2016 Regular Session

HOUSE BILL NO. 300

BY REPRESENTATIVE JACKSON

## CHILDREN/SUPPORT: Provides relative to the support of children while attaining a postsecondary education

1	AN ACT
2	To amend and reenact R.S. 9:315.22(A) and (C) and to enact R.S. 9:315.22(F) and (G),
3	relative to child support; to provide for continued support for a major child enrolled
4	in certain higher education programs; to provide for restrictions; and to provide for
5	related matters.
6	Be it enacted by the Legislature of Louisiana:
7	Section 1. R.S. 9:315.22(A) and (C) are hereby amended and reenacted and R.S.
8	9:315.22(F) and (G) are enacted to read as follows:
9	§315.22. Termination of child support upon majority or emancipation; exceptions
10	A. When there is a child support award in a specific amount per child, the
11	award for each child shall terminate automatically without any action by the obligor
12	upon each child's attaining the age of majority, or upon emancipation relieving the
13	child of the disabilities attached to minority, unless the child attains the age of
14	majority prior to graduating from high school, or the child enrolls in a higher
15	education program as provided in Subsections F and G of this Section.
16	* * *
17	C. An award of child support continues with respect to any unmarried child
18	who attains the age of majority, or to a child who is emancipated relieving the child
19	of the disabilities attached to minority, as long as the child is a full-time student in
20	good standing in a secondary school or its equivalent, has not attained the age of

CODING: Words in struck through type are deletions from existing law; words <u>underscored</u> are additions.

1	nineteen twenty-two, and is dependent upon either parent. Either the primary
2	domiciliary parent or the major or emancipated child is the proper party to enforce
3	an award of child support pursuant to this Subsection.
4	* * *
5	F. An award of child support shall continue for any unmarried child who
6	attains the age of majority or for a child who is emancipated, is principally dependent
7	upon either parent for maintenance, and is a full-time student in good standing in a
8	professional or technical training program or trade school designed to prepare the
9	child for gainful employment or in an accredited undergraduate college or university.
10	Any award ordered pursuant to this Section shall terminate if the child does not
11	remain a full time student, or when the child attains the age of twenty-two,
12	whichever occurs first.
13	G. The provisions of the guidelines for determination of child support, R.S.
14	9:315 et seq. shall continue to apply after the child reaches the age of majority,
15	pursuant to the provisions of this Section.

## DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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Abstract: Provides for the extension of child support past the age of majority.

<u>Present law</u> provides that child support terminates when the child reaches 18 years of age, but it may be continued in cases wherein the child is a full-time student, in good standing, in high school, has not attained the age of 19, and is dependent upon either parent.

<u>Proposed law</u> provides that child support does not terminate even if the child attains the age of 19, and is a full-time student in high school and dependent upon either parent.

<u>Proposed law</u> provides that child support is required after a child reaches the age of majority if the child is dependent upon a parent, and is a full-time student in good standing enrolled in a professional or technical training program designed to fit the child for gainful employment or is a full-time student enrolled in an undergraduate college or university, as long as the child has not attained the age of 22.

<u>Proposed law</u> provides that when child support continues past the age of majority, the provisions of the child support guidelines apply.

(Amends R.S. 9:315.22(A) and (C); Adds R.S. 9:315.22(F) and (G))