1.1	moves to amend H.F. No. 980 as follows:
1.2	Delete everything after the enacting clause and insert:
1.3	"ARTICLE 1
1.4 1.5	CHILD SUPPORT INCOME PROVISIONS, GUIDELINES, CHILD CARE COSTS, AND ARREARS
1.6	Section 1. Minnesota Statutes 2020, section 518A.29, is amended to read:
1.7	518A.29 CALCULATION OF GROSS INCOME.
1.8	(a) Subject to the exclusions and deductions in this section, gross income includes any
1.9	form of periodic payment to an individual, including, but not limited to, salaries, wages,
1.10	commissions, self-employment income under section 518A.30, workers' compensation,
1.11	unemployment benefits, annuity payments, military and naval retirement, pension and
1.12	disability payments, spousal maintenance received under a previous order or the current
1.13	proceeding, Social Security or veterans benefits provided for a joint child under section
1.14	518A.31, and potential income under section 518A.32. Salaries, wages, commissions, or
1.15	other compensation paid by third parties shall be based upon gross income before
1.16	participation in an employer-sponsored benefit plan that allows an employee to pay for a
1.17	benefit or expense using pretax dollars, such as flexible spending plans and health savings
1.18	accounts. No deductions shall be allowed for contributions to pensions, 401-K, IRA, or
1.19	other retirement benefits.
1.20	(b) Gross income does not include compensation received by a party for employment
1.21	in excess of a 40-hour work week, provided that:
1.22	(1) child support is ordered in an amount at least equal to the guideline amount based
1.23	on gross income not excluded under this clause; and

1.24 (2) the party demonstrates, and the court finds, that:

2.1	(i) the excess employment began after the filing of the petition for dissolution or legal
2.2	separation or a petition related to custody, parenting time, or support;
2.3	(ii) the excess employment reflects an increase in the work schedule or hours worked
2.4	over that of the two years immediately preceding the filing of the petition;
2.5	(iii) the excess employment is voluntary and not a condition of employment;
2.6	(iv) the excess employment is in the nature of additional, part-time or overtime
2.7	employment compensable by the hour or fraction of an hour; and
2.8	(v) the party's compensation structure has not been changed for the purpose of affecting
2.9	a support or maintenance obligation.
2.10	(c) Expense reimbursements or in-kind payments received by a parent in the course of
2.11	employment, self-employment, or operation of a business shall be counted as income if
2.12	they reduce personal living expenses.
2.13	(d) Gross income may be calculated on either an annual or monthly basis. Weekly income
2.14	shall be translated to monthly income by multiplying the weekly income by 4.33.
2.15	(e) Gross income does not include a child support payment received by a party. It is a
2.16	rebuttable presumption that adoption assistance payments, Northstar kinship assistance
2.17	payments, and foster care subsidies are not gross income.
2.18	(f) Gross income does not include the income of the obligor's spouse and the obligee's
2.19	spouse.
2.20	(g) Child support or Spousal maintenance payments ordered by a court for a nonjoint
2.21	child or former spouse or ordered payable to the other party as part of the current proceeding
2.22	are deducted from other periodic payments received by a party for purposes of determining
2.23	gross income.
2.24	(h) Gross income does not include public assistance benefits received under section
2.25	256.741 or other forms of public assistance based on need.
2.26	Sec. 2. Minnesota Statutes 2020, section 518A.33, is amended to read:
2.27	518A.33 DEDUCTION FROM INCOME FOR NONJOINT CHILDREN.
2.28	(a) When either or both parents are legally responsible for a nonjoint child, a deduction
2.29	for this obligation shall be calculated under this section if:
2.30	(1) the nonjoint child primarily resides in the parent's household; and

(2) the parent is not obligated to pay basic child support for the nonjoint child to the 3.1 other parent or a legal custodian of the child under an existing child support order. 3.2

(b) The court shall use the guidelines under section 518A.35 to determine the basic child 3.3 support obligation for the nonjoint child or children by using the gross income of the parent 3.4 for whom the deduction is being calculated and the number of nonjoint children primarily 3.5 residing in the parent's household. If the number of nonjoint children to be used for the 3.6 determination is greater than two, the determination must be made using the number two 3.7 instead of the greater number. Court-ordered child support for a nonjoint child shall be 3.8 deducted from the payor's gross income. 3.9

