AN ACT relating to child support.
Be it enacted by the General Assembly of the Commonwealth of Kentucky:
$\rightarrow$ SECTION 1. A NEW SECTION OF KRS CHAPTER 403 IS CREATED TO READ AS FOLLOWS:
(1) As used in this section, unless the context requires otherwise:
(a) "Day of parenting time" means that the parent has the responsibility and physical control of the child overnight; and
(b) "Shared parenting order" means an order for child custody that grants each parent physical custody of a child for more than one hundred nine (109) days of parenting time per year.
(2) This section shall not apply if the child or children subject to the child support award receive public assistance in the form of the Kentucky Transitional Assistance Program or kinship care.
(3) When one (1) parent exercises more than one hundred nine (109) days of parenting time, but has less than one hundred forty-six (146) days of parenting time, and is the obligor under a child support award in the case, the court may adjust the presumptive child support award under Section 4 of this Act if the court makes the following written findings:
(a) An adjustment does not result in a child support award that provides insufficient funds to the household receiving support to meet the child's basic needs;
(b) The shared parenting order results in a reduction in the financial expenditures incurred by the obligee parent;
(c) The shared parenting order results in an increase in the financial expenditures incurred by the obligor;
(d) An adjustment in the child support award is in the best interest of the child; and
(e) An adjustment in the presumptive child support award is equitable under all of the facts and circumstances of the case.
(4) When there is a shared parenting order that grants one (1) parent physical custody of a child for at least one hundred forty-six (146) days of parenting time, the court shall adjust the presumptive child support award if the court makes written findings as required under subsection (3) of this section.
(5) In a case pursuant to this section, the parent who is the obligor shall have the burden to prove by a preponderance of the evidence that all requirements under subsections (2) and (3) of this section are met before the court makes an adjustment to the presumptive child support award for shared parenting time.
(6) An adjustment to a child support award for shared parenting time under this section shall be calculated as follows:
(a) Compute the total child support obligation for the parents' combined incomes as determined under Section 3 of this Act and multiply this amount by one and one-half (1.5);
(b) Multiply each parent's percentage of combined monthly adjusted parental gross income by the result under paragraph (a) of this subsection;
(c) Multiply the results for each parent under paragraph (b) of this subsection by the percentage of days in one (1) year that each parent is granted physical custody of the child;
(d) Subtract the results under paragraph (c) of this subsection for each parent from the results under paragraph (b) of this subsection for each parent;
(e) Subtract the lesser amount calculated under paragraph (d) of this subsection from the greater amount calculated under paragraph (d) of this subsection; and
(f) Require the parent calculated to owe the greater amount under paragraph (d) of this subsection to pay the adjusted child support award amount

[^0](1) An action to establish or enforce child support may be initiated by the parent, custodian, or agency substantially contributing to the support of the child. The action may be brought in the county in which the child resides or where the defendant resides.
(2) Except as provided in Section 1 of this Act, at the time of initial establishment of a child support order, whether temporary or permanent, or in any proceeding to modify a support order, the child support guidelines in KRS 403.212 shall serve as a rebuttable presumption for the establishment or modification of the amount of child support. Courts may deviate from the guidelines where their application would be unjust or inappropriate. Any deviation shall be accompanied by a written finding or specific finding on the record by the court, specifying the reason for the deviation.
(3) A written finding or specific finding on the record that the application of the guidelines would be unjust or inappropriate in a particular case shall be sufficient to rebut the presumption and allow for an appropriate adjustment of the guideline award if based upon one (1) or more of the following criteria:
(a) A child's extraordinary medical or dental needs;
(b) A child's extraordinary educational, job training, or special needs;
(c) Either parent's own extraordinary needs, such as medical expenses;
(d) The independent financial resources, if any, of the child or children;
(e) Combined monthly adjusted parental gross income in excess of the Kentucky child support guidelines;
(f) The parents of the child, having demonstrated knowledge of the amount of child support established by the Kentucky child support guidelines, have agreed to child support different from the guideline amount. However, no such agreement shall be the basis of any deviation if public assistance is being paid on behalf of a child under the provisions of Part D of Title IV of the Federal Social Security Act; and
(g) Any similar factor of an extraordinary nature specifically identified by the court which would make application of the guidelines inappropriate.
(4) "Extraordinary" as used in this section shall be determined by the court in its discretion.
(5) When a party has defaulted or the court is otherwise presented with insufficient evidence to determine gross income, the court shall order child support based upon the needs of the child or the previous standard of living of the child, whichever is greater. An order entered by default or due to insufficient evidence to determine gross income may be modified upward and arrearages awarded from the date of the original order if evidence of gross income is presented within two (2) years which would have established a higher amount of child support pursuant to the child support guidelines set forth in KRS 403.212.
(6) The court shall allocate between the parents, in proportion to their combined monthly adjusted parental gross income, reasonable and necessary child care costs incurred due to employment, job search, or education leading to employment, in addition to the amount ordered under the child support guidelines.
(7) (a) Pursuant to 45 C.F.R. sec. 303.31(a)(2), for the purposes of this section, "health care coverage" includes fee for service, health maintenance organization, preferred provider organization, and other types of private health insurance and public health care coverage under which medical services could be provided to a dependent child. If health care coverage is reasonable in cost and accessible to either parent at the time the request for coverage is made, the court shall order the parent to obtain or maintain coverage, and the court shall allocate between the parents, in proportion to their combined monthly adjusted parental gross income, the cost of health care coverage for the child, in addition to the support ordered under the child support guidelines.
(b) A parent, who has one hundred percent (100\%) of the combined monthly
adjusted parental gross income, shall be entitled to a reduction in gross income of the entire amount of premiums incurred and paid.
(c) The court shall order the cost of health care coverage of the child to be paid by either or both parents of the child regardless of who has physical custody. The court order shall include:

1. A judicial directive designating which parent shall have financial responsibility for providing health care coverage for the dependent child, which shall include but not be limited to health care coverage, payments of necessary health care deductibles or copayments;
2. If appropriate, cash medical support. "Cash medical support" means an amount to be paid toward the cost of health care coverage, fixed payments for ongoing medical costs, extraordinary medical expenses, or any combination thereof; and
3. A statement providing that if the designated parent's health care coverage provides for covered services for dependent children beyond the age of majority, then any unmarried children up to twenty-five (25) years of age who are full-time students enrolled in and attending an accredited educational institution and who are primarily dependent on the insured parent for maintenance and support shall be covered.
(d) If health care coverage is not reasonable in cost and accessible at the time the request for the coverage is made, the court order shall provide for cash medical support until health care coverage becomes reasonable in cost and accessible.
(8) (a) For purposes of this section, "reasonable in cost" means that the cost of coverage to the responsible parent does not exceed five percent (5\%) of his or her gross income. The five percent (5\%) standard shall apply to the cost of adding the child to an existing policy, the difference in the cost between a
single and a family policy, or the cost of acquiring a separate policy to cover the child. If the parties agree or the court finds good cause exists, the court may order health care coverage in excess of five percent (5\%) of the parent's gross income.
(b) For purposes of this section, "accessible" means that there are providers who meet the health care needs of the child and who are located no more than sixty (60) minutes or sixty (60) miles from the child's primary residence, except that nothing shall prohibit use of a provider located more than sixty (60) minutes or sixty (60) miles from the child's primary residence.
(9) The cost of extraordinary medical expenses shall be allocated between the parties in proportion to their combined monthly adjusted parental gross incomes. "Extraordinary medical expenses" means uninsured expenses in excess of one hundred dollars (\$100) per child per calendar year. "Extraordinary medical expenses" includes but is not limited to the costs that are reasonably necessary for medical, surgical, dental, orthodontal, optometric, nursing, and hospital services; for professional counseling or psychiatric therapy for diagnosed medical disorders; and for drugs and medical supplies, appliances, laboratory, diagnostic, and therapeutic services.
(10) The court order shall include the Social Security numbers, provided in accordance with KRS 403.135, of all parties subject to a support order.
(11) In any case administered by the Cabinet for Health and Family Services, if the parent ordered to provide health care coverage is enrolled through an insurer but fails to enroll the child under family coverage, the other parent or the Cabinet for Health and Family Services may, upon application, enroll the child.
(12) In any case administered by the cabinet, information received or transmitted shall not be published or be open for public inspection, including reasonable evidence of domestic violence or child abuse if the disclosure of the information could be
harmful to the custodial parent or the child of the parent. Necessary information and records may be furnished as specified by KRS 205.175.
(13) In the case in which a parent is obligated to provide health care coverage, and changes employment, and the new employer provides health care coverage, the Cabinet for Health and Family Services shall transfer notice of the provision for coverage for the child to the employer, which shall operate to enroll this child in the obligated parent's health plan, unless the obligated parent contests the notice as specified by KRS Chapter 13B.
(14) Notwithstanding any other provision of this section, any wage or income shall not be exempt from attachment or assignment for the payment of current child support or owed or to-be-owed child support.
(15) A payment of money received by a child as a result of a parental disability shall be credited against the child support obligation of the parent. A payment shall not be counted as income to either parent when calculating a child support obligation. An amount received in excess of the child support obligation shall be credited against a child support arrearage owed by the parent that accrued subsequent to the date of the parental disability, but shall not be applied to an arrearage that accrued prior to the date of disability. The date of disability shall be as determined by the paying agency.
$\rightarrow$ Section 4. KRS 403.212 is amended to read as follows:
(1) The following provisions and child support table shall be the child support guidelines established for the Commonwealth of Kentucky.
(2) For the purposes of the child support guidelines:
(a) "Income" means actual gross income of the parent if employed to full capacity or potential income if unemployed or underemployed.
(b) "Gross income" includes income from any source, except as excluded in this subsection, and includes but is not limited to income from salaries, wages,
retirement and pension funds, commissions, bonuses, dividends, severance pay, pensions, interest, trust income, annuities, capital gains, Social Security benefits, workers' compensation benefits, unemployment insurance benefits, disability insurance benefits, Supplemental Security Income (SSI), gifts, prizes, and alimony or maintenance received. Specifically excluded are benefits received from means-tested public assistance programs, including but not limited to public assistance as defined under Title IV-A of the Federal Social Security Act, and food stamps.
(c) For income from self-employment, rent, royalties, proprietorship of a business, or joint ownership of a partnership or closely held corporation, "gross income" means gross receipts minus ordinary and necessary expenses required for self-employment or business operation. Straight-line depreciation, using Internal Revenue Service (IRS) guidelines, shall be the only allowable method of calculating depreciation expense in determining gross income. Specifically excluded from ordinary and necessary expenses for purposes of this guideline shall be investment tax credits or any other business expenses inappropriate for determining gross income for purposes of calculating child support. Income and expenses from self-employment or operation of a business shall be carefully reviewed to determine an appropriate level of gross income available to the parent to satisfy a child support obligation. In most cases, this amount will differ from a determination of business income for tax purposes. Expense reimbursement or in-kind payments received by a parent in the course of employment, self-employment, or operation of a business or personal use of business property or payments of expenses by a business, shall be counted as income if they are significant and reduce personal living expenses such as a company or business car, free housing, reimbursed meals, or club dues.
(d) If a parent is voluntarily unemployed or underemployed, child support shall be calculated based on a determination of potential income, except that a determination of potential income shall not be made for a parent who is incarcerated, physically or mentally incapacitated, or is caring for a very young child, age three (3) or younger, for whom the parents owe a joint legal responsibility. Potential income shall be determined based upon employment potential and probable earnings level based on the obligor's or obligee's recent work history, occupational qualifications, and prevailing job opportunities and earnings levels in the community. A court may find a parent to be voluntarily unemployed or underemployed without finding that the parent intended to avoid or reduce the child support obligation.
(e) "Imputed child support obligation" means the amount of child support the parent would be required to pay from application of the child support guidelines.
(f) Income statements of the parents shall be verified by documentation of both current and past income. Suitable documentation shall include, but shall not be limited to, income tax returns, paystubs, employer statements, or receipts and expenses if self-employed.
(g) "Combined monthly adjusted parental gross income" means the combined monthly gross incomes of both parents, less any of the following payments made by the parent:
4. The amount of pre-existing orders for current maintenance for prior spouses to the extent payment is actually made and the amount of current maintenance, if any, ordered paid in the proceeding before the court;
5. The amount of pre-existing orders of current child support for prior-born children to the extent payment is actually made under those orders; and
6. A deduction for the support to the extent payment is made, if a parent is legally responsible for and is actually providing support for other priorborn children who are not the subject of a particular proceeding. If the prior-born children reside with that parent, an "imputed child support obligation" shall be allowed in the amount which would result from application of the guidelines for the support of the prior-born children.
(h) "Split custody arrangement" means a situation where each parent is the residential custodian for one (1) or more children for whom the parents share a joint legal responsibility.
(3) The child support obligation set forth in the child support guidelines table shall be divided between the parents in proportion to their combined monthly adjusted parental gross income.
(4) The child support obligation shall be the appropriate amount for the number of children in the table for whom the parents share a joint legal responsibility. The minimum amount of child support shall be sixty dollars (\$60) per month.
(5) The court may use its judicial discretion in determining child support in circumstances where combined adjusted parental gross income exceeds the uppermost levels of the guideline table.
(6) The child support obligation in a split custody arrangement shall be calculated in the following manner:
(a) Two (2) separate child support obligation worksheets shall be prepared, one (1) for each household, using the number of children born of the relationship in each separate household, rather than the total number of children born of the relationship.
(b) The nonresidential custodian with the greater monthly obligation amount shall pay the difference between the obligation amounts, as determined by the worksheets, to the other parent.

