
DIGEST

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HB 204 Engrossed

2015 Regular Session

Foil

Abstract: Extends child support to adult children with disabilities.

Present law provides for guidelines to be used in the determination of child support and provides for the deviation from the child support guidelines in certain circumstances.

Proposed law retains present law and provides an additional deviation for child support awarded to adult children with disabilities.

Present law provides for the continuation of child support to children with developmental disabilities until the age of 22.

Proposed law retains present law and provides for the extension of child support to unmarried children who are incapable of self-support and who require substantial care and personal supervision because of an intellectual or physical disability. Provides that disability does not include substance abuse or addiction.

Proposed law provides that the court may place the award in trust or order the creation of a trust.

Present law provides for subject matter jurisdiction.

Proposed law retains present law and adds subject matter jurisdiction for proceedings for support of an adult child with a disability.

Present law provides for venue and for the use of summary proceedings to obtain the legal custody of a minor child or to establish a support obligation.

Proposed law changes present law so that it will also apply to an adult child with a disability.

(Amends R.S. 9:315.1(C)(8) and C.C.P. Arts. 74.2(A) and 2592(8); Adds R.S. 9:315.1(C)(9), 315.22(E), and C.C.P. Art. 10(A)(9))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Civil Law and Procedure to the original bill:

1. Specify that disability may be a financial burden on an obligor.
2. Change the age at which the disability must manifest from twenty-two years to the age of majority.
3. Eliminate the proposed provision that the state has no action to establish, modify, or enforce an award of support for the purpose of recovering public benefits and services provided on behalf of the child.
4. Make stylistic changes.