenses to determine the maximum amount of child support that it reasonably can order without denying the obligor the means for self support at a minimum subsistence level and shall order a specific amount of child support, unless the obligor proves to the court or agency that the obligor is totally unable to pay child support, and the court or agency determines that it would be unjust or inappropriate to order the payment of child support and enters its determination and supporting findings of fact in the journal.~~ 1087
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~~(B) If the combined gross annual income of both parents is greater than one hundred fifty thousand dollars per year the maximum annual income listed on the basic child support schedule established pursuant to section 3119.021 of the Revised Code, the court, with respect to a court child support order, or the child support enforcement agency, with respect to an administrative child support order, shall determine the amount of the obligor's child support obligation on a case-by-case basis and shall consider the needs and the standard of living of the children who are the subject of the child support order and of the parents. The court or agency shall compute a basic combined child support obligation that is no less than the obligation that would have been computed under the basic child support schedule and applicable worksheet for a combined gross annual income of one hundred fifty thousand dollars equal to the maximum annual income listed on the basic child support schedule established pursuant to section 3119.021 of the Revised Code, unless the court or agency determines that it would be unjust or inappropriate and would therefore not be in the best interest of the child, obligor, or obligee to order that amount. If the court or agency makes such a determination, it shall enter in~~ 1097
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the journal the figure, determination, and findings. If the 1118
combined annual income of both parents falls below the \$8,400 1119
floor of the basic child support schedule in accordance with 1120
section 3119.021 of the Revised Code, the court, with respect to 1121
a court child support order, or the child support enforcement 1122
agency, with respect to an administrative child support order, 1123
shall apply the minimum support amount in accordance with 1124
section 3119.06 of the Revised Code. 1125

Sec. 3119.05. When a court computes the amount of child 1126
support required to be paid under a court child support order or 1127
a child support enforcement agency computes the amount of child 1128
support to be paid pursuant to an administrative child support 1129
order, all of the following apply: 1130

(A) The parents' current and past income and personal 1131
earnings shall be verified by electronic means or with suitable 1132
documents, including, but not limited to, paystubs, employer 1133
statements, receipts and expense vouchers related to self- 1134
generated income, tax returns, and all supporting documentation 1135
and schedules for the tax returns. 1136

(B) The annual amount of any ~~pre-existing child support~~ 1137
~~obligation of a parent under a child support order and the~~ 1138
~~amount of any court-ordered spousal support actually paid,~~ 1139
excluding any ordered payment on arrears, shall be deducted from 1140
the ~~gross~~ annual income of that parent to the extent that 1141
payment ~~under the child support order or that payment of the~~ 1142
that court-ordered spousal support is verified by supporting 1143
documentation. 1144

(C) ~~If other minor children who were born to the parent~~ 1145
~~and a person other than the other parent who is involved in the~~ 1146
~~immediate child support determination live with the parent, the~~ 1147

~~court or agency shall deduct an amount from that parent's gross~~ 1148
~~income that equals the number of such minor children times the~~ 1149
~~federal income tax exemption for such children less child~~ 1150
~~support received for them for the year, not exceeding the~~ 1151
~~federal income tax exemption.~~ The court or agency shall adjust 1152
the amount of child support paid by a parent to give credit for 1153
children not included in the current calculation. When 1154
calculating the adjusted amount, the court or agency shall use 1155
the schedule and do the following: 1156

(1) Determine the amount of child support that each parent 1157
would be ordered to pay for all children for whom the parent has 1158
the legal duty to support, according to each parent's annual 1159
income. If the number of children subject to the order is 1160
greater than six, multiply the amount for three children in 1161
accordance with division (C) (4) of this section to determine the 1162
amount of child support. 1163

(2) Compute a child support credit amount for each 1164
parent's children who are not subject to this order by dividing 1165
the amount determined in division (C) (1) of this section by the 1166
total number of children whom the parent is obligated to support 1167
and multiplying that number by the number of the parent's 1168
children who are not subject to this order. 1169

(3) Determine the adjusted income of the parents by 1170
subtracting the credit for minor children not subject to this 1171
order computed under division (C) (2) of this section, from the 1172
annual income of each parent for the children each has a duty to 1173
support that are not subject to this order. 1174

(4) If the number of children is greater than six, 1175
multiply the amount for three children by: 1176

<u>(a) 1.440 for seven children;</u>	1177
<u>(b) 1.540 for eight children;</u>	1178
<u>(c) 1.638 for nine children;</u>	1179
<u>(d) 1.734 for ten children;</u>	1180
<u>(e) 1.827 for eleven children;</u>	1181
<u>(f) 1.919 for twelve children;</u>	1182
<u>(g) 2.008 for thirteen children;</u>	1183
<u>(h) 2.096 for fourteen children;</u>	1184
<u>(i) 2.182 for more than fourteen children.</u>	1185
(D) When the court or agency calculates the gross-annual income of a parent, it shall include the lesser of the following as income from overtime and bonuses:	1186 1187 1188
(1) The yearly average of all overtime, commissions, and bonuses received during the three years immediately prior to the time when the person's child support obligation is being computed;	1189 1190 1191 1192
(2) The total overtime, commissions, and bonuses received during the year immediately prior to the time when the person's child support obligation is being computed.	1193 1194 1195
(E) When the court or agency calculates the gross-annual income of a parent, it shall not include any income earned by the spouse of that parent.	1196 1197 1198
(F) The court shall issue a separate order for extraordinary medical or dental expenses, including, but not limited to, <u>medical support order for extraordinary medical</u> <u>expenses, including orthodontia, dental, optical, and</u>	1199 1200 1201 1202

psychological, ~~appropriate~~ services. 1203

If the court makes an order for payment of private 1204
education, and other appropriate expenses, ~~and it shall do so by~~ 1205
issuing a separate order. 1206

The court may consider ~~the~~ these expenses in adjusting a 1207
child support order. 1208

(G) When a court or agency calculates the amount of child 1209
support to be paid pursuant to a court child support order or an 1210
administrative child support order, ~~if the following shall~~ 1211
apply: 1212

(1) The court or agency shall apply the basic child 1213
support schedule to the parents' combined annual incomes and to 1214
each parent's individual income. 1215

(2) If the combined ~~gross~~ annual income of both parents or 1216
the individual annual income of a parent is an amount that is 1217
between two amounts set forth in the first column of the 1218
schedule, the court or agency may use the basic child support 1219
obligation that corresponds to the higher of the two amounts in 1220
the first column of the schedule, use the basic child support 1221
obligation that corresponds to the lower of the two amounts in 1222
the first column of the schedule, or calculate a basic child 1223
support obligation that is between those two amounts and 1224
corresponds proportionally to the parents' actual combined ~~gross~~ 1225
annual income or the individual parent's annual income. 1226

(3) If the annual individual income of either or both of 1227
the parents is within the self-sufficiency reserve in the basic 1228
child support schedule, the court or agency shall do both of the 1229
following: 1230

(a) Calculate the basic child support obligation for the 1231

parents using the schedule amount applicable to the combined 1232
annual income and the schedule amount applicable to the income 1233
in the self-sufficiency reserve; 1234