1 (7) The child support guidelines table is as follows:

## COMBINED

MONTHLY
ADJUSTED
PARENTAL
GROSS SIX
INCOME ONE TWO THREE FOUR FIVE OR CHILD CHILDREN MORE $\begin{array}{llllllll}\$ & 0 & \$ 60 & \$ 60 & \$ 60 & \$ 60 & \$ 60 & \$ 60\end{array}$

| 100 | 60 | 60 | 60 | 60 | 60 | 60 |
| :--- | :--- | :--- | :--- | :--- | :--- | :--- |
| 200 | $\mathbf{6 5}$ | $\mathbf{6 8}$ | $\mathbf{7 1}$ | $\mathbf{8 0}$ | $\mathbf{8 8}$ | $\mathbf{9 5}$ |


| 300 | 80 | 92 | 107 | 120 | 132 | 143 |
| ---: | :---: | :---: | :---: | :---: | :---: | :---: |
| 400 | 90 | 123 | 142 | 159 | 175 | 190 |
| 500 | 107 | 153 | 177 | 198 | 217 | 236 |
| 600 | 127 | 182 | 211 | 235 | 259 | 281 |
| 700 | 148 | 211 | 245 | 273 | 301 | 327 |
| 800 | 168 | 240 | 279 | 311 | 343 | 372 |


| 900 | 186 | 267 | 310 | 347 | 381 | 415 |
| :--- | :--- | :--- | :--- | :--- | :--- | :--- |


| 1000 | 204 | 303 | 341 | 381 | 419 | 456 |
| :--- | :--- | :--- | :--- | :--- | :--- | :--- |
| 1100 | 223 | 324 | 384 | 416 | 458 | 498 |
| 1200 | 241 | 346 | 433 | 451 | 496 | 539 |
| 1300 | 259 | 373 | 460 | 504 | 534 | 581 |
| 1400 | 277 | 399 | 466 | 520 | 576 | 622 |
| 1500 | 295 | 424 | 522 | 588 | 642 | 662 |
| 1600 | 311 | 448 | 548 | 612 | 674 | 717 |
| 1700 | 329 | 473 | 574 | 647 | 706 | 755 |
| 1800 | 346 | 497 | 599 | 675 | 736 | 788 |


| 1 | 1900 | 363 | 523 | 620 | 699 | 763 | 817 |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| 2 | 2000 | 379 | 545 | 642 | 723 | 789 | 852 |
| 3 | 2100 | 395 | 568 | 664 | 747 | 815 | 886 |
| 4 | 2200 | 410 | 590 | 689 | 771 | 847 | 920 |
| 5 | 2300 | 426 | 612 | 715 | 799 | 879 | 955 |
| 6 | 2400 | 442 | 634 | 740 | 827 | 910 | 989 |
| 7 | 2500 | 458 | 657 | 767 | 856 | 942 | 1024 |
| 8 | 2600 | 474 | 681 | 795 | 888 | 976 | 1061 |
| 9 | 2700 | 492 | 707 | 825 | 921 | 1014 | 1102 |
| 10 | 2800 | 509 | 731 | 854 | 954 | 1050 | 1141 |
| 11 | 2900 | 526 | 757 | 885 | 988 | 1087 | 1182 |
| 12 | 3000 | 543 | 782 | 914 | 1021 | 1123 | 1221 |
| 13 | 3100 | 561 | 807 | 945 | 1055 | 1161 | 1262 |
| 14 | 3200 | 577 | 830 | 972 | 1085 | 1194 | 1298 |
| 15 | 3300 | 593 | 852 | 996 | 1113 | 1224 | 1331 |
| 16 | 3400 | 607 | 872 | 1019 | 1138 | 1252 | 1361 |
| 17 | 3500 | 620 | 890 | 1040 | 1162 | 1278 | 1389 |
| 18 | 3600 | 633 | 908 | 1060 | 1185 | 1303 | 1416 |
| 19 | 3700 | 647 | 927 | 1082 | 1208 | 1329 | 1445 |
| 20 | 3800 | 659 | 945 | 1102 | 1231 | 1354 | 1472 |
| 21 | 3900 | 672 | 962 | 1121 | 1252 | 1378 | 1497 |
| 22 | 4000 | 683 | 977 | 1138 | 1271 | 1399 | 1520 |
| 23 | 4100 | 694 | 993 | 1156 | 1291 | 1420 | 1544 |
| 24 | 4200 | 705 | 1008 | 1173 | 1310 | 1441 | 1566 |
| 25 | 4300 | 716 | 1024 | 1191 | 1330 | 1463 | 1590 |
| 26 | 4400 | 727 | 1039 | 1208 | 1349 | 1484 | 1613 |
| 27 | 4500 | 739 | 1055 | 1225 | 1369 | 1505 | 1636 |


