



## House Bill 404 Updates

**Department for Income Support**  
**Commissioner Steven P. Veno**  
**Child Support Enforcement Director Lily Patteson**

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### Effective June 29, 2021 the following changes were implemented:

- KRS 403.211(9) "Extraordinary medical expenses" were increased
- KRS 403.212(2)(d) "Self-support reserve" was added to the statute, considering the subsistence needs of the payor parent with a limited ability to pay
- KRS 403.212(2)(e)(1-3) clarified that incarcerated parents shall not be found to be voluntarily unemployed or underemployed and that determination for potential income shall not be made for an incarcerated parent. Imputation of income considerations were amended.
- KRS 403.212(6)(b) updated language to parent from nonresidential custodian.
- KRS 403.212(7) updated guidelines table. The table now extends to a combined monthly adjusted parental gross income of \$30,000.
- A new section of KRS 403 was created related to shared parenting and how to determine the obligation of each parent in that situation (delayed implementation ).
- KRS 406.031 Retroactivity of child support obligation to two (2) years from the date of birth.

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## 921 Kentucky Administrative Regulation 1:400

As a result of the amendments to KRS 403.212, changes to 921 KAR 1:400 were required:

- **921 KAR 1:400 Emergency and Ordinary.**
  - Filed on June 29, 2021,
  - Update the Worksheet for Monthly Child Support Obligation (CS-71) and the Worksheet for Monthly Child Support Obligation (CS-71.1)
  - Instructions were added for parents that fall within the self-support reserve portion of the guidelines table. The Statement of Income and Resources (CS-65) was updated to reflect the changes made to KRS 403.212(e).
- **Timeline for 921 KAR 1:400.** The emergency regulation will have a public hearing, if requested on August 23, 2021 and written comments will be received through August 31, 2021. The ordinary regulation will have a public hearing date, if requested on September 27, 2021, and written comments will be received through September 30, 2021.

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## Delayed implementation (March 1, 2022) included in House Bill 404.

- A new section of KRS 403 was included in to address the issue of a shared parenting credit.
- Delayed start to allow modifications regarding the method of applying credit due to parenting time.
- The Child Support Enforcement program is actively engaged with key stakeholders and Rep. Massey (sponsor of House Bill 404).

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