3.10 (c) The deduction for nonjoint children is 50 percent of the guideline amount determined under paragraph (b). When a parent is legally responsible for a nonjoint child and the parent 3.11 is not obligated to pay basic child support for the nonjoint child to the other parent or a legal 3.12 custodian under an existing child support order, a deduction shall be calculated. The court 3.13 shall use the basic support guideline table under section 518A.35 to determine this deduction 3.14 by using the gross income of the parent for whom the deduction is being calculated, minus 3.15 any deduction under paragraph (b) and the number of eligible nonjoint children, up to six 3.16 children. The deduction for nonjoint children is 75 percent of the guideline amount 3.17 determined under this paragraph. 3.18

Sec. 3. Minnesota Statutes 2020, section 518A.35, subdivision 1, is amended to read: 3.19

Subdivision 1. Determination of support obligation. (a) The guideline in this section 3.20 is a rebuttable presumption and shall be used in any judicial or administrative proceeding 3.21 to establish or modify a support obligation under this chapter. 3.22

(b) The basic child support obligation shall be determined by referencing the guideline 3.23 for the appropriate number of joint children and the combined parental income for 3.24 determining child support of the parents. 3.25

(c) If a child is not in the custody of either parent and a support order is sought against 3.26 one or both parents, the basic child support obligation shall be determined by referencing 3.27 the guideline for the appropriate number of joint children, and the parent's individual parental 3.28 income for determining child support, not the combined parental incomes for determining 3.29 child support of the parents. Unless a parent has court-ordered parenting time, the parenting 3.30 expense adjustment formula under section 518A.34 must not be applied. 3.31

3.32 (d) If a child is in custody of either parent not residing with the parent that has court-ordered or statutory custody and a support order is sought by the public authority 3.33

under section 256.87 <u>against one or both parents</u>, <u>unless the parent against whom the support</u>
order is sought has court-ordered parenting time, the <u>basic</u> support obligation must be
determined by referencing the guideline for the appropriate number of joint children and
the parent's individual income without application of the parenting expense adjustment
formula under section 518A.34.

4.6 (e) For combined parental incomes for determining child support exceeding \$15,000
4.7 \$20,000 per month, the presumed basic child support obligations shall be as for parents
4.8 with combined parental income for determining child support of \$15,000 \$20,000 per month.
4.9 A basic child support obligation in excess of this level may be demonstrated for those reasons
4.10 set forth in section 518A.43.

4.11 Sec. 4. Minnesota Statutes 2020, section 518A.35, subdivision 2, is amended to read:

4.12 Subd. 2. Basic support; guideline. Unless otherwise agreed to by the parents and
4.13 approved by the court, when establishing basic support, the court must order that basic
4.14 support be divided between the parents based on their proportionate share of the parents'
4.15 combined monthly parental income for determining child support (PICS). Basic support
4.16 must be computed using the following guideline:

4.17	Combined Parental			Number of	Children		
4.18 4.19 4.20	Income for Determining Child Support	One	Two	Three	Four	Five	Six
4.21 4.22	\$0- \$799 <u>\$1,399</u>	\$50	\$50 <u>\$60</u>	\$75 <u>\$70</u>	\$75 <u>\$80</u>	\$100 <u>\$90</u>	\$100
4.23	800- 899	80	129	149	173	201	233
4.24	900- 999	90	145	167	194	226	262
4.25	1,000- 1,099	116	161	186	216	251	291
4.26	1,100- 1,199	145	205	237	275	320	370
4.27	1,200- 1,299	177	254	294	341	396	4 59
4.28	1,300- 1,399	212	309	356	414	480	557
4.29 4.30	1,400- 1,499	$\frac{251}{60}$	368 <u>75</u>	4 25 <u>85</u>	4 93 100	573 <u>110</u>	664 <u>120</u>
4.31 4.32	1,500- 1,599	292 <u>75</u>	4 33 <u>90</u>	500 105	580 <u>125</u>	673 <u>135</u>	780 145
4.33 4.34	1,600- 1,699	337 <u>90</u>	502 <u>110</u>	580 <u>130</u>	673 150	781 160	905 <u>170</u>
4.35 4.36	1,700- 1,799	385 <u>110</u>	577 <u>130</u>	666 155	773 <u>175</u>	897 <u>185</u>	1,040 <u>195</u>
4.37 4.38	1,800- 1,899	4 36 130	657 <u>150</u>	758 180	880 200	1,021 <u>210</u>	1,183 <u>220</u>