| 1 | 4600 | 748 | 1067 | 1239 | 1384 | 1523 | 1655 |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| 2 | 4700 | 754 | 1076 | 1249 | 1396 | 1535 | 1669 |
| 3 | 4800 | 760 | 1085 | 1259 | 1407 | 1547 | 1682 |
| 4 | 4900 | 766 | 1094 | 1270 | 1418 | 1560 | 1696 |
| 5 | 5000 | 772 | 1102 | 1280 | 1429 | 1572 | 1709 |
| 6 | 5100 | 778 | 1111 | 1290 | 1441 | 1585 | 1723 |
| 7 | 5200 | 785 | 1120 | 1300 | 1465 | 1599 | 1736 |
| 8 | 5300 | 791 | 1129 | 1312 | 1486 | 1621 | 1750 |
| 9 | 5400 | 798 | 1139 | 1330 | 1506 | 1644 | 1765 |
| 10 | 5500 | 806 | 1149 | 1348 | 1527 | 1666 | 1781 |
| 11 | 5600 | 813 | 1159 | 1367 | 1548 | 1689 | 1805 |
| 12 | 5700 | 820 | 1169 | 1385 | 1568 | 1712 | 1829 |
| 13 | 5800 | 827 | 1179 | 1403 | 1589 | 1734 | 1853 |
| 14 | 5900 | 835 | 1189 | 1421 | 1610 | 1757 | 1877 |
| 15 | 6000 | 842 | 1199 | 1440 | 1630 | 1779 | 1901 |
| 16 | 6100 | 846 | 1204 | 1458 | 1658 | 1802 | 1926 |
| 17 | 6200 | 851 | 1210 | 1476 | 1672 | 1824 | 1950 |
| 18 | 6300 | 855 | 1215 | 1498 | 1690 | 1844 | 1970 |
| 19 | 6400 | 860 | 1221 | 1511 | 1705 | 1860 | 1988 |
| 20 | 6500 | 864 | 1227 | 1524 | 1720 | 1876 | 2005 |
| 21 | 6600 | 868 | 1232 | 1538 | 1735 | 1893 | 2023 |
| 22 | 6700 | 873 | 1240 | 1551 | 1750 | 1909 | 2040 |
| 23 | 6800 | 878 | 1251 | 1564 | 1764 | 1925 | 2058 |
| 24 | 6900 | 883 | 1261 | 1577 | 1779 | 1943 | 2075 |
| 25 | 7000 | 887 | 1272 | 1591 | 1794 | 1958 | 2093 |
| 26 | 7100 | 892 | 1282 | 1604 | 1809 | 1975 | 2110 |
| 27 | 7200 | 897 | 1293 | 1617 | 1824 | 1991 | 2127 |


| 7300 | 902 | 1303 | 1630 | 1839 | 2007 | 2145 |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| 7400 | 906 | 1313 | 1644 | 1854 | 2024 | 2162 |
| 7500 | 910 | 1324 | 1657 | 1869 | 2048 | 2179 |
| 7600 | 914 | 1333 | 1668 | 1881 | 2053 | 2194 |
| 7700 | 918 | 1342 | 1679 | 1893 | 2066 | 2208 |
| 7800 | 921 | 1350 | 1691 | 1905 | 2079 | 2223 |
| 7900 | 925 | 1359 | 1702 | 1917 | 2093 | 2238 |
| 8000 | 928 | 1368 | 1713 | 1929 | 2106 | 2252 |
| 8100 | 932 | 1377 | 1724 | 1941 | 2119 | 2267 |
| 8200 | 936 | 1386 | 1736 | 1953 | 2133 | 2281 |
| 8300 | 942 | 1395 | 1747 | 1965 | 2146 | 2296 |
| 8400 | 949 | 1404 | 1758 | 1977 | 2159 | 2311 |
| 8500 | 955 | 1413 | 1769 | 1989 | 2173 | 2325 |
| 8600 | 961 | 1421 | 1780 | 2002 | 2186 | 2340 |
| 8700 | 968 | 1430 | 1792 | 2014 | 2199 | 2354 |
| 8800 | 974 | 1437 | 1800 | 2024 | 2210 | 2360 |
| 8900 | 980 | 1444 | 1809 | 2033 | 2220 | 2376 |
| 9000 | 986 | 1450 | 1817 | 2042 | 2230 | 2387 |
| 9100 | 992 | 1457 | 1825 | 2052 | 2241 | 2398 |
| 9200 | 997 | 1463 | 1833 | 2061 | 2251 | 2408 |
| 9300 | 1003 | 1470 | 1842 | 2070 | 2261 | 2419 |
| 9400 | 1009 | 1476 | 1850 | 2079 | 2271 | 2430 |
| 9500 | 1014 | 1483 | 1858 | 2089 | 2281 | 2440 |
| 9600 | 1021 | 1489 | 1866 | 2098 | 2291 | 2451 |
| 9700 | 1028 | 1496 | 1874 | 2107 | 2301 | 2461 |
| 9800 | 1036 | 1502 | 1883 | 2117 | 2311 | 2572 |
| 9900 | 1043 | 1508 | 1891 | 2126 | 2321 | 2483 |