(b) Determine the lesser of the following amounts to be 1235
the applicable basic child support obligation: 1236

(i) The amount that results from using the combined annual 1237
income of the parents not in the self-sufficiency reserve of the 1238
schedule; or 1239

(ii) The amount that results from using the individual 1240
parent's annual income within the self-sufficiency reserve of 1241
the schedule. 1242

(H) When the court or agency calculates ~~gross~~ annual 1243
income, the court or agency, when appropriate, may average 1244
income over a reasonable period of years. 1245

(I) Unless it would be unjust or inappropriate and 1246
therefore not in the best interests of the child, a court or 1247
agency shall not determine a parent to be voluntarily unemployed 1248
or underemployed and shall not impute income to that parent if 1249
~~either~~ any of the following conditions exist: 1250

(1) The parent is receiving recurring monetary income from 1251
means-tested public assistance benefits, including cash 1252
assistance payments under the Ohio works first program 1253
established under Chapter 5107. of the Revised Code, financial 1254
assistance under the disability financial assistance program 1255
established under Chapter 5115. of the Revised Code, general 1256
assistance under former Chapter 5113. of the Revised Code, 1257
supplemental security income, or means-tested veterans' 1258
benefits; 1259

(2) The parent is approved for social security disability 1260

insurance benefits because of a mental or physical disability, 1261
or the court or agency determines that the parent is unable to 1262
work based on medical documentation that includes a physician's 1263
diagnosis and a physician's opinion regarding the parent's 1264
mental or physical disability and inability to work. 1265

(3) The parent has proven that the parent has made 1266
continuous and diligent efforts without success to find and 1267
accept employment, including temporary employment, part-time 1268
employment, or employment at less than the parent's previous 1269
salary or wage. 1270

(4) The parent is complying with court-ordered family 1271
reunification efforts in a child abuse, neglect, or dependency 1272
proceeding, to the extent that compliance with those efforts 1273
limits the parent's ability to earn income. 1274

(5) The parent is incarcerated or institutionalized for a 1275
period of twelve months or more with no other available assets, 1276
unless the parent is incarcerated for an offense relating to the 1277
abuse or neglect of a child who is the subject of the support 1278
order or an offense under Title XXIX of the Revised Code ~~when~~ 1279
~~against~~ the obligee or a child who is the subject of the support 1280
~~order is a victim of the offense.~~ 1281

(J) When a court or agency requires a parent to pay an 1282
amount for that parent's failure to support a child for a period 1283
of time prior to the date the court modifies or issues a court 1284
child support order or an agency modifies or issues an 1285
administrative child support order for the current support of 1286
the child, the court or agency shall calculate that amount using 1287
the basic child support schedule, worksheets, and child support 1288
laws in effect, and the incomes of the parents as they existed, 1289
for that prior period of time. 1290

(K) A court or agency may disregard a parent's additional 1291
income from overtime or additional employment when the court or 1292
agency finds that the additional income was generated primarily 1293
to support a new or additional family member or members, or 1294
under other appropriate circumstances. 1295

(L) If both parents involved in the immediate child 1296
support determination have a prior order for support relative to 1297
a minor child or children born to both parents, the court or 1298
agency shall collect information about the existing order or 1299
orders and consider those together with the current calculation 1300
for support to ensure that the total of all orders for all 1301
children of the parties does not exceed the amount that would 1302
have been ordered if all children were addressed in a single 1303
judicial or administrative proceeding. 1304

(M) A support obligation of a parent with annual income 1305
subject to the self-sufficiency reserve of the basic child 1306
support schedule shall not exceed the support obligation that 1307
would result from application of the schedule without the 1308
reserve. 1309

(N) Any non-means tested benefit received by the child or 1310
children subject to the order resulting from the claims of 1311
either parent shall be deducted from that parent's annual child 1312
support obligation after all other adjustments have been made. 1313
If that non-means tested benefit exceeds the child support 1314
obligation of the parent from whose claim the benefit is 1315
realized, the child support obligation for that parent shall be 1316
zero. 1317

(O) As part of the child support calculation, the parents 1318
shall be ordered to share the costs of child care. Subject to 1319
the limitations in this division, a child support obligor shall 1320

pay an amount equal to the obligor's income share of the child 1321
care cost incurred for the child or children subject to the 1322
order. 1323

(1) The child care cost used in the calculation: 1324

(a) Shall be for child care determined to be necessary to 1325
allow a parent to work, or for activities related to employment 1326
training; 1327

(b) Shall be verifiable by credible evidence as determined 1328
by a court or child support enforcement agency; 1329

(c) Shall exclude any reimbursed or subsidized child care 1330
cost, including any state or federal tax credit for child care 1331
available to the parent or caretaker, whether or not claimed; 1332

(d) Shall not exceed the maximum state-wide average cost 1333
estimate issued by the department of job and family services, 1334
using the data collected and reported as required in section 1335
5104.04 of the Revised Code. 1336

(2) When the annual income of the obligor is subject to 1337
the self-sufficiency reserve of the basic support schedule, the 1338
share of the child care cost paid by the obligor shall be equal 1339
to the lower of the obligor's income share of the child care 1340
cost, or fifty per cent of the child care cost. 1341

Sec. 3119.051. (A) Except as otherwise provided in this 1342
section, a court or child support enforcement agency calculating 1343
the amount to be paid under a child support order shall reduce 1344
by ten per cent the amount of the annual individual support 1345
obligation for the parent or parents when a court has issued or 1346
is issuing a court-ordered parenting time order that equals or 1347
exceeds ninety overnights per year. This reduction may be in 1348
addition to the other deviations and reductions. 1349

(B) At the request of the obligee, a court may eliminate a 1350
previously granted adjustment established under division (A) of 1351
this section if the obligor, without just cause, has failed to 1352
exercise court-ordered parenting time. 1353

Sec. 3119.06. Except as otherwise provided in this 1354
section, in any action in which a court or a child support 1355
enforcement agency issues or modifies a child support order or 1356
in any other proceeding in which a court or agency determines 1357
the amount of child support to be paid pursuant to a child 1358
support order, the court or agency shall issue a minimum child 1359
support order requiring the obligor to pay a minimum of ~~fifty-~~ 1360
 ~~eighty~~ dollars a month for all the children subject to that 1361
order. The court or agency, in its discretion and in appropriate 1362
circumstances, may issue a minimum child support order ~~requiring~~ 1363
 ~~the obligor to pay of less than fifty-eighty~~ dollars a month or 1364
issue an order not requiring the obligor to pay ~~an any child~~ 1365
 ~~support amount for support.~~ The circumstances under which a 1366
court or agency may issue such an order include the 1367
nonresidential parent's medically verified or documented 1368
physical or mental disability or institutionalization in a 1369
facility for persons with a mental illness or any other 1370
circumstances considered appropriate by the court or agency. 1371

