

SENATE FILE NO. SF0059

Child support amendments.

Sponsored by: Joint Judiciary Interim Committee

A BILL

for

1 AN ACT relating to child support; amending the child  
2 support guidelines; conforming a provision; and providing  
3 for an effective date.

4

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

6

7 **Section 1.** W.S. 20-2-304(a), (b) and by creating a  
8 new subsection (e) is amended to read:

9

10 **20-2-304. Presumptive child support.**

11

12 (a) Child support shall be expressed in a specific  
13 dollar amount. The following child support tables shall be  
14 used to determine the total child support obligation  
15 considering the combined income of both parents. The  
16 appropriate table is based upon the number of children for  
17 whom the parents share joint legal responsibility and for

1 whom support is being sought. After the combined net income  
 2 of both parents is determined it shall be used in the first  
 3 column of the tables to find the appropriate line from  
 4 which the total child support obligation of both parents  
 5 can be computed from the third column. The child support  
 6 obligation computed from the third column of the tables  
 7 shall be divided between the parents in proportion to the  
 8 net income of each. The noncustodial parent's share of the  
 9 joint child support obligation shall be paid to the  
 10 custodial parent through the clerk of court.

11

12 (i) One (1) child:

13

14	Net Monthly	Percentage of	
15	Income of	Income	
16	Both	Allocated For	Base Support Plus
17	Parents	One Child	Marginal Percentage

18

19 ~~\$732.00 25.4 \$186.00 + 24.3% over \$ 732.00~~

20 ~~\$1,179.00 25.0 \$295.00 + 17.2% over \$1,179.00~~

21 ~~\$1,603.00 23.0 \$368.00 + 17.1% over \$1,603.00~~

22 ~~\$2,058.00 21.7 \$446.00 + 14.1% over \$2,058.00~~

23 ~~\$2,674.00 19.9 \$533.00 + 13.7% over \$2,674.00~~

24 ~~\$3,796.00 18.2 \$689.00 + 12.7% over \$3,796.00~~

1	<del>\$4,680.00</del>	<del>17.1</del>	<del>\$802.00 + 11.1% over \$4,680.00</del>
2	<del>\$5,885.00</del>	<del>15.9</del>	<del>\$936.00 + 10.0% of anything</del>
3			<del>over \$5,885.00</del>
4	<u>\$833.00</u>	<u>26.2</u>	<u>\$218.00 + 24.3% over \$ 833.00</u>
5	<u>\$2,083.00</u>	<u>25.1</u>	<u>\$522.00 + 23.3% over \$2,083.00</u>
6	<u>\$2,917.00</u>	<u>24.6</u>	<u>\$716.00 + 12.9% over \$2,917.00</u>
7	<u>\$3,750.00</u>	<u>22.0</u>	<u>\$824.00 + 10.7% over \$3,750.00</u>
8	<u>\$5,000.00</u>	<u>19.2</u>	<u>\$958.00 + 9.9% over \$5,000.00</u>
9	<u>\$6,667.00</u>	<u>16.8</u>	<u>\$1,122.00 + 9.4% over \$6,667.00</u>
10	<u>\$8,958.00</u>	<u>14.9</u>	<u>\$1,338.00 + 5.9% of anything</u>
11			<u>over \$8,958.00</u>

13 (ii) Two (2) children:

14

15	Net Monthly	Percentage of	
16	Income of	Income	
17	Both	Allocated For	Base Support Plus
18	Parents	Two Children	Marginal Percentage

20	<del>\$732.00</del>	<del>35.9</del>	<del>\$263.00 + 33.1% over \$ 732.00</del>
21	<del>\$1,179.00</del>	<del>34.9</del>	<del>\$411.00 + 24.0% over \$1,179.00</del>
22	<del>\$1,603.00</del>	<del>32.0</del>	<del>\$513.00 + 21.9% over \$1,603.00</del>
23	<del>\$2,058.00</del>	<del>29.8</del>	<del>\$613.00 + 20.4% over \$2,058.00</del>
24	<del>\$2,674.00</del>	<del>27.6</del>	<del>\$739.00 + 19.7% over \$2,674.00</del>