| 1 | 10000 | 1051 | 1515 | 1899 | 2165 | 2331 | 2493 |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| 2 | 10100 | 1058 | 1521 | 1907 | 2174 | 2341 | 2504 |
| 3 | 10200 | 1066 | 1527 | 1915 | 2183 | 2351 | 2515 |
| 4 | 10300 | 1073 | 1533 | 1923 | 2192 | 2361 | 2524 |
| 5 | 10400 | 1081 | 1541 | 1932 | 2202 | 2372 | 2536 |
| 6 | 10500 | 1089 | 1548 | 1940 | 2212 | 2382 | 2546 |
| 7 | 10600 | 1097 | 1554 | 1948 | 2221 | 2392 | 2557 |
| 8 | 10700 | 1105 | 1561 | 1956 | 2230 | 2402 | 2567 |
| 9 | 10800 | 1114 | 1567 | 1965 | 2240 | 2412 | 2578 |
| 10 | 10900 | 1122 | 1583 | 1973 | 2249 | 2422 | 2589 |
| 11 | 11000 | 1130 | 1595 | 1981 | 2258 | 2432 | 2599 |
| 12 | 11100 | 1138 | 1606 | 1989 | 2268 | 2443 | 2610 |
| 13 | 11200 | 1146 | 1618 | 1997 | 2277 | 2453 | 2620 |
| 14 | 11300 | 1153 | 1629 | 2005 | 2286 | 2463 | 2631 |
| 15 | 11400 | 1159 | 1636 | 2013 | 2295 | 2473 | 2642 |
| 16 | 11500 | 1164 | 1643 | 2021 | 2305 | 2483 | 2652 |
| 17 | 11600 | 1169 | 1651 | 2029 | 2314 | 2493 | 2663 |
| 18 | 11700 | 1174 | 1658 | 2037 | 2323 | 2503 | 2673 |
| 19 | 11800 | 1179 | 1665 | 2046 | 2333 | 2513 | 2684 |
| 20 | 11900 | 1184 | 1672 | 2054 | 2342 | 2523 | 2695 |
| 21 | 12000 | 1189 | 1679 | 2062 | 2351 | 2533 | 2705 |
| 22 | 12100 | 1184 | 1687 | 2070 | 2361 | 2544 | 2716 |
| 23 | 12200 | 1200 | 1694 | 2078 | 2370 | 2554 | 2726 |
| 24 | 12300 | 1205 | 1701 | 2086 | 2379 | 2564 | 2737 |
| 25 | 12400 | 1210 | 1708 | 2094 | 2388 | 2574 | 2748 |
| 26 | 12500 | 1215 | 1715 | 2102 | 2398 | 2584 | 2758 |
| 27 | 12600 | 1220 | 1722 | 2110 | 2407 | 2594 | 2769 |


| 1 | 12700 | 1225 | 1729 | 2118 | 2416 | 2604 | 2779 |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| 2 | 12800 | 1229 | 1735 | 2127 | 2426 | 2614 | 2790 |
| 3 | 12900 | 1233 | 1741 | 2135 | 2435 | 2624 | 2801 |
| 4 | 13000 | 1237 | 1746 | 2143 | 2444 | 2634 | 2811 |
| 5 | 13100 | 1241 | 1752 | 2151 | 2454 | 2648 | 2822 |
| 6 | 13200 | 1245 | 1758 | 2159 | 2463 | 2655 | 2832 |
| 7 | 13300 | 1249 | 1764 | 2167 | 2472 | 2665 | 2843 |
| 8 | 13400 | 1254 | 1769 | 2175 | 2481 | 2675 | 2854 |
| 9 | 13500 | 1258 | 1775 | 2183 | 2491 | 2685 | 2864 |
| 10 | 13600 | 1262 | 1781 | 2191 | 2500 | 2695 | 2875 |
| 11 | 13700 | 1266 | 1787 | 2199 | 2508 | 2705 | 2885 |
| 12 | 13800 | 1270 | 1792 | 2208 | 2519 | 2715 | 2896 |
| 13 | 13900 | 1274 | 1798 | 2216 | 2528 | 2725 | 2907 |
| 14 | 14000 | 1278 | 1804 | 2224 | 2537 | 2735 | 2917 |
| 15 | 14100 | 1283 | 1811 | 2232 | 2547 | 2746 | 2928 |
| 16 | 14200 | 1288 | 1818 | 2240 | 2556 | 2756 | 2938 |
| 17 | 14300 | 1294 | 1825 | 2248 | 2565 | 2766 | 2949 |
| 18 | 14400 | 1299 | 1832 | 2256 | 2574 | 2776 | 2960 |
| 19 | 14500 | 1304 | 1839 | 2264 | 2584 | 2786 | 2970 |
| 20 | 14600 | 1309 | 1845 | 2272 | 2593 | 2796 | 2981 |
| 21 | 14700 | 1314 | 1852 | 2280 | 2602 | 2806 | 2991 |
| 22 | 14800 | 1319 | 1859 | 2289 | 2612 | 2816 | 3002 |
| 23 | 14900 | 1324 | 1866 | 2297 | 2621 | 2826 | 3013 |
| 24 | 15000 | 1329 | 1873 | 2305 | 2630 | 2836 | 3023 |
| 25 | 15100 | 1334 | 1880 | 2308 | 2632 | 2839 | 3026 |
| 26 | 15200 | 1339 | 1887 | 2311 | 2635 | 2842 | 3029 |
| 27 | 15300 | 1344 | 1894 | 2314 | 2638 | 2845 | 3032 |