If a court or agency issues a minimum child support ~~order-~~ 1372
obligation pursuant to this section and the obligor under the 1373
support order is the recipient of ~~need-based means-tested~~ public 1374
assistance, as described in division (C)(13)(a) of section 1375
3119.01 of the Revised Code, any unpaid amounts of support due 1376
under the support order shall accrue as arrearages from month to 1377
month, and the obligor's current obligation to pay the support 1378
due under the support order is suspended during any period of 1379
time that the obligor is receiving ~~need-based means-tested~~ 1380

public assistance and is complying with any seek work orders 1381
issued pursuant to section 3121.03 of the Revised Code. The 1382
court, obligee, and child support enforcement agency shall not 1383
enforce the obligation of the obligor to pay the amount of 1384
support due under the support order while the obligor is 1385
receiving ~~need-based means-tested~~ public assistance and is 1386
complying with any seek work orders issued pursuant to section 1387
3121.03 of the Revised Code. 1388

Sec. 3119.22. The court may order an amount of child 1389
support that deviates from the amount of child support that 1390
would otherwise result from the use of the basic child support 1391
schedule and the applicable worksheet, ~~through the line~~ 1392
~~establishing the actual annual obligation,~~ if, after considering 1393
the factors and criteria set forth in section 3119.23 of the 1394
Revised Code, the court determines that the amount calculated 1395
pursuant to the basic child support schedule and the applicable 1396
worksheet, ~~through the line establishing the actual annual~~ 1397
~~obligation,~~ would be unjust or inappropriate and ~~would therefore~~ 1398
not be in the best interest of the child. 1399

If it deviates, the court must enter in the journal the 1400
amount of child support calculated pursuant to the basic child 1401
support schedule and the applicable worksheet, ~~through the line~~ 1402
~~establishing the actual annual obligation,~~ its determination 1403
that ~~that the~~ amount would be unjust or inappropriate and ~~would~~ 1404
~~therefore~~ not be in the best interest of the child, and findings 1405
of fact supporting that determination. 1406

Sec. 3119.23. The court may consider any of the following 1407
factors in determining whether to grant a deviation pursuant to 1408
section 3119.22 of the Revised Code: 1409

(A) Special and unusual needs of the child or children, 1410

including needs arising from the physical or psychological 1411
condition of the child or children; 1412

~~(B) Extraordinary obligations for minor children or~~ 1413
~~obligations for handicapped children who are not stepchildren~~ 1414
~~and who are not offspring from the marriage or relationship that~~ 1415
~~is the basis of the immediate child support determination;~~ 1416

~~(C) Other court-ordered payments;~~ 1417

~~(D) (C) Extended parenting time or extraordinary costs~~ 1418
~~associated with parenting time, provided that this division does~~ 1419
~~not authorize and shall not be construed as authorizing any~~ 1420
~~deviation from the schedule and the applicable worksheet,~~ 1421
~~through the line establishing the actual annual obligation, or~~ 1422
~~any escrowing, impoundment, or withholding of child support~~ 1423
~~because of a denial of or interference with a right of parenting~~ 1424
~~time granted by court order including extraordinary travel~~ 1425
~~expenses when exchanging the child or children for parenting~~ 1426
~~time;~~ 1427

~~(E) The obligor obtaining additional employment after a~~ 1428
~~child support order is issued in order to support a second~~ 1429
~~family;~~ 1430

~~(F) (D) The financial resources and the earning ability of~~ 1431
~~the child or children;~~ 1432

~~(G) Disparity (E) The relative financial resources,~~ 1433
including the disparity in income between parties or households, 1434
other assets, and the needs of each parent; 1435

~~(H) (F) The obligee's income, if the obligee's annual~~ 1436
income is equal to or less than one hundred per cent of the 1437
federal poverty level; 1438

<u>(G)</u> Benefits that either parent receives from remarriage	1439
or sharing living expenses with another person;	1440
(I) <u>(H)</u> The amount of federal, state, and local taxes	1441
actually paid or estimated to be paid by a parent or both of the	1442
parents;	1443
(J) <u>(I)</u> Significant in-kind contributions from a parent,	1444
including, but not limited to, direct payment for lessons,	1445
sports equipment, schooling, or clothing;	1446
(K) The relative financial resources, other assets and	1447
resources, and needs of each parent;	1448
(L) <u>(J)</u> <u>Extraordinary work-related expenses incurred by</u>	1449
<u>either parent;</u>	1450
<u>(K)</u> The standard of living and circumstances of each	1451
parent and the standard of living the child would have enjoyed	1452
had the marriage continued or had the parents been married;	1453
(M) The physical and emotional condition and needs of the	1454
child;	1455
(N) (L) The need and capacity of the child for an	1456
education and the educational opportunities that would have been	1457
available to the child had the circumstances requiring a court-	1458
<u>child support order for support</u> not arisen;	1459
(O) <u>(M)</u> The responsibility of each parent for the support	1460
of others, <u>including support of a child or children with</u>	1461
<u>disabilities who are not subject to the support order;</u>	1462
<u>(N)</u> <u>Post-secondary educational expenses paid for by a</u>	1463
<u>parent for the parent's own child or children, regardless of</u>	1464
<u>whether the child or children are emancipated;</u>	1465

(O) Costs incurred or reasonably anticipated to be 1466
incurred by the parents in compliance with court-ordered 1467
reunification efforts in child abuse, neglect, or dependency 1468
cases; 1469

(P) Extraordinary child care costs required for the child 1470
or children that exceed the maximum state-wide average cost 1471
estimate provided in division (O) (1) (d) of section 3119.05 of 1472
the Revised Code including extraordinary costs associated with 1473
caring for a child or children with specialized physical, 1474
psychological, or educational needs; 1475

(Q) Any other relevant factor. 1476

~~The court may accept an agreement of the parents that~~ 1477
~~assigns a monetary value to any of the factors and criteria-~~ 1478
~~listed in this section that are applicable to their situation.~~ 1479

If the court grants a deviation based on division ~~(P)~~(Q) 1480
of this section, it shall specifically state in the order the 1481
facts that are the basis for the deviation. 1482

Sec. 3119.231. In determining whether to grant a deviation 1483
pursuant to section 3119.22 of the Revised Code for the reason 1484
set forth in division (C) of section 3119.23 of the Revised 1485
Code, the court shall recognize that expenses for the children 1486
are incurred in both households and shall apply the following 1487
deviation: 1488

If court-ordered parenting time is equal to or exceeds one 1489
hundred forty-seven overnights per year, the court shall 1490
consider a substantial deviation. If the court does not grant a 1491
substantial deviation from that amount, it shall specify in the 1492
order the facts that are the basis for the court's decision. 1493

Sec. 3119.24. (A) (1) A court that issues a shared 1494

parenting order in accordance with section 3109.04 of the 1495
Revised Code shall order an amount of child support to be paid 1496
under the child support order that is calculated in accordance 1497
with the schedule and with the worksheet ~~set forth in section~~ 1498
~~3119.022 of the Revised Code, through the line establishing the~~ 1499
~~actual annual obligation~~, except that, if that amount would be 1500
unjust or inappropriate to the children or either parent and 1501
~~would therefore not be~~ in the best interest of the child because 1502
of the extraordinary circumstances of the parents or because of 1503
any other factors or criteria set forth in section 3119.23 of 1504
the Revised Code, the court may deviate from that amount. 1505