1	<del>\$3,796.00</del>	<del>25.3</del>	<del>\$961.00 + 18.3% over \$3,796.00</del>
2	<del>\$4,680.00</del>	<del>24.0</del>	<del>\$1,123.00 + 15.6% over \$4,680.00</del>
3	<del>\$5,885.00</del>	<del>22.3</del>	<del>\$1,311.00 + 15.0% of anything</del>
4			<del>over \$5,885.00</del>
5	<u>\$833.00</u>	<u>36.8</u>	<u>\$307.00 + 33.8% over \$ 833.00</u>
6	<u>\$2,083.00</u>	<u>35.0</u>	<u>\$729.00 + 31.9% over \$2,083.00</u>
7	<u>\$2,917.00</u>	<u>34.1</u>	<u>\$995.00 + 16.4% over \$2,917.00</u>
8	<u>\$3,750.00</u>	<u>30.2</u>	<u>\$1,131.00 + 13.1% over \$3,750.00</u>
9	<u>\$5,000.00</u>	<u>25.9</u>	<u>\$1,295.00 + 12.5% over \$5,000.00</u>
10	<u>\$6,667.00</u>	<u>22.5</u>	<u>\$1,503.00 + 12.5% over \$6,667.00</u>
11	<u>\$8,958.00</u>	<u>20.0</u>	<u>\$1,790.00 + 7.0% of anything</u>
12			<u>over \$8,958.00</u>

14 (iii) Three (3) children:

15

16	Net Monthly	Percentage of	
17	Income of	Income	
18	Both	Allocated For	Base Support Plus
19	Parents	Three Children	Marginal Percentage

21	<del>\$732.00</del>	<del>40.8</del>	<del>\$299.00 + 38.7% over \$ 732.00</del>
22	<del>\$1,179.00</del>	<del>40.0</del>	<del>\$472.00 + 29.0% over \$1,179.00</del>
23	<del>\$1,603.00</del>	<del>37.1</del>	<del>\$595.00 + 25.0% over \$1,603.00</del>
24	<del>\$2,058.00</del>	<del>34.5</del>	<del>\$709.00 + 23.3% over \$2,058.00</del>

1	<del>\$2,674.00</del>	<del>31.9</del>	<del>\$853.00 + 22.9% over \$2,674.00</del>
2	<del>\$3,796.00</del>	<del>29.3</del>	<del>\$1,111.00 + 20.0% over \$3,796.00</del>
3	<del>\$4,680.00</del>	<del>27.5</del>	<del>\$1,288.00 + 16.6% over \$4,680.00</del>
4	<del>\$5,885.00</del>	<del>25.3</del>	<del>\$1,489.00 + 16.0% of anything</del>
5			<del>over \$5,885.00</del>
6	<u>\$833.00</u>	<u>42.7</u>	<u>\$356.00 + 38.7% over \$ 833.00</u>
7	<u>\$2,083.00</u>	<u>40.3</u>	<u>\$840.00 + 36.4% over \$2,083.00</u>
8	<u>\$2,917.00</u>	<u>39.2</u>	<u>\$1,144.00 + 16.8% over \$2,917.00</u>
9	<u>\$3,750.00</u>	<u>34.2</u>	<u>\$1,284.00 + 13.3% over \$3,750.00</u>
10	<u>\$5,000.00</u>	<u>29.0</u>	<u>\$1,450.00 + 13.7% over \$5,000.00</u>
11	<u>\$6,667.00</u>	<u>25.2</u>	<u>\$1,677.00 + 12.2% over \$6,667.00</u>
12	<u>\$8,958.00</u>	<u>21.9</u>	<u>\$1,958.00 + 7.7% of anything</u>
13			<u>over \$8,958.00</u>

15 (iv) Four (4) children:

16

17	Net Monthly	Percentage of	
18	Income of	Income	
19	Both	Allocated For	Base Support Plus
20	Parents	Four Children	Marginal Percentage

22	<del>\$732.00</del>	<del>48.2</del>	<del>\$353.00 + 45.6% over \$ 732.00</del>
23	<del>\$1,179.00</del>	<del>47.2</del>	<del>\$557.00 + 34.1% over \$1,179.00</del>
24	<del>\$1,603.00</del>	<del>43.8</del>	<del>\$702.00 + 29.8% over \$1,603.00</del>