| 1 | 15400 | 1348 | 1900 | 2317 | 2640 | 2848 | 3035 |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| 2 | 15500 | 1353 | 1907 | 2320 | 2642 | 2851 | 3038 |
| 3 | 15600 | 1358 | 1913 | 2323 | 2644 | 2854 | 3041 |
| 4 | 15700 | 1363 | 1920 | 2326 | 2646 | 2857 | 3044 |
| 5 | 15800 | 1367 | 1926 | 2329 | 2648 | 2860 | 3047 |
| 6 | 15900 | 1372 | 1933 | 2331 | 2650 | 2863 | 3050 |
| 7 | 16000 | 1377 | 1940 | 2334 | 2652 | 2866 | 3053 |
| 8 | 16100 | 1382 | 1947 | 2337 | 2654 | 2869 | 3056 |
| 9 | 16200 | 1387 | 1954 | 2340 | 2656 | 2872 | 3059 |
| 10 | 16300 | 1393 | 1961 | 2343 | 2658 | 2875 | 3062 |
| 11 | 16400 | 1398 | 1967 | 2346 | 2660 | 2878 | 3065 |
| 12 | 16500 | 1403 | 1974 | 2349 | 2662 | 2881 | 3068 |
| 13 | 16600 | 1408 | 1981 | 2351 | 2664 | 2884 | 3071 |
| 14 | 16700 | 1413 | 1994 | 2357 | 2667 | 2887 | 3074 |
| 15 | 16800 | 1418 | 1994 | 2357 | 2668 | 2890 | 3077 |
| 16 | 16900 | 1423 | 2000 | 2360 | 2670 | 2893 | 3080 |
| 17 | 17000 | 1428 | 2008 | 2363 | 2672 | 2896 | 3083 |
| 18 | 17100 | 1434 | 2015 | 2366 | 2674 | 2899 | 3086 |
| 19 | 17200 | 1440 | 2022 | 2369 | 2676 | 2902 | 3089 |
| 20 | 17300 | 1445 | 2029 | 2371 | 2678 | 2905 | 3092 |
| 21 | 17400 | 1451 | 2036 | 2374 | 2680 | 2908 | 3096 |
| 22 | 17500 | 1456 | 2043 | 2377 | 2682 | 2911 | 3100 |
| 23 | 17600 | 1462 | 2050 | 2380 | 2684 | 2914 | 3109 |
| 24 | 17700 | 1467 | 2057 | 2383 | 2686 | 2917 | 3118 |
| 25 | 17800 | 1473 | 2064 | 2386 | 2688 | 2920 | 3126 |
| 26 | 17900 | 1478 | 2071 | 2389 | 2690 | 2923 | 3134 |
| 27 | 18000 | 1485 | 2078 | 2392 | 2692 | 2926 | 3144 |


| 1 | 18100 | 1491 | 2086 | 2395 | 2694 | 2929 | 3153 |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| 2 | 18200 | 1497 | 2094 | 2398 | 2696 | 2932 | 3162 |
| 3 | 18300 | 1503 | 2101 | 2405 | 2698 | 2935 | 3171 |
| 4 | 18400 | 1510 | 2109 | 2413 | 2700 | 2938 | 3179 |
| 5 | 18500 | 1516 | 3116 | 2421 | 3704 | 3941 | 3188 |
| 6 | 18600 | 1522 | 2123 | 2429 | 2710 | 2944 | 3197 |
| 7 | 18700 | 1528 | 2131 | 2437 | 2718 | 3947 | 3205 |
| 8 | 18800 | 1534 | 2138 | 2445 | 2727 | 2951 | 3214 |
| 9 | 18900 | 1540 | 2145 | 2452 | 2735 | 2959 | 3222 |
| 10 | 19000 | 1547 | 2153 | 2461 | 2745 | 2967 | 3231 |
| 11 | 19100 | 1554 | 2162 | 2470 | 2754 | 2975 | 3240 |
| 12 | 19200 | 1561 | 2170 | 2478 | 2763 | 3984 | 3249 |
| 13 | 19300 | 1568 | 2178 | 2487 | 2772 | 2992 | 3258 |
| 14 | 19400 | 1575 | 2186 | 2495 | 2781 | 3000 | 3267 |
| 15 | 19500 | 1582 | 2194 | 2504 | 2791 | 3008 | 3276 |
| 16 | 19600 | 1589 | 2202 | 2512 | 2800 | 3016 | 3285 |
| 17 | 19700 | 1596 | 2210 | 2521 | 2809 | 3024 | 3293 |
| 18 | 19800 | 1603 | 2217 | 2529 | 2817 | 3032 | 3302 |
| 19 | 19900 | 1610 | 2225 | 2537 | 2826 | 3040 | 3310 |
| 20 | 20000 | 1617 | 2233 | 2546 | 2835 | 3048 | 3319 |
| 21 |  | $[70$ | 70 | 70 | 70 | 70 | 70 |
| 22 | 300 | 80 | 80 |  | 80 | 80 | 80 |
| 23 | 400 | 90 | 90 | 90 | 90 | 90 | 90 |
| 24 | 500 | 100 | 105 | 110 | 115 | 120 | 125 |
| 25 | 600 | 120 | 125 | 130 | 135 | 140 | 145 |
| 26 | 700 | 140 | 156 | 161 | 166 | 171 | 176 |
| 27 | 800 | 160 | 203 | 208 | 213 | 218 | 223 |



| 1 | 3,600 |  |  | 967 | 1,090 | 1,189 | 1,272 |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| 2 | 3,700 |  | 790 | 988 | 1,113 | 1,215 | 1,299 |
| 3 | 3,800 |  | 808 | 1,011 | 1,139 | 1,243 | 1,329 |
| 4 | 3,900 |  | 826 | 1,033 | 1,164 | 1,270 | 1,359 |
| 5 | 4,000 |  | 844 | 1,056 | 1,190 | 1,298 | 1,388 |
| 6 | 4,100 |  | 862 | 1,078 | 1,215 | 1,326 | 1,418 |
| 7 | 4,200 |  | 880 | 1,101 | 1,240 | 1,353 | 1,448 |
| 8 | 4,300 | 603 | 898 | 1,123 | 1,266 | 1,381 | 1,477 |
| 9 | 4,400 |  | 916 | 1,146 | 1,291 | 1,409 | 1,507 |
| 10 | 4,500 | 626 | 933 | 1,161 | 1,316 | 1,435 | 1,535 |
| 11 | 4,600 |  | 949 | 1,181 | 1,338 | 1,459 | 1,561 |
| 12 | 4,700 |  | 964 | 1,200 | 1,360 | 1,483 | 1,586 |
| 13 | 4,800 |  | 980 | 1,220 | 1,381 | 1,507 | 1,612 |
| 14 | 4,900 |  | 995 | 1,239 | 1,403 | 1,531 | 1,637 |
| 15 | 5,000 |  | 1,010 | 1,257 | 1,424 | 1,554 | 1,661 |
| 16 | 5,100 |  | 1,025 | 1,275 | 1,444 | 1,576 | 1,685 |
| 17 | 5,200 |  | 1,039 | 1,294 | 1,465 | 1,599 | 1,709 |
| 18 | 5,300 | 705 | 1,054 | 1,312 | 1,486 | 1,621 | 1,733 |
| 19 | 5,400 | 714 | 1,069 | 1,330 | 1,506 | 1,644 | 1,757 |
| 20 | 5,500 | 724 | 1,083 | 1,348 | 1,527 | 1,666 | 1,781 |
| 21 | 5,600 | 733 | 1,098 | 1,367 | 1,548 | 1,689 | 1,805 |
| 22 | 5,700 | 743 | 1,113 | 1,385 | 1,568 | 1,712 | 1,829 |
| 23 | 5,800 | 753 | 1,127 | 1,403 | 1,589 | 1,734 | 1,853 |
| 24 | 5,900 | 762 | 1,142 | 1,421 | 1,610 | 1,757 | 1,877 |
| 25 | 6,000 | 772 | 1,157 | 1,440 | 1,630 | 1,779 | 1,901 |
| 26 | 6,100 | 781 | 1,171 | 1,458 | 1,651 | 1,802 | 1,926 |
| 27 | 6,200 | 791 | 1,186 | 1,476 | 1,672 | 1,824 | 1,950 |