(2) The court shall consider extraordinary circumstances 1506
and other factors or criteria if it deviates from the amount 1507
described in division (A) (1) of this section and shall enter in 1508
the journal the amount described in division (A) (1) of this 1509
section its determination that the amount would be unjust or 1510
inappropriate and ~~would therefore not be~~ in the best interest of 1511
the child, and findings of fact supporting its determination. 1512

(B) For the purposes of this section, "extraordinary 1513
circumstances of the parents" includes all of the following: 1514

(1) ~~The amount of time the children spend with each~~ 1515
~~parent;~~ 1516

~~(2)~~ The ability of each parent to maintain adequate 1517
housing for the children; 1518

~~(3)~~ (2) Each parent's expenses, including child care 1519
expenses, school tuition, medical expenses, dental expenses, and 1520
any other expenses the court considers relevant; 1521

~~(4)~~ (3) Any other circumstances the court considers 1522
relevant. 1523

Sec. 3119.29. ~~(A)~~ As used in this section and sections 1524
3119.30 to 3119.56 of the Revised Code: 1525

~~(1) "Cash medical support" means an amount ordered to be~~ 1526
~~paid in a child support order toward the cost of health~~ 1527
~~insurance provided by a public entity, another parent, or person~~ 1528
~~with whom the child resides, through employment or otherwise, or~~ 1529
~~for other medical cost not covered by insurance.~~ 1530

~~(2) "Federal poverty line" has the same meaning as defined~~ 1531
~~in section 5104.01 of the Revised Code.~~ 1532

~~(3)~~ (A) "Family coverage" means the health insurance plan 1533
that provides coverage for the children who are the subject of a 1534
child support order. 1535

(B) "Health care" means such medical support that includes 1536
coverage under a health insurance plan, payment of costs of 1537
premiums, copayments, and deductibles, or payment for medical 1538
expenses incurred on behalf of the child. 1539

~~(4)~~ (C) "Health insurance coverage" means accessible 1540
private health insurance that provides primary care services 1541
within thirty miles from the residence of the child subject to 1542
the child support order. 1543

~~(5)~~ (D) "Health plan administrator" means any entity 1544
authorized under Title XXXIX of the Revised Code to engage in 1545
the business of insurance in this state, any health insuring 1546
corporation, any legal entity that is self-insured and provides 1547
benefits to its employees or members, and the administrator of 1548
any such entity or corporation. 1549

~~(6)~~ (E) "National medical support notice" means a form 1550
required by the "Child Support Performance and Incentive Act of 1551
1998," P.L. 105-200, 112 Stat. 659, 42 U.S.C. 666(a)(19), as 1552

amended, and jointly developed and promulgated by the secretary 1553
of health and human services and the secretary of labor in 1554
federal regulations adopted under that act as modified by the 1555
department of job and family services under section 3119.291 of 1556
the Revised Code. 1557

~~(7)~~ (F) "Person required to provide health insurance 1558
coverage" means the obligor, obligee, or both, required by the 1559
court under a court child support order or by the child support 1560
enforcement agency under an administrative child support order 1561
to provide health insurance coverage pursuant to section 3119.30 1562
of the Revised Code. 1563

~~(8)~~ Subject to division (B) of this section, "reasonable 1564
(G) "Reasonable cost" means that the contributing cost of 1565
private family health insurance to the person responsible for 1566
the required to provide health care of insurance coverage for 1567
the children who are the subject to of the child support order 1568
that does not exceed an amount equal to five per cent of the 1569
annual gross income of that person. For purposes of this 1570
division, the cost of health insurance is an amount equal to the 1571
difference in cost between self-only and family coverage. 1572

~~(9)~~ "Title XIX" has the same meaning as in section 5165.01- 1573
of the Revised Code. 1574

~~(B)~~ If However, if the United States secretary of health 1575
and human services issues a regulation defining that redefines 1576
"reasonable cost" or a similar term or phrase relevant to the 1577
provisions in child support orders, or clarifies the elements 1578
of cost used when determining reasonable cost relating to the 1579
provision of health care for children subject to the orders in a 1580
child support order, and if that definition is those changes are 1581
substantively different from the meaning of "reasonable cost" as 1582

~~defined in division (A) of this section, "reasonable cost" as~~ 1583
~~used in this section than the definitions and terms used in this~~ 1584
~~section, those terms shall have the meaning as defined by the~~ 1585
United States secretary of health and human services. 1586

Sec. 3119.30. (A) In any action or proceeding in which a 1587
child support order is issued or modified, the court, with 1588
respect to court child support orders, and the child support 1589
enforcement agency, with respect to administrative child support 1590
orders, shall determine the person or persons responsible for 1591
the health care of the children subject to the child support 1592
order and shall include provisions for the health care of the 1593
children in the child support order. The order shall specify 1594
that the obligor and obligee are both liable for the health care 1595
~~of expenses for~~ the children who are not covered by private 1596
health insurance ~~or cash medical support as calculated in~~ 1597
~~accordance with section 3119.022 or 3119.023 of the Revised~~ 1598
~~Code, as applicable~~according to a formula established by each 1599
court, with respect to a court child support order, or each 1600
child support enforcement agency, with respect to an 1601
administrative child support order. 1602

(B) ~~Based on information provided to the court or to the~~ 1603
~~child support enforcement agency under section 3119.31 of the~~ 1604
~~Revised Code, the order shall include one of the following:~~The 1605
child support obligee is rebuttably presumed to be the 1606
appropriate parent to provide health insurance coverage for the 1607
children subject to the child support order. The order shall 1608
specify that the obligee must provide the health insurance 1609
coverage unless rebutted pursuant to division (B)(1) of this 1610
section. 1611

(1) ~~A requirement that both the obligor and the obligee~~ 1612

~~obtain private~~ The court or child support enforcement agency may 1613
consider the following factors to rebut the presumption when 1614
determining if the child support obligor is the appropriate 1615
parent to provide health insurance coverage for the children if 1616
coverage is available for the children at a reasonable cost to 1617
both the obligor and the obligee and dual coverage would provide 1618
for coordination of medical benefits without unnecessary 1619
duplication of coverage.: 1620

(a) The obligor already has health insurance coverage for 1621
the child that is reasonable in cost; 1622

(b) The obligor already has health insurance coverage in 1623
place for the child that is not reasonable in cost, but the 1624
obligor wishes to be named the health insurance obligor and 1625
provide coverage under division (A) (2) (a) of section 3119.302 of 1626
the Revised Code; 1627

(c) The obligor can obtain coverage for the child that is 1628
reasonable in cost through an employer or other source. For 1629
employer-based coverage, the court or child support enforcement 1630
agency shall consider the length of time the obligor has worked 1631
with the employer and the stability of the insurance. 1632

(d) The obligee is a non-parent individual or agency that 1633
has no duty to provide medical support. 1634

~~(2) A requirement that the obligee obtain~~ If private 1635
health insurance coverage for the children if coverage is 1636
available through any group policy, contract, or plan available 1637
to the obligee and is available at a more reasonable cost than 1638
coverage is available to the obligor; 1639