1	<del>\$2,058.00</del>	<del>40.7</del>	<del>\$838.00 + 28.0% over \$2,058.00</del>
2	<del>\$2,674.00</del>	<del>37.8</del>	<del>\$1,011.00 + 27.5% over \$2,674.00</del>
3	<del>\$3,796.00</del>	<del>34.8</del>	<del>\$1,320.00 + 22.5% over \$3,796.00</del>
4	<del>\$4,680.00</del>	<del>32.5</del>	<del>\$1,519.00 + 20.0% over \$4,680.00</del>
5	<del>\$5,885.00</del>	<del>29.9</del>	<del>\$1,761.00 + 19.3% of anything</del>
6			<del>over \$5,885.00</del>
7	<u>\$833.00</u>	<u>47.6</u>	<u>\$ 397.00 + 43.2% over \$ 833.00</u>
8	<u>\$2,083.00</u>	<u>45.0</u>	<u>\$ 937.00 + 40.6% over \$2,083.00</u>
9	<u>\$2,917.00</u>	<u>43.7</u>	<u>\$1,275.00 + 18.7% over \$2,917.00</u>
10	<u>\$3,750.00</u>	<u>38.2</u>	<u>\$1,431.00 + 14.8% over \$3,750.00</u>
11	<u>\$5,000.00</u>	<u>32.3</u>	<u>\$1,616.00 + 15.2% over \$5,000.00</u>
12	<u>\$6,667.00</u>	<u>28.1</u>	<u>\$1,870.00 + 13.7% over \$6,667.00</u>
13	<u>\$8,958.00</u>	<u>24.4</u>	<u>\$2,183.00 + 8.6% of anything</u>
14			<u>over \$8,958.00</u>

16 (v) Five (5) or more children:

18 Net Monthly      Percentage of  
19 Income of          Income  
20 Both              Allocated For          Base Support Plus  
21 Parents          Five Children          Marginal Percentage

23	<del>\$732.00</del>	<del>54.6</del>	<del>\$400.00 + 51.2% over \$ 732.00</del>
24	<del>\$1,179.00</del>	<del>53.4</del>	<del>\$629.00 + 39.6% over \$1,179.00</del>

1 ~~\$1,603.00~~ ~~49.8~~ ~~\$798.00 + 32.3% over \$1,603.00~~  
2 ~~\$2,058.00~~ ~~45.9~~ ~~\$945.00 + 32.7% over \$2,058.00~~  
3 ~~\$2,674.00~~ ~~42.9~~ ~~\$1,147.00 + 31.7% over \$2,674.00~~  
4 ~~\$3,796.00~~ ~~39.6~~ ~~\$1,503.00 + 23.7% over \$3,796.00~~  
5 ~~\$4,680.00~~ ~~36.6~~ ~~\$1,713.00 + 22.0% over \$4,680.00~~  
6 ~~\$5,885.00~~ ~~33.6~~ ~~\$1,979.00 + 21.3% of anything~~  
7 ~~over \$5,885.00~~  
8 \$833.00 52.4 \$ 436.00 + 47.5% over \$ 833.00  
9 \$2,083.00 49.5 \$1,030.00 + 44.7% over \$2,083.00  
10 \$2,917.00 48.1 \$1,403.00 + 20.6% over \$2,917.00  
11 \$3,750.00 42.0 \$1,575.00 + 16.3% over \$3,750.00  
12 \$5,000.00 35.6 \$1,778.00 + 16.8% over \$5,000.00  
13 \$6,667.00 30.9 \$2,057.00 + 15.0% over \$6,667.00  
14 \$8,958.00 26.8 \$2,402.00 + 9.4% of anything  
15 over \$8,958.00

16  
17 (b) Where the combined income of the custodial parent  
18 and the noncustodial parent is less than ~~seven hundred~~  
19 ~~thirty-two dollars (\$732.00)~~ eight hundred thirty-three  
20 dollars (\$833.00), the support obligation of the  
21 noncustodial parent shall be twenty-five percent (25%) of  
22 net income, but in no case shall the support obligation be  
23 less than fifty dollars (\$50.00) per month for each family

1 unit in which there are children to whom the noncustodial  
2 parent owes a duty of support.

3

4 (e) If a proportion of a support obligor's social  
5 security or veteran's benefit is paid directly to the  
6 custodian of the obligor's dependents who are the subject  
7 of the child support order, the total amount of the social  
8 security or veteran's benefit, including the amounts paid  
9 to the obligor and custodian under the child support order,  
10 shall be counted as gross income to the obligor. However,  
11 in determining the support amount, the amount of the social  
12 security or veteran's benefit sent directly to the  
13 custodian shall be subtracted from the obligor's share of  
14 presumptive support. If the subtraction of the social  
15 security or veteran's benefit sent directly to the  
16 custodian results in a negative dollar amount, the support  
17 amount shall be set at zero. The child support obligation  
18 shall be offset by the amount of the social security or  
19 veteran's benefit sent directly to the custodian, beginning  
20 from the time the custodian began receiving the social  
21 security or veteran's benefit. The obligor or the  
22 department of family services may apply to the court to  
23 receive a credit against arrears for any social security or  
24 veteran's benefits that are paid retroactively to the



1 custodian. For purposes of this subsection, "custodian"  
2 means the custodian of dependent children under a child  
3 support order and the physical custodian of dependent  
4 children who are the subject of a child support order.

5

6 **Section 2.** This act is effective July 1, 2005.

7

8

(END)