

HOUSE BILL NO. HB0298

Child support income-amendment.

Sponsored by: Representative(s) Diercks

A BILL

for

1 AN ACT relating to child support; defining income for the
2 purposes of determining child support; defining related
3 terms; and providing for an effective date.

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5 *Be It Enacted by the Legislature of the State of Wyoming:*

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7 **Section 1.** W.S. 20-2-303(a)(ii) and by creating new
8 paragraphs (v) and (vi) is amended to read:

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10 **20-2-303. Definitions.**

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12 (a) As used in this article:

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14 (ii) "Income" means any form of payment or
15 return in money or in kind to an individual, regardless of
16 source. Income includes, but is not limited to wages,
17 earnings, salary, commission, compensation as an

1 independent contractor, temporary total disability,
2 permanent partial disability and permanent total disability
3 worker's compensation payments, unemployment compensation,
4 disability, annuity and retirement benefits, and any other
5 payments made by any payor, but shall not include any
6 earnings derived from overtime work unless the court, after
7 considering all overtime earnings derived in the preceding
8 twenty-four (24) month period, determines the overtime
9 earnings can reasonably be expected to continue on a
10 consistent basis. In determining income, all reasonable
11 unreimbursed legitimate business expenses and depreciation
12 of business assets allowable under state or federal law
13 shall be deducted. Means tested sources of income such as
14 Pell grants, aid under the personal opportunities with
15 employment responsibilities (POWER) program, food stamps
16 and supplemental security income (SSI) shall not be
17 considered as income. Gross income also means potential
18 income of parents who are voluntarily unemployed or
19 underemployed;

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21 (v) "Business assets" means tangible property of
22 all kinds, including buildings, facilities and equipment,
23 primarily used in the operation of the business and not
24 intended for sale or permanent transfer;

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(vi) "Depreciation" means a reduction in value due to wear, tear, decay, corrosion or gradual obsolescence of a fixed asset having a useful life of more than one (1) year.

Section 2. This act is effective July 1, 2003.

(END)