~~(3) A requirement that the obligor~~ is not available at a 1640
reasonable cost to the obligor or the obligee at the time the 1641

court or agency issues the order, the order shall include a 1642
requirement that the obligee obtain private health insurance 1643
coverage for the children ~~if coverage is available through any~~ 1644
~~group policy, contract, or plan available to the obligor at a~~ 1645
~~more reasonable cost than coverage is available to the obligee;~~ 1646

~~(4) If health insurance coverage for the children is not~~ 1647
~~available at a reasonable cost to the obligor or the obligee at~~ 1648
~~the time the court or child enforcement agency issues the order,~~ 1649
~~a requirement that the obligor or the obligee immediately not~~ 1650
~~later than thirty days after it becomes available to the obligee~~ 1651
~~at a reasonable cost, and to inform the child support~~ 1652
enforcement agency ~~that~~ when private health insurance coverage 1653
for the children has ~~become available to either the obligor or~~ 1654
obligee. The child support enforcement agency shall determine if 1655
~~the private health insurance coverage is available at a~~ 1656
~~reasonable cost and if coverage is reasonable, division (B) (2)~~ 1657
~~or (3) shall apply, as applicable been obtained.~~ 1658

(3) If private health insurance becomes available to the 1659
obligor at a reasonable cost, the obligor shall inform the child 1660
support enforcement agency and may seek a modification of health 1661
insurance coverage from the court with respect to a court child 1662
support order, or from the agency with respect to an 1663
administrative support order. 1664

(C) When a child support order is issued or modified, ~~and~~ 1665
~~the obligor's gross income is one hundred fifty per cent or more~~ 1666
~~of the federal poverty level for an individual, the order shall~~ 1667
include ~~the amount of a~~ cash medical support ~~to be paid by the~~ 1668
~~obligor that is either five per cent of the obligor's adjusted~~ 1669
~~gross income or the obligor's share of the United States~~ 1670
~~department of agriculture estimated annual health care~~ 1671

~~expenditure per child as determined in accordance with federal law and regulation, whichever is the lower amount. The amount of cash medical support paid by the obligor shall be paid during any period after the court or child support enforcement agency issues or modifies the order in which the children are not covered by private health insurance amount consistent with division (B) of section 3119.302 of the Revised Code for each child subject to the order. The cash medical support amount shall be ordered based on the number of children subject to the order and split between the parties using the parents' income share.~~ 1672
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(D) Any cash medical support paid pursuant to division (C) of this section shall be paid through the department of job and family services by the obligor to either the obligee if the children are not Medicaid recipients, or to the ~~office~~ department of child support to defray the cost of Medicaid expenditures if the children are when a Medicaid recipients. ~~The assignment is in effect for any child under the support enforcement agency administering the court or administrative order shall amend the amount of monthly child support obligation to reflect the amount paid when private health insurance is not provided, as calculated in the current order pursuant to section 3119.022 or 3119.023 of the Revised Code, as applicable.~~ 1683
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~~The child support enforcement agency shall give the obligor notice in accordance with Chapter 3121. of the Revised Code and provide the obligor an opportunity to be heard if the obligor believes there is a mistake of fact regarding the availability of private health insurance at a reasonable cost as determined under division (B) of this section.~~ 1695
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(E) ~~The obligor shall begin payment of any cash medical~~ 1701

~~support on the first day of the month immediately following the~~ 1702
~~month in which private health insurance coverage is unavailable~~ 1703
~~or terminates and shall cease payment on the last day of the~~ 1704
~~month immediately preceding the month in which private health~~ 1705
~~insurance coverage begins or resumes. During the period when~~ 1706
~~cash medical support is required to be paid, the obligor or~~ 1707
~~obligee must immediately inform the child support enforcement~~ 1708
~~agency that health insurance coverage for the children has~~ 1709
~~become available.~~ cost of providing health insurance for a child 1710
subject to an order shall be defrayed by a credit against that 1711
parent's annual income when calculating support as required 1712
under section 3119.02 of the Revised Code using the basic child 1713
support schedule and applicable worksheet. The credit shall be 1714
equal to the total actual out-of-pocket cost for health 1715
insurance premiums for the coverage. Any credit given will be 1716
less any subsidy, including a premium tax credit or cost-sharing 1717
reduction received by the parent providing coverage. 1718

Sec. 3119.302. (A) When the court, with respect to a court 1719
child support order, or the child support enforcement agency, 1720
with respect to an administrative child support order, 1721
determines the person or persons responsible for the health care 1722
of the children subject to the order pursuant to section 3119.30 1723
of the Revised Code, all of the following apply: 1724

(1) The court or agency shall consider any private health 1725
insurance in which the obligor, obligee, or children, are 1726
enrolled at the time the court or agency issues the order. 1727

(2) If the ~~contributing~~ cost of private ~~family~~ health 1728
insurance to either parent exceeds ~~five per cent of that~~ 1729
~~parent's annual gross income,~~ a reasonable cost, that parent 1730
shall not be ordered to provide private health insurance for the 1731

child except as follows: 1732

~~(a) When both parents agree that one, or both, of the~~ 1733
~~parents obtain or maintain the private health insurance that~~ 1734
~~exceeds five per cent of the annual gross income of the parent~~ 1735
~~obtaining or maintaining the private health insurance;~~ 1736

~~(b)~~ When ~~either~~ the parent requests to obtain or maintain 1737
the private health insurance that exceeds ~~five per cent of that~~ 1738
~~parent's annual gross income~~ a reasonable cost; 1739

~~(e)~~ (b) When the court determines that it is in the best 1740
interest of the children for a parent to obtain and maintain 1741
private health insurance that exceeds ~~five per cent of that~~ 1742
~~parent's annual gross income~~ a reasonable cost and the cost will 1743
not impose an undue financial burden on either parent. If the 1744
court makes such a determination, the court must include the 1745
facts and circumstances of the determination in the child 1746
support order. 1747

(3) If private health insurance is available at a 1748
reasonable cost to either parent through a group policy, 1749
contract, or plan, and the court determines that it is not in 1750
the best interest of the children to utilize the available 1751
private health insurance, the court shall state the facts and 1752
circumstances of the determination in the child support order. 1753
~~The court determination under this division shall not limit any~~ 1754
~~obligation to provide cash medical support pursuant to section~~ 1755
~~3119.30 of the Revised Code.~~ 1756

(4) Notwithstanding division ~~(A)~~ ~~(4)~~ (C) of section 3119.29 1757
of the Revised Code, the court or agency may ~~allow private~~ 1758
~~health insurance~~ do either of the following: 1759

(a) Permit primary care services to be farther than thirty 1760

miles if residents in part or all of the immediate geographic 1761
area customarily travel farther distances ~~or if~~; 1762

(b) Require primary care services ~~are be~~ accessible ~~only~~ 1763
by public transportation if public transportation is the 1764
obligee's only source of transportation. 1765

~~The~~ If the court or agency makes either accessibility 1766
determination, it shall include this accessibility determination 1767
in the child support order. 1768