| 1 | 12,000 1,093 | 1,646 | 2,062 | 2,351 | 2,533 | 2,705 |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| 2 | 12,100 1,097 | 1,653 | 2,070 | 2,361 | 2,544 | 2,716 |
| 3 | 12,200 1,102 | 1,659 | 2,078 | 2,370 | 2,554 | 2,726 |
| 4 | 12,300 1,106 | 1,666 | 2,086 | 2,379 | 2,564 | 2,737 |
| 5 | 12,400 1,110 | 1,672 | 2,094 | 2,388 | 2,574 | 2,748 |
| 6 | 12,500 1,114 | 1,679 | 2,102 | 2,398 | 2,584 | 2,758 |
| 7 | 12,600 1,119 | 1,685 | 2,110 | 2,407 | 2,594 | 2,769 |
| 8 | 12,700 1,123 | 1,692 | 2,118 | 2,416 | 2,604 | 2,779 |
| 9 | 12,800 1,128 | 1,699 | 2,127 | 2,426 | 2,614 | 2,790 |
| 10 | 12,900 1,132 | 1,705 | 2,135 | 2,435 | 2,624 | 2,801 |
| 11 | 13,000 1,137 | 1,712 | 2,143 | 2,444 | 2,634 | 2,814 |
| 12 | 13,100 1,141 | 1,719 | 2,151 | 2,454 | 2,645 | 2,822 |
| 13 | 13,200 1,146 | 1,725 | 2,159 | 2,463 | 2,665 | 2,832 |
| 14 | 13,300 1,150 | 1,732 | 2,167 | 2,472 | 2,665 | 2,843 |
| 15 | 13,400 1,154 | 1,738 | 2,175 | 2,481 | 2,675 | 2,854 |
| 16 | 13,500 1,158 | 1,745 | 2,183 | 2,491 | 2,685 | 2,864 |
| 17 | 13,600 1,163 | 1,751 | 2,191 | 2,500 | 2,695 | 2,875 |
| 18 | 13,700 1,167 | 1,758 | 2,199 | 2,509 | 2,705 | 2,885 |
| 19 | 13,800 1,172 | 1,765 | 2,208 | 2,519 | 2,715 | 2,896 |
| 20 | 13,900 1,176 | 1,771 | 2,216 | 2,528 | 2,725 | 2,907 |
| 21 | 14,000 1,181 | 1,778 | 2,224 | 2,537 | 2,735 | 2,917 |
| 22 | 14,100 1,185 | 1,785 | 2,232 | 2,547 | 2,746 | 2,928 |
| 23 | 14,200 1,190 | 1,791 | 2,240 | 2,556 | 2,756 | 2,938 |
| 24 | 14,300 1,194 | 1,798 | 2,248 | 2,565 | 2,766 | 2,949 |
| 25 | 14,400 1,198 | 1,804 | 2,256 | 2,574 | 2,776 | 2,960 |
| 26 | 14,500 1,202 | 1,811 | 2,264 | 2,584 | 2,786 | 2,970 |
| 27 | 14,600 1,207 | 1,817 | 2,272 | 2,593 | 2,796 | 2,981 |


| 14,700 | 1,211 | 1,824 | 2,280 | 2,602 | 2,806 | 2,994 |
| ---: | ---: | ---: | ---: | :--- | :--- | :--- |
| 14,800 | 1,216 | 1,831 | 2,289 | 2,612 | 2,816 | 3,002 |
| 14,900 | 1,220 | 1,837 | 2,297 | 2,621 | 2,826 | 3,013 |
| 15,000 | 1,225 | 1,844 | 2,305 | 2,630 | 2,836 | 3,0237 |

$\rightarrow$ Section 5. KRS 403.215 is amended to read as follows:
After July 15, 1990, any new or modified order or decree which contains provisions for the support of a minor child or minor children, shall provide for a wage assignment which shall begin immediately except for good cause shown, and which shall be paid based upon the payment schedule of wages of the employer to whom the wage assignment is directed, and at a minimum, on a monthly basis. If good cause is shown, the wage assignment shall take effect when an arrearage accrues that is equal to the amount of support payable for one (1) month, pursuant to KRS 405.465. Notice of all orders providing for wage assignment issued in Kentucky on or after January 1, 1994, shall be sent to the employer using the federally approved Income Withholding for Support