02/23/21 07:20 pm HOUSE RESEARCH SS/JF H0980DE2 490 742 994 1,152 856 1,336 5.1 1,900-1,999 175 5.2 150 205 235 245 <u>255</u> 1,498 516 832 960 1,292 1,114 5.3 2,000-2,099 170 200 235 270 285 295 5.4 <u>528</u> 851 981 1.139 1,320 1.531 5.5 2,100-2,199 190 225 265 305 325 335 5.6 538 867 1,000 1,1601,346 1,561 5.7 2,200-2,299 <u>2</u>15 300 379 5.8 255 345 367 546 881 1,016 1,179 1,586 1,367 5.9 2,300-2,399 240 285 409 423 5.10 335 385 893 1,029 1,195 554 1,385 1,608 5.11 2,400-2,499 265 315 370 425 451 467 5.12 903 560 1.0401,208 1.4001.625 5.13 2,500-2,599 290 350 408 465 493 511 5.14 570 920 1.0601,230 1,426 1.655 5.15 2,600-2,699 <u>315</u> 385 446 505 535 <u>555</u> 5.16 580 936 1,078 1,251 1,450 1,683 5.17 2,700-2,799 5.18 340 420 484 545 577 599 589 950 1,094 1,270 1,4721,7075.19 2,800-2,899 5.20 365 455 522 585 619 643 596 963 1,109 1,287 1,492 1,730 5.21 2,900-2,999 490 5.22 390 560 625 661 687 603 975 1,122 1,302 1,509 1,749 5.23 3,000-3,099 415 525 598 665 703 5.24 731 991 1.779 613 1.141 1.324 1.535 5.25 3,100-3,199 440 560 636 705 745 775 5.26 623 1.007 1,158 1,344 1.558 1,807 5.27 3,200-3,299 745 465 595 674 787 819 5.28 636 1.021 1.1751,363 1.581 1.833 5.29 3,300-3,399 485 630 712 785 829 863 5.30 650 1,034 1,190 1,380 1,601 1,857 5.31 3,400-3,499 5.32 505 665 750 825 871 907 1.047 1,204 1.397 1,621 1.880 664 5.33 3,500-3,599 525 784 861 910 948 695 5.34 1.909 677 1,062 1,223 1,418 1,646 5.35 3,600-3,699 949 545 818 897 989 5.36 725 1,937 691 1,077 1,240 1,439 1,670 5.37 3,700-3,799 5.38 565 755 852 933 988 1,030 1.257 705 1.0811.459 1.693 5.39 1.9633,800-3,899 5.40 585 785 886 969 1,027 1,071 719 1,273 1,478 5.41 1.1041,715 1.988 3,900-3,999 1,005 1,065 1,111 5.42 605 815 920 732 1.116 1.288 1.496 1,736 2.0125.43 4,000-4,099 625 5.44 845 954 1,041 1,103 1,151 746 1,132 1,305 1,516 1,759 2,039 5.45 4,100-4,199 5.46 645 875 988 1,077 1,142 1,191

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6.1	4,200- 4,299	760	1,147	1,322	1,536	1,781	2,064
6.2		665	<u>905</u>	1,022	<u>1,113</u>	<u>1,180</u>	<u>1,230</u>
6.3	4,300- 4,399	774	1,161	1,338	1,554	1,802	2,088
6.4		<u>685</u>	<u>935</u>	1,056	<u>1,149</u>	1,218	1,269
6.5	4,400- 4,499	787	1,175	1,353	1,572	1,822	2,111
6.6		<u>705</u>	<u>965</u>	1,090	1,185	1,256	<u>1,308</u>
6.7	4,500- 4,599	801	1,184	1,368	1,589	1,841	2,133
6.8		724	<u>993</u>	1,122	1,219	1,292	1,345
6.9	4,600- 4,699	808	1,200	1,386	1,608	1,864	2,160
6.10		743	1,021	1,154	1,253	1,328	<u>1,382</u>
6.11	4,700- 4,799	814	1,215	1,402	1,627	1,887	2,186
6.12		762	1,049	<u>1,186</u>	1,287	1,364	1,419
6.13	4,800- 4,899	820	1,231	1,419	1,645	1,908	2,212
6.14		781	1,077	<u>1,218</u>	<u>1,321</u>	<u>1,400</u>	<u>1,456</u>
6.15	4,900- 4,999	825	1,246	1,435	1,663	1,930	2,236
6.16		800	1,105	<u>1,250</u>	1,354	<u>1,435</u>	<u>1,493</u>
6.17	5,000- 5,099	831	1,260	1,450	1,680	1,950	2,260
6.18		818	<u>1,132</u>	<u>1,281</u>	1,387	<u>1,470</u>	<u>1,529</u>
6.19	5,100- 5,199	837	1,275	1,468	1,701	1,975	2,289
6.20		835	<u>1,159</u>	<u>1,312</u>	1,420	<u>1,505</u>	<u>1,565</u>
6.21	5,200- 5,299	843	1,290	1,485	1,722	1,999	2,317
6.22		852	<u>1,186</u>	<u>1,343</u>	1,453	<u>1,540</u>	<u>1,601</u>
6.23	5,300- 5,399	849	1,304	1,502	1,743	2,022	2,345
6.24		869	1,213	<u>1,374</u>	1,486	<u>1,575</u>	<u>1,638</u>
6.25	5,400- 5,499	854	1,318	1,518	1,763	2,046	2,372
6.26		886	<u>1,240</u>	<u>1,405</u>	1,519	<u>1,610</u>	<u>1,674</u>
6.27	5,500- 5,599	860	1,331	1,535	1,782	2,068	2,398
6.28		903	<u>1,264</u>	<u>1,434</u>	1,550	<u>1,643</u>	<u>1,708</u>
6.29	5,600- 5,699	866	1,346	1,551	1,801	2,090	2,424
6.30		920	1,288	<u>1,463</u>	1,581	<u>1,676</u>	<u>1,743</u>
6.31	5,700- 5,799	873	1,357	1,568	1,819	2,111	2,449
6.32		937	<u>1,312</u>	<u>1,492</u>	1,612	<u>1,709</u>	<u>1,777</u>
6.33	5,800- 5,899	881	1,376	1,583	1,837	2,132	2,473
6.34		954	<u>1,336</u>	<u>1,521</u>	1,643	<u>1,742</u>	<u>1,811</u>
6.35	5,900- 5,999	888	1,390	1,599	1,855	2,152	2,497
6.36		971	<u>1,360</u>	<u>1,550</u>	1,674	<u>1,775</u>	<u>1,846</u>
6.37	6,000- 6,099	895	1,404	1,604	1,872	2,172	2,520
6.38		988	<u>1,383</u>	<u>1,577</u>	1,703	<u>1,805</u>	<u>1,877</u>
6.39	6,100- 6,199	902	1,419	1,631	1,892	2,195	2,546
6.40		993	1,391	<u>1,586</u>	1,713	<u>1,815</u>	<u>1,887</u>
6.41	6,200- 6,299	909	1,433	1,645	1,912	2,217	2,572
6.42		999	1,399	<u>1,594</u>	1,722	<u>1,825</u>	1,898
6.43	6,300- 6,399	916	1,448	1,664	1,932	2,239	2,597
6.44		1,005	<u>1,406</u>	<u>1,603</u>	1,732	<u>1,836</u>	<u>1,909</u>
6.45	6,400- 6,499	923	1,462	1,682	1,951	2,260	2,621
6.46		1,010	1,414	<u>1,612</u>	1,741	<u>1,846</u>	<u>1,920</u>