(B) The director of job and family services shall ~~create~~ 1769
~~and annually periodically~~ update a ~~table to be used to determine~~ 1770
the amount of the cash medical support obligation to be paid 1771
pursuant to division (C) of section 3119.30 of the Revised Code. 1772
The ~~table updates~~ shall ~~incorporate potential combined gross~~ 1773
~~incomes of the parties, in a manner determined by the director,~~ 1774
~~and the~~ be made in consideration of the medical expenditure 1775
panel survey, conducted by the United States department of 1776
~~agriculture estimated annual health care expenditure per child~~ 1777
~~as determined in accordance with federal law and regulation~~ 1778
health and human services for health care research and quality. 1779
The amount shall be based on the most recent survey year data 1780
available and shall be calculated by multiplying the total 1781
amount expended for health services for children by the 1782
percentage that is out-of-pocket divided by the number of 1783
individuals less than eighteen years of age that have any 1784
private insurance. 1785

Sec. 3119.303. A cash medical support order shall be 1786
administered, reviewed, modified, and enforced in the same 1787
manner as the underlying child support order. 1788

Sec. 3119.31. In any action or proceeding in which a court 1789

or child support enforcement agency is determining the person 1790
responsible for the health care of the children who are or will 1791
be the subject of a child support order, each party shall 1792
provide to the court or child support enforcement agency a list 1793
of any group health insurance policies, contracts, or plans 1794
available to the party and the cost for self-only and family 1795
coverage under the available policies, contracts, or plans. 1796

Sec. 3119.32. A child support order shall contain all of 1797
the following: 1798

(A) (1) If the obligor, obligee, or both obligor and 1799
obligee, are required under section 3119.30 of the Revised Code 1800
to provide private health insurance coverage for the children, a 1801
requirement ~~pursuant to section 3119.30 of the Revised Code~~ that 1802
whoever is required to provide private health insurance coverage 1803
provide to the other, not later than thirty days after the 1804
issuance of the order, information regarding the benefits, 1805
limitations, and exclusions of the coverage, copies of any 1806
insurance forms necessary to receive reimbursement, payment, or 1807
other benefits under the coverage, and a copy of any necessary 1808
insurance cards; 1809

(2) If the obligor, obligee, or both obligor and obligee, 1810
are required under section 3119.30 of the Revised Code to 1811
provide private health insurance coverage for the children, a 1812
requirement that whoever is required to provide private health 1813
insurance coverage provide to the child support enforcement 1814
agency, not later than thirty days after the issuance of the 1815
order, documentation that verifies that coverage is being 1816
provided as ordered. 1817

(B) A statement setting forth the name, ~~and~~ address, ~~and~~ 1818
~~telephone number~~ of the individual who is to be reimbursed for 1819

~~out of pocket medical expenses, optical, hospital, dental, or
prescription expenses paid for each child and a statement that
the health plan administrator that provides the private health
insurance coverage for the children may continue making payment
for medical, optical, hospital, dental, or prescription services
directly to any health care provider in accordance with the
applicable private health insurance policy, contract, or plan.~~

(C) A requirement that a person required to provide
private health insurance coverage for the children designate the
children as covered dependents under any private health
insurance policy, contract, or plan for which the person
contracts.

(D) A requirement that the obligor, the obligee, or both
of them under a formula established by the court, with respect
to a court child support order, or the child support enforcement
agency, with respect to an administrative child support order,
pay ~~co payment or deductible costs required under the private
health insurance policy, contract, or plan that covers
extraordinary medical expenses for the children.~~

(E) A notice that the employer of the person required to
obtain private health insurance coverage through that employer
is required to release to the other parent, any person subject
to an order issued under section 3109.19 of the Revised Code, or
the child support enforcement agency on written request any
necessary information on the private health insurance coverage,
including the name and address of the health plan administrator
and any policy, contract, or plan number, and to otherwise
comply with this section and any order or notice issued under
this section.

(F) A statement setting forth the full name and date of

birth of each child who is the subject of the child support order~~†.~~ 1850
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~~(G) A requirement that the obligor and the obligee comply with any requirement described in section 3119.30 of the Revised Code and divisions (A) and (C) of this section that is contained in an order issued in compliance with this section no later than thirty days after the issuance of the order;†~~ 1852
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~~(H) A notice that states the following: "If the person required to obtain private health care insurance coverage for the children subject to this child support order obtains new employment, the agency shall comply with the requirements of section 3119.34 of the Revised Code, which may result in the issuance of a notice requiring the new employer to take whatever action is necessary to enroll the children in private health care insurance coverage provided by the new employer, when insurance is not being provided by any other source."~~ 1857
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~~(I) A statement that, upon receipt of notice by the child support enforcement agency that private health insurance coverage is not available at a reasonable cost, cash medical support shall be paid in the amount as determined by the child support computation worksheets in section 3119.022 or 3119.023 of the Revised Code, as applicable. The child support enforcement agency may change the financial obligations of the parties to pay child support in accordance with the terms of the court or administrative order and cash medical support without a hearing or additional notice to the parties.~~ 1866
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Sec. 3119.61. The child support enforcement agency shall review an administrative child support order on the date established pursuant to section 3119.60 of the Revised Code for formally beginning the review of the order. If the agency 1876
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determines that a modification is necessary and in the best 1880
interest of the child subject to the order, the agency shall 1881
calculate the amount the obligor shall pay in accordance with 1882
the basic child support schedule established pursuant to section 1883
3119.021 of the Revised Code. The agency may not grant a 1884
deviation pursuant to section 3119.23 of the Revised Code from 1885
the guidelines ~~set forth in~~ established pursuant to section 1886
3119.021 of the Revised Code. If the agency can set the child 1887
support amount the obligor is to pay without granting such a 1888
deviation from the guidelines, the agency shall do the 1889
following: 1890

(A) Give the obligor and obligee notice of the revised 1891
amount of child support to be paid under the administrative 1892
child support order, of their right to request an administrative 1893
hearing on the revised child support amount, of the procedures 1894
and time deadlines for requesting the hearing, and that the 1895
agency will modify the administrative child support order to 1896
include the revised child support amount unless the obligor or 1897
obligee requests an administrative hearing on the revised amount 1898
no later than thirty days after receipt of the notice under this 1899
division; 1900

(B) If neither the obligor nor obligee timely requests an 1901
administrative hearing on the revised amount of child support, 1902
modify the administrative child support order to include the 1903
revised child support amount; 1904

(C) If the obligor or obligee timely requests an 1905
administrative hearing on the revised amount of child support, 1906
do all of the following: 1907

(1) Schedule a hearing on the issue; 1908

(2) Give the obligor and obligee notice of the date, time, and location of the hearing; 1909
1910

(3) Conduct the hearing in accordance with the rules adopted under section 3119.76 of the Revised Code; 1911
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(4) Redetermine at the hearing a revised amount of child support to be paid under the administrative child support order; 1913
1914