## (IWO) form that contains the accompanying OMB number.

$\Rightarrow$ Section 6. KRS 405.467 is amended to read as follows:
(1) All support orders issued by the Cabinet for Health and Family Services, including those issued pursuant to Part D, Title IV of the Federal Social Security Act, shall provide for immediate withholding of earnings of the parent or parents obligated to pay child support and medical support as is necessary to pay the child support obligation, except where one (1) of the parties demonstrates, and the court or administrative order finds that there is good cause not to require immediate income withholding, or a written agreement is reached by both parties which provides for an alternative arrangement.
(2) In any case in which a support order was issued in the state and in which a parent is required to pay court-ordered or administratively determined child support, medical support, maintenance, and medical support insurance, and wage withholding is not
in effect, and an arrearage accrues that is equal to the amount of support payment for one (1) month, upon request of the absent parent, request of the custodial parent, or upon administrative determination, the secretary shall issue an order for withholding of earnings of the parent as is necessary to comply with the order plus interest at the legal rate on the arrearage, if any, without the need for a judicial or administrative hearing.
(3) If a court-ordered arrearage repayment amount does not exist and an arrearage accrues that is equal to the amount of support payable for one (1) month, an arrearage repayment amount may be determined administratively. The cabinet shall promulgate administrative regulations establishing the guidelines for arrearage payments.
(4) In any case in which a parent is required either by court order or administrative order to provide medical insurance coverage for the child and the parent has failed to make application to obtain coverage for the child, the secretary shall issue an order for withholding of the employee's share, if any, of premiums for health coverage and to pay the share of premiums to the insurer, without the need for a judicial or administrative hearing.
(5) $[(4)]$ The cabinet shall advise the obligated parent that a wage withholding has commenced by sending a copy of the order to withhold at the same time that the order is sent to the employer. The only basis for contesting the withholding shall be a mistake of fact or law. If the parent contests the withholding, the cabinet shall give the obligor an opportunity to present his or her case at an administrative hearing conducted in accordance with KRS Chapter 13B and decide if the withholding will continue.
(6) $[(5)]$ The cabinet shall combine any administrative or judicial wage withholding order, or multiple administrative or judicial orders for child support and medical support into a single wage withholding order when payable through the cabinet to a
single family or to multiple family units.
(7) $[(6)]$ The cabinet shall serve the order to withhold earnings or notice of multiple wage withholding orders specifying wage withholding requirements on the employer of an obligor by certified mail, return receipt requested. The order shall state the amount to be withheld, or the requirement to enroll the child under the health insurance coverage, including amounts to be applied to arrearages, plus interest at the legal rate on the arrearage, if any, and the date the withholding is to begin. The total amount to be withheld, including current support and payment on arrearages plus interest, and medical insurance coverage may not exceed the limit permitted under the federal Consumer Credit Protection Act at 15 U.S.C. sec. 1673(b).
(8) $[(7)]$ If there is more than one (1) notice for child support withholding against a single absent parent, the cabinet shall allocate amounts available for withholding, giving priority to current child support, up to the limits imposed under Section 303(b) of the Consumer Credit Protection Act at 15 U.S.C. sec. 1673(b). The allocation by the cabinet shall not result in a withholding for one (1) of the support obligations not being implemented. Amounts resulting from wage withholding shall be allocated on a proportionate basis between multiple family units. Any custodial parent adversely affected by the provisions of this subsection shall have standing to challenge any proportionate allocations and, for good cause shown, a District Court, Circuit Court, or family court of competent jurisdiction may set aside the cabinet's proportional allocations as to the custodial parent.
(9) $[(8)]$ If the amounts to be withheld preclude collection of the total amount of combined child support and medical support due to the limits of the federal Consumer Credit Protection Act at 15 U.S.C. sec. 1673(b), the actual amount received shall be applied first to the current monthly child support obligation amount. Any payment exceeding the current monthly child support obligation shall
then be applied by the cabinet to the administratively ordered or judicially ordered medical support obligation.
$\underline{(10)}[(9)]$ The employer shall forward to the Cabinet for Health and Family Services that portion of salary or wages of the parent due and to be due in the future as will be sufficient to pay the child support amount ordered.
(11) $[(10)]$ The employer shall be held liable to the cabinet for any amount which the employer fails to withhold from earnings due an obligor following receipt of an order to withhold earnings.
$\underline{(12)}[(11)]$ Any order to withhold earnings under this section shall have priority as against any attachment, execution, or other assignment, notwithstanding any state statute or administrative regulation to the contrary.
$\underline{(13)}[(12)]$ No withholding under this section shall be grounds for discharging from employment, refusing to employ, or taking disciplinary action against any obligor subject to withholding required by this section.
$\underline{(14)}[(13)]$ The remedies provided for in this section shall also be available for applicable support orders issued in other states.
$\underline{(15)}[(14)]$ Interstate requests for withholding of earnings shall be processed by the cabinet.


[^0]:    calculated in paragraph (e) of this subsection to the other parent.
    (7) The court shall use the child support worksheet that includes the formula to calculate a child support award adjusted for shared parenting time.
    (8) An adjustment to a child support obligation shall not require a parent to pay more than the maximum child support award as determined under KRS 403.212.
    (9) If a parent is awarded an adjustment to a child support obligation under this section and that parent does not comply with the shared parenting order on a consistent, repeated basis, then the court may, upon petition of the other parent, recalculate the child support award with no adjustment and award costs and attorney's fees for the recalculation to the appropriate parent.
    $\rightarrow$ Section 2. KRS 205.721 is amended to read as follows:
    (1) All services available to individuals receiving public assistance under Title IV-A of the Federal Social Security Act benefits shall also be available to individuals not receiving public assistance benefits, upon application by the individual with the cabinet.
    (2) The cabinet shall continue to provide IV-D services when a family ceases to receive public assistance without requiring a formal application and without payment of the application fee specified in subsection (3) of this section. IV-D services shall be discontinued upon the request of the recipient.
    (3) Except as provided in subsection (2) of this section, the cabinet may charge an application fee for the services based on a fee schedule, which shall take into account the applicant's net income. No application fee shall be required from individuals receiving public assistance.
    (4) The cabinet shall impose an annual fee of thirty-five dollars (\$35)[twenty five dollars (\$25)] pursuant to 42 U.S.C. sec. 654[Public Law 109-171, Section 7310], which shall be satisfied by withholding the fee from a child support disbursement.
    $\rightarrow$ Section 3. KRS 403.211 is amended to read as follows:

