

H.F. 798

The delete everything amendment (H0798DE1)

Subject Contesting Child Support Cost-of-Living Adjustment

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Date April 7, 2020

Summary

Under section 518A.75, court-ordered child support is subject to a cost-of-living adjustment (COLA) based on the Consumer Price Index every two years. The scheduled increase this year is approximately 4.7 percent, effective May 1, 2020, and notices have been sent to child support obligors, per statutory requirements. Typically, an obligor would have until the effective date of the COLA increase to file a motion to contest the increase, under section 518A.75, subdivision 2a.

This bill, as amended, extends the deadline to file a motion to contest the COLA increase until June 30, 2020, due to the effects of the COVID-19 pandemic. The bill also allows the court to use its discretion if an obligor is unable to file a motion by June 30, 2020, due to COVID-19-related circumstances, but files such a motion by October 31, 2020. If the court makes a full or partial adjustment to the child support obligation, the bill specifies that the adjustment is effective May 1, 2020, unless the court chooses an alternative date.