(5) Modify the order to include the revised amount of child support; 1915
1916

(6) Give notice to the obligor and obligee of the amount of child support to be paid under the order and that the obligor and obligee may object to the modified order by initiating an action under section 2151.231 of the Revised Code in the juvenile court or other court with jurisdiction under section 2101.022 or 2301.03 of the Revised Code of the county in which the mother, the father, the child, or the guardian or custodian of the child reside. 1917
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Except as otherwise provided in section 3119.772 of the Revised Code, if the agency modifies an existing administrative child support order, the modification shall relate back to the first day of the month following the date certain on which the review began under section 3119.60 of the Revised Code. 1925
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If the agency cannot set the amount of child support the obligor will pay under the administrative child support order without granting a deviation pursuant to section 3119.23 of the Revised Code, the agency shall bring an action under section 2151.231 of the Revised Code on behalf of the person who requested that the agency review the existing administrative order or, if no one requested the review, on behalf of the obligee, in the juvenile court or other court with jurisdiction 1930
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under section 2101.022 or 2301.03 of the Revised Code of the 1938
county in which the agency is located requesting that the court 1939
issue a child support order. 1940

Sec. 3119.63. The child support enforcement agency shall 1941
review a court child support order on the date established 1942
pursuant to section 3119.60 of the Revised Code for formally 1943
beginning the review of the order and shall do all of the 1944
following: 1945

(A) Calculate a revised amount of child support to be paid 1946
under the court child support order; 1947

(B) If the court child support order under review contains 1948
a deviation granted under sections 3119.06, 3119.22, 3119.23, 1949
3119.231, and 3119.24 of the Revised Code, apply the deviation 1950
from the existing order to the revised amount of child support, 1951
provided that the agency can determine the monetary or 1952
percentage value of the deviation with respect to the court 1953
child support order. If the agency cannot determine the monetary 1954
or percentage value of the deviation, the agency shall not apply 1955
the deviation to the revised amount of child support. 1956

(C) Give the obligor and obligee notice of the revised 1957
amount of child support, of their right to request an 1958
administrative hearing on the revised amount, of the procedures 1959
and time deadlines for requesting the hearing, and that the 1960
revised amount of child support will be submitted to the court 1961
for inclusion in a revised court child support order unless the 1962
obligor or obligee requests an administrative hearing on the 1963
proposed change within fourteen days after receipt of the notice 1964
under this division; 1965

~~(C)~~-(D) Give the obligor and obligee notice that if the 1966

court child support order contains a deviation granted under 1967
section 3119.06, 3119.22, 3119.23, or 3119.24 of the Revised 1968
Code, a parenting time adjustment granted under section 3119.051 1969
of the Revised Code, or if the obligor or obligee intends to 1970
request a deviation from the child support amount to be paid 1971
under the court child support order, the obligor and obligee 1972
have a right to request a court hearing on the revised amount of 1973
child support without first requesting an administrative hearing 1974
and that the obligor or obligee, in order to exercise this 1975
right, must make the request for a court hearing no later than 1976
fourteen days after receipt of the notice; 1977

~~(D)~~ (E) If neither the obligor nor the obligee timely 1978
requests, pursuant to division (C) or (D) of this section, an 1979
administrative or court hearing on the revised amount of child 1980
support, submit the revised amount of child support to the court 1981
for inclusion in a revised court child support order; 1982

~~(E)~~ (F) If the obligor or the obligee timely requests an 1983
administrative hearing on the revised child support amount, 1984
schedule a hearing on the issue, give the obligor and obligee 1985
notice of the date, time, and location of the hearing, conduct 1986
the hearing in accordance with the rules adopted under section 1987
3119.76 of the Revised Code, redetermine at the hearing a 1988
revised amount of child support to be paid under the court child 1989
support order, and give notice to the obligor and obligee of the 1990
revised amount of child support, that they may request a court 1991
hearing on the revised amount, and that the agency will submit 1992
the revised amount of child support to the court for inclusion 1993
in a revised court child support order, if neither the obligor 1994
nor the obligee requests a court hearing on the revised amount 1995
of child support; 1996

~~(F)~~ (G) If neither the obligor nor the obligee requests, 1997
pursuant to division ~~(E)~~ (F) of this section, a court hearing on 1998
the revised amount of child support, submit the revised amount 1999
of child support to the court for inclusion in a revised court 2000
child support order. 2001

Sec. 3119.76. The director of job and family services 2002
shall adopt rules pursuant to Chapter 119. of the Revised Code 2003
establishing a procedure for determining when existing child 2004
support orders should be reviewed to determine whether it is 2005
necessary and in the best interest of the children who are the 2006
subject of the child support order to change the child support 2007
order. The rules shall include, but are not limited to, all of 2008
the following: 2009

(A) Any procedures necessary to comply with section 666(a) 2010
(10) of Title 42 of the U.S. Code, "Family Support Act of 1988," 2011
102 Stat. 2346, 42 U.S.C. 666(a) (10), as amended, and any 2012
regulations adopted pursuant to, or to enforce, that section; 2013

(B) Procedures for determining what child support orders 2014
are to be subject to review upon the request of either the 2015
obligor or the obligee or periodically by the child support 2016
enforcement agency administering the child support order; 2017

(C) Procedures for the child support enforcement agency to 2018
periodically review and to review, upon the request of the 2019
obligor or the obligee, any child support order that is subject 2020
to review to determine whether the amount of child support paid 2021
under the child support order should be adjusted in accordance 2022
with the basic child support schedule ~~set forth in established~~ 2023
pursuant to section 3119.021 of the Revised Code or whether the 2024
provisions for the child's health care needs under the child 2025
support order should be modified in accordance with sections 2026

3119.29 to 3119.56 of the Revised Code; 2027

(D) Procedures for giving obligors and obligees notice of 2028
their right to request a review of a child support order that is 2029
determined to be subject to review, notice of any proposed 2030
revision of the amount of child support to be paid under the 2031
child support order, notice of the procedures for requesting a 2032
hearing on any proposed revision of the amount of child support 2033
to be paid under a child support order, notice of any 2034
administrative hearing to be held on a proposed revision of the 2035
amount of child support to be paid under a child support order, 2036
at least forty-five days' prior notice of any review of their 2037
child support order, and notice that a failure to comply with 2038
any request for documents or information to be used in the 2039
review of a child support order is contempt of court; 2040

(E) Procedures for obtaining the necessary documents and 2041
information necessary to review child support orders and for 2042
holding administrative hearings on a proposed revision of the 2043
amount of child support to be paid under a child support order; 2044

(F) Procedures for adjusting child support orders in 2045
accordance with the basic child support schedule ~~set forth in~~ 2046
created pursuant to section 3119.021 of the Revised Code and the 2047
applicable worksheet ~~in~~ created under rules adopted under 2048
section 3119.022 ~~or 3119.023~~ of the Revised Code, ~~through the~~ 2049
~~line establishing the actual annual obligation;~~ 2050

(G) Procedures for adjusting the provisions of the child 2051
support order governing the health care needs of the child 2052
pursuant to sections 3119.29 to 3119.56 of the Revised Code. 2053