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	02/23/21 07:20 pm		НО	USE RESEAF	RCH	SS/JF	H0980DE2
8.1	8,800- 8,899	1,118	1,822	2,094	2,429	2,816	3,168
8.2		1,155	1,618	<u>1,844</u>	<u>1,992</u>	2,112	2,197
8.3	8,900- 8,999	1,130	1,842	2,118	2,456	2,848	3,199
8.4		1,162	1,626	1,854	2,003	2,124	<u>2,209</u>
8.5	9,000- 9,099	1,143	1,863	2,142	2,484	2,880	3,223
8.6		1,168	1,635	<u>1,864</u>	2,014	2,135	2,221
8.7	9,100- 9,199	1,156	1,884	2,166	2,512	2,912	3,243
8.8		1,174	1,644	<u>1,874</u>	2,024	2,146	2,232
8.9	9,200- 9,299	1,168	1,904	2,190	2,539	2,944	3,263
8.10		1,180	1,652	1,884	2,035	2,158	2,244
8.11	9,300- 9,399	1,181	1,925	2,213	2,567	2,976	3,284
8.12		1,186	1,661	1,893	2,045	2,168	2,255
8.13	9,400- 9,499	1,194	1,946	2,237	2,594	3,008	3,304
8.14		1,193	1,670	<u>1,903</u>	2,056	<u>2,179</u>	2,267
8.15	9,500- 9,599	1,207	1,967	2,261	2,622	3,031	3,324
8.16		1,199	1,678	1,913	2,066	2,190	2,278
8.17	9,600- 9,699	1,219	1,987	2,285	2,650	3,050	3,345
8.18		1,205	1,687	1,923	2,077	2,202	2,290
8.19	9,700- 9,799	1,232	2,008	2,309	2,677	3,069	3,365
8.20		1,211	1,696	1,933	2,088	2,214	2,302
8.21	9,800- 9,899	1,245	2,029	2,332	2,705	3,087	3,385
8.22		1,217	1,704	1,943	<u>2,099</u>	2,225	<u>2,314</u>
8.23	9,900- 9,999	1,257	2,049	2,356	2,732	3,106	3,406
8.24		1,224	1,713	1,953	<u>2,110</u>	2,237	2,326
8.25	10,000-10,099	1,270	2,070	2,380	2,760	3,125	3,426
8.26		1,230	1,722	1,963	2,121	2,248	2,338
8.27	10,100-10,199	1,283	2,091	2,404	2,788	3,144	3,446
8.28		1,236	<u>1,730</u>	<u>1,973</u>	2,131	2,259	<u>2,350</u>
8.29	10,200-10,299	1,295	2,111	2,428	2,815	3,162	3,467
8.30		<u>1,242</u>	1,739	<u>1,983</u>	2,142	2,270	<u>2,361</u>
8.31	10,300-10,399	1,308	2,132	2,451	2,843	3,181	3,487
8.32		<u>1,248</u>	<u>1,748</u>	<u>1,992</u>	2,152	2,281	<u>2,373</u>
8.33	10,400-10,499	1,321	2,153	2,475	2,870	3,200	3,507
8.34		<u>1,254</u>	<u>1,756</u>	2,002	2,163	2,292	2,384
8.35	10,500-10,599	1,334	2,174	2,499	2,898	3,218	3,528
8.36		<u>1,261</u>	<u>1,765</u>	2,012	2,173	<u>2,304</u>	<u>2,396</u>
8.37	10,600-10,699	1,346	2,194	2,523	2,921	3,237	3,548
8.38		<u>1,267</u>	<u>1,774</u>	2,022	2,184	2,316	<u>2,409</u>
8.39	10,700-10,799	1,359	2,215	2,547	2,938	3,256	3,568
8.40		1,273	1,782	2,032	2,195	2,327	2,420
8.41	10,800-10,899	1,372	2,236	2,570	2,955	3,274	3,589
8.42		1,279	1,791	2,042	2,206	2,338	2,432
8.43	10,900-10,999	1,384	2,256	2,594	2,972	3,293	3,609
8.44		1,285	<u>1,800</u>	2,052	2,217	2,349	2,444
8.45	11,000-11,099	1,397	2,277	2,618	2,989	3,312	3,629
8.46		1,292	<u>1,808</u>	2,061	<u>2,226</u>	2,360	2,455

	02/23/21 07:20 pm		HO	USE RESEAF	RCH	SS/JF	H0980DE2
9.1	11,100-11,199	1,410	2,294	2,642	3,006	3,331	3,649
9.2		1,298	<u>1,817</u>	2,071	2,237	2,372	2,467
9.3	11,200-11,299	1,422	2,306	2,666	3,023	3,349	3,667
9.4		1,304	1,826	2,081	2,248	2,384	2,479
9.5	11,300-11,399	1,435	2,319	2,689	3,040	3,366	3,686
9.6		<u>1,310</u>	<u>1,834</u>	2,091	2,259	2,395	2,491
9.7	11,400-11,499	1,448	2,331	2,713	3,055	3,383	3,705
9.8		1,316	<u>1,843</u>	<u>2,101</u>	2,270	2,406	2,503
9.9	11,500-11,599	1,461	2,344	2,735	3,071	3,400	3,723
9.10		1,323	<u>1,852</u>	2,111	2,280	2,417	2,514
9.11	11,600-11,699	1,473	2,356	2,748	3,087	3,417	3,742
9.12		1,329	1,860	2,121	2,291	2,428	2,526
9.13	11,700-11,799	1,486	2,367	2,762	3,102	3,435	3,761
9.14		1,335	<u>1,869</u>	2,131	2,302	2,439	2,537
9.15	11,800-11,899	1,499	2,378	2,775	3,116	3,452	3,780
9.16		1,341	<u>1,878</u>	2,141	2,313	2,451	2,549
9.17	11,900-11,999	1,511	2,389	2,788	3,131	3,469	3,798
9.18		1,347	<u>1,886</u>	<u>2,150</u>	2,323	2,463	2,561
9.19	12,000-12,099	1,524	2,401	2,801	3,146	3,485	3,817
9.20		1,354	<u>1,895</u>	2,160	2,333	2,474	2,573
9.21	12,100-12,199	1,537	2,412	2,814	3,160	3,501	3,836
9.22		1,360	<u>1,904</u>	<u>2,170</u>	2,344	2,485	2,585
9.23	12,200-12,299	1,549	2,423	2,828	3,175	3,517	3,854
9.24		1,366	<u>1,912</u>	<u>2,180</u>	2,355	2,497	2,597
9.25	12,300-12,399	1,562	2,434	2,841	3,190	3,534	3,871
9.26		1,372	1,921	<u>2,190</u>	2,366	2,509	2,609
9.27	12,400-12,499	1,575	2,445	2,854	3,205	3,550	3,889
9.28		<u>1,378</u>	<u>1,930</u>	<u>2,200</u>	2,377	2,520	2,621
9.29	12,500-12,599	1,588	2,456	2,867	3,219	3,566	3,907
9.30		<u>1,385</u>	<u>1,938</u>	2,210	2,387	2,531	2,633
9.31	12,600-12,699	1,600	2,467	2,880	3,234	3,582	3,924
9.32		<u>1,391</u>	<u>1,947</u>	2,220	2,397	2,542	<u>2,644</u>
9.33	12,700-12,799	1,613	2,478	2,894	3,249	3,598	3,942
9.34		1,397	<u>1,956</u>	2,230	2,408	2,553	2,656
9.35	12,800-12,899	1,626	2,489	2,907	3,264	3,615	3,960
9.36		1,403	<u>1,964</u>	<u>2,240</u>	2,419	2,565	<u>2,668</u>
9.37	12,900-12,999	1,638	2,500	2,920	3,278	3,631	3,977
9.38		1,409	1,973	2,250	2,430	2,576	2,680
9.39	13,000-13,099	1,651	2,512	2,933	3,293	3,647	3,995
9.40		1,416	<u>1,982</u>	2,259	2,440	2,587	2,691
9.41	13,100-13,199	1,664	2,523	2,946	3,308	3,663	4,012
9.42		1,422	<u>1,990</u>	2,269	2,451	2,599	2,703
9.43	13,200-13,299	1,676	2,534	2,960	3,322	3,679	4,030
9.44		1,428	<u>1,999</u>	2,279	2,462	2,610	2,715
9.45	13,300-13,399	1,689	2,545	2,973	3,337	3,696	4,048
9.46		<u>1,434</u>	<u>2,008</u>	2,289	2,473	2,622	<u>2,727</u>

