

# SENATE BILL REPORT

## EHB 1014

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As of March 27, 2025

**Title:** An act relating to implementing recommendations of the 2023 child support schedule work group.

**Brief Description:** Implementing recommendations of the 2023 child support schedule work group.

**Sponsors:** Representatives Schmidt, Walen, Timmons, Fey, Ormsby and Hill.

**Brief History:** Passed House: 3/11/25, 93-3.

**Committee Activity:** Law & Justice: 3/27/25.

### Brief Summary of Bill

- Extends the child support economic table to include monthly income levels up to \$50,000 and raises the floor on monthly income levels to \$2,200.
- Adds more state mandated income deductions that are included in calculating income for child support.
- Increases the minimum income level that restricts amounts of child support payments.
- Allows for temporary reduction of child support payments when a parent is in court-ordered behavioral health treatment.

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### SENATE COMMITTEE ON LAW & JUSTICE

**Staff:** Patrick Moore (786-7535)

**Background:** Self-Support Reserve. The child support schedule includes low-income limitations that apply when a parent's net income is below, or would fall below, 125 percent

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of the federal poverty guideline for a one-person family. This is referred to as the self-support reserve. The basic support obligation, excluding health care, daycare, and special child-rearing expenses, may not reduce the parent's net income below the self-support reserve, except for the presumptive minimum \$50 support obligation or when it would be unjust to apply the limitation considering the best interests of the child and circumstances of each parent.

Economic Table. The amount of child support is determined using the statutory child support schedule, which includes an economic table and the child support worksheets developed by the Administrative Office of the Courts (AOC). The economic table is used to establish the basic support obligation for each parent, which can be modified based on adjustments and deviations set forth in statute. The basic support obligation is based on the combined monthly net income (CMNI) of the parents and the number of children before the court. Each parent's share of the basic support obligation is determined by the parent's proportionate share of the CMNI. The economic table provides basic support obligation amounts for CMNI amounts of \$1,000 up to \$12,000. For a CMNI of less than \$1,000, the support obligation is based on the resources and living expenses of each household, but the minimum support may not be less than \$50 per child per month except in specified circumstances. When the CMNI exceeds \$12,000, the court may exceed the presumptive amount for a CMNI of \$12,000 if doing so is based on written findings of fact.

After determining the basic support obligation based on the economic table, the judge considers adjustments for expenses that are not included in the economic table, which results in a presumptive amount of child support called the standard calculation. The judge then has discretion to consider reasons to deviate from the standard calculation.

Deductions From Gross Income. All income and resources of each parent's household must be disclosed and considered by the court when determining the child support obligation of each parent. Certain income or resources must be disclosed but not included in a parent's gross monthly income, such as income of a new spouse, child support received from other relationships, and public assistance. A parent may deduct certain expenses from gross monthly income including: income taxes, Federal Insurance Contributions Act deductions, mandatory pension plan payments, mandatory union or professional dues, and state industrial insurance premiums.

**Summary of Bill:** The self-support reserve floor is raised from 125 percent to 180 percent of the federal poverty guideline for a one-person family. Each child is entitled to a pro rata share of the child support moneys but the court applies only the shares to the children in the case before the court. The court may choose not to apply this limitation if it would be unjust.

The child support economic table is expanded to provide basic support obligation figures for monthly net incomes up to \$50,000.

Additional mandatory state deductions are added to the expenses that must be disclosed and deducted from gross monthly income to calculate net monthly income.

Procedures are established authorizing temporary reduction of a child support obligation based on a parent's inability to pay child support due to participation in court-ordered treatment for a behavioral health disorder under the Involuntary Treatment Act. There is a rebuttable presumption that an incapacitated person is unable to pay the child support obligation. The presumption may be rebutted by evidence demonstrating that the parent has income or assets available to provide support while in treatment. Upon receiving notice of such treatment, the Department of Social and Health Services (DSHS) is required to take certain steps regarding the child support obligation to determine if a temporary payment reduction is appropriate.

DSHS is given rulemaking authority to implement the act.

**Appropriation:** None.

**Fiscal Note:** Available. New fiscal note requested on March 25, 2025.

**Creates Committee/Commission/Task Force that includes Legislative members:** No.

**Effective Date:** The bill contains several effective dates. Please refer to the bill.

**Staff Summary of Public Testimony:** PRO: This bill comes after receiving much input from the public, judges, and attorneys. It updates the child support tables to reflect present money values. Wages and expenses for parents have increased significantly in recent years. Recommendations from the child support work group are implemented in this bill. These changes will help support families. The work group recommended provision regarding educational expenses should be restored. The basic support obligation does not include educational expenses and this provision gives clarity to self-represented parties, promotes fairness, and reduces unnecessary litigation.

CON: There is no research backing the changes to the economic support table regarding higher incomes. The table changes use the same assumptions underlying the rest of the range of income. There are no limits on judicial discretion in this bill. The worksheets do not incorporate proportions of time where children reside or expenses of each household. Without guiding judges towards orders for equal shared custody and shared residential credit, which this bill lacks, there will be more conflict and domestic violence. A residential credit amendment that allows sharing the money should be added. The changes in this table will benefit children in the upper income brackets but disadvantage children in middle and lower income.

**Persons Testifying:** PRO: Representative Suzanne Schmidt, Prime Sponsor; Jake Hughes, Department of Social and Health Services; Kaha Arte, Attorney at Northwest Justice Project

and Member of the Governor's Child Support Workgroup.

CON: James Clark, 2023 Child Support Schedule Workgroup member, National Parents Organization, Washington State chair; John Meyer, N/A.

**Persons Signed In To Testify But Not Testifying:** No one.