Sec. 3119.79. (A) If an obligor or obligee under a child 2054
support order requests that the court modify the amount of child 2055

support required to be paid pursuant to the child support order, 2056
the court shall recalculate the amount of support that would be 2057
required to be paid under the child support order in accordance 2058
with the schedule and the applicable worksheet ~~through the line~~ 2059
~~establishing the actual annual obligation.~~ If that amount as 2060
recalculated is more than ten per cent greater than or more than 2061
ten per cent less than the amount of child support required to 2062
be paid pursuant to the existing child support order, the 2063
deviation from the recalculated amount that would be required to 2064
be paid under the schedule and the applicable worksheet shall be 2065
considered by the court as a change of circumstance substantial 2066
enough to require a modification of the child support amount. 2067

(B) ~~In determining the recalculated support amount that~~ 2068
~~would be required to be paid under the child support order for~~ 2069
~~purposes of determining whether that recalculated amount is more~~ 2070
~~than ten per cent greater than or more than ten per cent less~~ 2071
~~than the amount of child support required to be paid pursuant to~~ 2072
~~the existing child support order, the court shall consider, in~~ 2073
~~addition to all other factors required by law to be considered,~~ 2074
~~the cost of health insurance the obligor, the obligee, or both~~ 2075
~~the obligor and the obligee have been ordered to obtain for the~~ 2076
~~children specified in the order. Additionally, if an obligor or~~ 2077
~~obligee under a child support order requests that the court~~ 2078
~~modify the support amount required to be paid pursuant to the~~ 2079
~~child support order and if~~ If the court determines that the 2080
~~amount of support does not adequately meet the medical needs of~~ 2081
~~the child~~ are not being met because of inadequate health 2082
insurance coverage, the inadequate coverage shall be considered 2083
by the court as a change of circumstance that is substantial 2084
enough to require a modification of the ~~amount of the child~~ 2085
support order. 2086

(C) If the court determines that the amount of child support required to be paid under the child support order should be changed due to a substantial change of circumstances that was not contemplated at the time of the issuance of the original child support order or the last modification of the child support order, the court shall modify the amount of child support required to be paid under the child support order to comply with the schedule and the applicable worksheet ~~through the line establishing the actual annual obligation~~, unless the court determines that ~~the amount~~ those amounts calculated pursuant to the basic child support schedule and pursuant to the applicable worksheet would be unjust or inappropriate and ~~would therefore not be~~ in the best interest of the child and enters in the journal the figure, determination, and findings specified in section 3119.22 of the Revised Code.

Sec. 3119.89. (A) Upon receipt of a notice pursuant to section 3119.87 of the Revised Code, the child support enforcement agency administering a child support order, within twenty days after receipt of the notice, shall complete an investigation. The agency administering a child support order may conduct an investigation upon its own initiative if it otherwise has reason to believe that there may be a reason for which the order should terminate. The agency's investigation shall determine the following:

(1) Whether any reason exists for which the order should terminate;

(2) Whether there are other children subject to the order;

(3) Whether the obligor owes any arrearages under the order;

(4) Whether the agency believes it is necessary to 2116
continue withholding or deduction pursuant to a notice or order 2117
described in section 3121.03 of the Revised Code for the other 2118
children or arrearages; 2119

(5) Whether child support amounts paid pursuant to the 2120
order being investigated should be impounded because 2121
continuation of receipt and disbursement would lead to an 2122
overpayment by the obligor. 2123

(B) If the agency, pursuant to the investigation under 2124
division (A) of this section, determines that other children are 2125
subject to the child support order and that it is necessary to 2126
continue withholding or deduction for the other children, the 2127
agency shall divide the child support amount due annually and 2128
per month under the order by the number of children who are the 2129
subject of the order and subtract the amount due for the child 2130
for whom the order should be terminated from the total child 2131
support amount due annually and per month. The resulting annual 2132
and per month child support amount shall be included in the 2133
results of the agency's investigation as the recommended child 2134
support amount due annually and monthly under a revised child 2135
support order. If arrearage amounts are owed, those amounts may 2136
be included as part of the recommended child support amount. The 2137
investigation under division (A) of this section shall not 2138
include a review pursuant to sections 3119.60 to 3119.76 of the 2139
Revised Code of any other children subject to the child support 2140
order. 2141

Sec. 3121.36. The termination of a court support order or 2142
administrative child support order does not abate the power of 2143
any court or child support enforcement agency to collect any 2144
overdue and unpaid support or arrearage owed under the 2145

terminated support order or the power of the court to punish any 2146
person for a failure to comply with, or to pay any support as 2147
ordered in, the terminated support order. The termination does 2148
not abate the authority of the court or agency to issue any 2149
notice described in section 3121.03 of the Revised Code or to 2150
issue any applicable order as described in division (C) or (D) 2151
of section 3121.03 of the Revised Code to collect any overdue 2152
and unpaid support or arrearage owed under the terminated 2153
support order. If a notice is issued pursuant to section 3121.03 2154
of the Revised Code to collect the overdue and unpaid support or 2155
arrearage, the amount withheld or deducted from the obligor's 2156
personal earnings, income, or accounts shall be rebuttably 2157
presumed to be at least equal to the amount that was withheld or 2158
deducted under the terminated child support order. A court or 2159
agency administering the child support order may consider 2160
evidence of household expenditures, income variables, 2161
extraordinary health care issues, and other reasons for 2162
deviation from the presumed amount. 2163

Sec. 3123.14. If a child support order is terminated for 2164
any reason, the obligor under the child support order is or was 2165
at any time in default under the support order and, after the 2166
termination of the order, the obligor owes an arrearage under 2167
the order, the obligee may make application to the child support 2168
enforcement agency that administered the child support order 2169
prior to its termination or had authority to administer the 2170
child support order to maintain any action or proceeding on 2171
behalf of the obligee to obtain a judgment, execution of a 2172
judgment through any available procedure, an order, or other 2173
relief. If a withholding or deduction notice is issued pursuant 2174
to section 3121.03 of the Revised Code to collect an arrearage, 2175
the amount withheld or deducted from the obligor's personal 2176

earnings, income, or accounts shall be rebuttably presumed to be 2177
at least equal to the amount that was withheld or deducted under 2178
the terminated child support order. A court or agency 2179
administering the child support order may consider evidence of 2180
household expenditures, income variables, extraordinary health 2181
care issues, and other reasons for deviation from the presumed 2182
amount. 2183

Section 2. That existing sections 3119.01, 3119.02, 2184
3119.021, 3119.04, 3119.05, 3119.06, 3119.22, 3119.23, 3119.24, 2185
3119.29, 3119.30, 3119.302, 3119.31, 3119.32, 3119.61, 3119.63, 2186
3119.76, 3119.79, 3119.89, 3121.36, and 3123.14 and section 2187
3119.022, 3119.023, and 3119.024 of the Revised Code are hereby 2188
repealed. 2189

Section 3. Sections 1 and 2 of this act take effect six 2190
months after the effective date of this act. During that six- 2191
month period, the Ohio department of job and family services 2192
shall perform necessary automated system changes and may 2193
organize and oversee the statewide training of local child 2194
support enforcement agencies, lawyers who practice in child 2195
support, and judges who preside over child support cases. 2196