1037-S2 AMH KLIP ADAM 073

**2SHB 1037** - H AMD **754**

By Representative Klippert

**NOT ADOPTED 02/16/2016**

 On page 23, beginning on line 28, strike all of section 7 and insert the following:

 "**Sec. 7.** RCW 26.19.090 and 1991 sp.s. c 28 s 7 are each amended to read as follows:

((~~(1)~~)) The child support schedule shall ((~~be advisory and~~)) not ((~~mandatory for~~)) apply to postsecondary educational support. The court shall not establish a support order that requires a parent to contribute to a child's postsecondary educational expenses.

((~~(2) When considering whether to order support for postsecondary educational expenses, the court shall determine whether the child is in fact dependent and is relying upon the parents for the reasonable necessities of life. The court shall exercise its discretion when determining whether and for how long to award postsecondary educational support based upon consideration of factors that include but are not limited to the following: Age of the child; the child's needs; the expectations of the parties for their children when the parents were together; the child's prospects, desires, aptitudes, abilities or disabilities; the nature of the postsecondary education sought; and the parents' level of education, standard of living, and current and future resources. Also to be considered are the amount and type of support that the child would have been afforded if the parents had stayed together.~~

~~(3) The child must enroll in an accredited academic or vocational school, must be actively pursuing a course of study commensurate with the child's vocational goals, and must be in good academic standing as defined by the institution. The court-ordered postsecondary educational support shall be automatically suspended during the period or periods the child fails to comply with these conditions.~~

~~(4) The child shall also make available all academic records and grades to both parents as a condition of receiving postsecondary educational support. Each parent shall have full and equal access to the postsecondary education records as provided in RCW 26.09.225.~~

~~(5) The court shall not order the payment of postsecondary educational expenses beyond the child's twenty-third birthday, except for exceptional circumstances, such as mental, physical, or emotional disabilities.~~

~~(6) The court shall direct that either or both parents' payments for postsecondary educational expenses be made directly to the educational institution if feasible. If direct payments are not feasible, then the court in its discretion may order that either or both parents' payments be made directly to the child if the child does not reside with either parent. If the child resides with one of the parents the court may direct that the parent making the support transfer payments make the payments to the child or to the parent who has been receiving the support transfer payments.~~))"

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|  |  EFFECT:  Provides that the child support schedule does not apply to postsecondary educational expenses, and prohibits a court from establishing a support order that requires a parent to contribute to postsecondary educational expenses of a child.  |

**--- END ---**