	02/23/21 07:20 pm		НО	USE RESEAI	RCH	SS/JF	H0980DE2
10.1	13,400-13,499	1,702	2,556	2,986	3,352	3,712	4 ,065
10.2		1,440	2,016	2,299	2,484	2,633	2,739
10.3	13,500-13,599	1,715	2,567	2,999	3,367	3,728	4,083
10.4		1,446	2,025	2,309	2,494	<u>2,644</u>	2,751
10.5	13,600-13,699	1,727	2,578	3,012	3,381	3,744	4,100
10.6		<u>1,453</u>	<u>2,034</u>	2,318	2,504	2,655	2,762
10.7	13,700-13,799	1,740	2,589	3,026	3,396	3,760	4,118
10.8		<u>1,459</u>	<u>2,042</u>	2,328	2,515	2,666	2,773
10.9	13,800-13,899	1,753	2,600	3,039	3,411	3,777	4,136
10.10		<u>1,465</u>	2,051	2,338	2,526	2,677	2,784
10.11	13,900-13,999	1,765	2,611	3,052	3,425	3,793	4 <u>,153</u>
10.12		1,471	2,060	2,348	2,537	2,688	2,795
10.13	14,000-14,099	1,778	2,623	3,065	3,440	3,809	4 ,171
10.14		1,477	2,068	2,358	<u>2,547</u>	2,699	2,807
10.15	14,100-14,199	1,791	2,634	3,078	3,455	3,825	4,189
10.16		1,484	2,077	2,368	2,558	2,711	2,819
10.17	14,200-14,299	1,803	2,645	3,092	3,470	3,841	4 ,206
10.18		<u>1,490</u>	2,086	2,378	2,569	2,722	2,831
10.19	14,300-14,399	1,816	2,656	3,105	3,484	3,858	4,224
10.20		1,496	2,094	2,388	<u>2,580</u>	2,734	2,843
10.21	14,400-14,499	1,829	2,667	3,118	3,499	3,874	4 ,239
10.22		1,502	2,103	2,398	2,590	2,746	2,855
10.23	14,500-14,599	1,842	2,678	3,131	3,514	3,889	4 ,253
10.24		1,508	2,111	2,407	2,600	2,757	2,867
10.25	14,600-14,699	1,854	2,689	3,144	3,529	3,902	4,268
10.26		1,515	2,120	2,417	2,611	2,768	2,879
10.27	14,700-14,799	1,864	2,700	3,158	3,541	3,916	4 <u>,282</u>
10.28		1,521	2,129	2,427	2,622	2,780	2,891
10.29	14,800-14,899	1,872	2,711	3,170	3,553	3,929	4 ,297
10.30		1,527	2,138	2,437	2,633	2,792	2,903
10.31	14,900-14,999	1,879	2,722	3,181	3,565	3,942	4,311
10.32		1,533	2,146	2,447	2,643	2,802	2,914
10.33	15,000 , or the	1,883	2,727	3,186	3,571	3,949	4 <u>,319</u>
10.34	amount in effect	1,539	2,155	2,457	2,654	2,813	2,926
10.35 10.36	under subd. 4 <u>-15,099</u>						
10.37	15,100-15,199	1,545	2,163	2,466	2,664	2,825	2,937
10.38	15,200-15,299	<u>1,551</u>	2,171	2,476	2,675	2,836	2,949
10.39	15,300-15,399	<u>1,557</u>	2,180	2,486	2,685	2,847	2,961
10.40	15,400-15,499	1,563	2,188	2,495	2,695	2,858	2,973
10.41	15,500-15,599	1,569	2,197	2,505	2,706	2,869	2,985
10.42	15,600-15,699	1,575	2,205	2,514	2,716	2,880	2,996
10.43	15,700-15,799	<u>1,581</u>	2,214	2,524	2,727	2,891	3,008
10.44	15,800-15,899	<u>1,587</u>	2,222	2,534	2,737	2,902	3,019

HOUSE RESEARCH

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	1						
11.1	15,900-15,999	1,593	2,230	2,543	2,747	2,913	3,030
11.2	16,000-16,099	1,599	2,239	2,553	2,758	2,924	3,042
11.3	16,100-16,199	1,605	2,247	2,562	2,768	2,935	3,053
11.4	16,200-16,299	1,611	2,256	2,572	2,779	2,946	3,065
11.5	16,300-16,399	1,617	2,264	2,582	2,789	2,957	3,076
11.6	16,400-16,499	1,623	2,272	2,591	2,799	2,968	3,088
11.7	16,500-16,599	1,629	2,281	2,601	2,810	2,979	3,099
11.8	16,600-16,699	1,635	2,289	2,610	2,820	2,990	3,110
11.9	16,700-16,799	1,641	2,298	2,620	2,830	3,001	3,121
11.10	16,800-16,899	1,647	2,306	2,629	2,840	3,011	3,132
11.11	16,900-16,999	1,653	2,315	2,639	2,851	3,022	3,143
11.12	17,000-17,099	1,659	2,323	2,649	2,861	3,033	3,155
11.13	17,100-17,199	1,665	2,331	2,658	2,871	3,044	3,167
11.14	17,200-17,299	1,671	2,340	2,668	2,882	3,055	3,178
11.15	17,300-17,399	1,677	2,348	2,677	2,892	3,066	3,189
11.16	17,400-17,499	1,683	2,357	2,687	2,902	3,077	3,201
11.17	17,500-17,599	1,689	2,365	2,696	2,912	3,088	3,212
11.18	17,600-17,699	1,695	2,373	2,705	2,922	3,098	3,223
11.19	17,700-17,799	1,701	2,382	2,715	2,932	3,109	3,234
11.20	17,800-17,899	1,707	2,390	2,724	2,942	3,119	3,245
11.21	17,900-17,999	1,713	2,399	2,734	2,953	3,130	3,256
11.22	18,000-18,099	1,719	2,407	2,744	2,963	3,141	3,268
11.23	18,100-18,199	1,725	2,415	2,753	2,973	3,152	3,279
11.24	18,200-18,299	1,731	2,424	2,763	2,984	3,163	3,290
11.25	18,300-18,399	1,737	2,432	2,772	2,994	3,174	3,301
11.26	18,400-18,499	1,743	2,441	2,782	3,004	3,185	3,313
11.27	18,500-18,599	1,749	2,449	2,791	3,014	3,196	3,324
11.28	18,600-18,699	1,755	2,457	2,801	3,024	3,206	3,335
11.29	18,700-18,799	1,761	2,466	2,811	3,035	3,217	3,346
11.30	18,800-18,899	1,767	2,474	2,820	3,045	3,227	3,357
11.31	18,900-18,999	1,773	2,483	2,830	3,056	3,238	3,368
11.32	19,000-19,099	1,779	2,491	2,840	3,066	3,249	3,380
11.33	19,100-19,199	1,785	2,499	2,849	3,076	3,260	3,392
11.34	19,200-19,299	<u>1,791</u>	2,508	2,859	3,087	3,271	3,403
11.35	19,300-19,399	<u>1,797</u>	2,516	2,868	3,097	3,282	<u>3,414</u>
11.36	19,400-19,499	1,803	2,525	2,878	3,107	3,293	3,426
11.37	19,500-19,599	1,809	2,533	2,887	3,117	3,304	3,437
11.38	19,600-19,699	1,815	2,541	2,896	3,127	3,315	3,448

	02/23/21 07:20 pm		НО	USE RESEAR	СН	SS/JF	H0980DE2
12.1	19,700-19,799	1,821	2,550	2,906	3,138	3,326	3,459
12.2	19,800-19,899	1,827	2,558	2,915	3,148	3,337	3,470
12.3	19,900-19,999	1,833	2,567	2,925	3,159	3,348	3,481
12.4	20,000 and over or	1,839	2,575	2,935	3,170	3,359	3,492
12.5 12.6	the amount in effect under						
12.0	subdivision 4						
12.8	EFFECTIVE DATE. This section is effective August 31, 2022.						
12.9	Sec. 5. Minnesota Statutes 2020, section 518A.39, subdivision 7, is amended to read:						
12.10	Subd. 7. Child care exception. Child care support must be based on the actual child						
12.11	care expenses. The court may provide that a decrease in the amount of the child care based						
12.12	on a decrease in the a	ctual child o	care expense	es is effective	e as of the	e date the exp	pense is
12.13	decreased. Under sect	ion 518A.4	0, subdivisi	on 4, paragra	aph (d), a	decrease in t	the amount
12.14	of child care support sl	nall be effec	tive as of the	e date the exp	enses tern	ninated unles	s otherwise
12.15	found by the court.						
12.16	Soo 6 Minnosoto St	atutas 2020	action 51	8 4 40 is am	and ad by	adding a gul	division to
12.16 12.17	Sec. 6. Minnesota Stread:	atules 2020	, section 51	0A.40, 18 am	lended by	adding a suc	
12.17							
12.18	Subd. 3a. Child ca			· •			
12.19	care support is ordered			-			
12.20	the court regarding or	•		ehalf of a joi	nt child, o	or the oblige	e is a
12.21	participant in the Safe	at Home p	rogram:				
12.22	(1) the obligee mu	st give the	child care p	rovider the n	ame and a	address of th	e obligor
12.23	and must give the oblig	gor the name	e, address, ai	nd telephone	number o	f the child car	re provider;
12.24	(2) by February 1	of each yea	r, the oblige	e must provi	de the ob	ligor with ve	erification
12.25	from the child care pro	ovider that i	ndicates the	total child ca	are expens	ses paid for th	ne previous
12.26	year; and						
12.27	(3) when there is a	change in	the child car	re provider, t	he type o	f child care p	provider, or
12.28	the age group of the c	hild, the ob	ligee must p	provide upda	ted inform	nation to the	obligor. If
12.29	the obligee fails to pro	vide the anr	nual verifica	tion from the	provider	or updated in	nformation,
12.30	the obligor may reque	st the verifi	ication from	the provide	r.		
12.31	(b) When the oblig	ee is no lon	ger incurrin	g child care	expenses.	the obligee	must notifv
12.31	the obligor, and the pu						
12.02			<u></u>			<u>, mar m</u>	

expenses ended and on which date. If the public authority is providing services, the public 13.1 authority must follow the procedure outlined in subdivision 4. 13.2

Sec. 7. Minnesota Statutes 2020, section 518A.40, subdivision 4, is amended to read: 13.3

Subd. 4. Change in child care. (a) When a court order provides for child care expenses, 13.4 and child care support is not assigned under section 256.741, the public authority, if the 13.5 public authority provides child support enforcement services, may suspend collecting the 13.6 amount allocated for child care expenses when either party informs the public authority that 13.7 no child care costs expenses are being incurred and: 13.8

(1) the public authority verifies the accuracy of the information with the obligee; or

(2) the obligee fails to respond within 30 days of the date of a written request from the 13.10 public authority for information regarding child care costs. A written or oral response from 13.11 the obligee that child care costs are being incurred is sufficient for the public authority to 13.12 continue collecting child care expenses. 13.13

The suspension is effective as of the first day of the month following the date that the public 13.14 authority either verified the information with the obligee or the obligee failed to respond. 13.15

The public authority will resume collecting child care expenses when either party provides 13.16 information that child care costs are incurred, or when a child care support assignment takes 13.17 effect under section 256.741, subdivision 4. The resumption is effective as of the first day 13.18 of the month after the date that the public authority received the information. 13.19

13.20 (b) If the parties provide conflicting information to the public authority regarding whether child care expenses are being incurred, the public authority will continue or resume collecting 13.21 child care expenses. Either party, by motion to the court, may challenge the suspension, 13.22

continuation, or resumption of the collection of child care expenses under this subdivision. 13.23 If the public authority suspends collection activities for the amount allocated for child care 13.24 expenses, all other provisions of the court order remain in effect. 13.25

(c) In cases where there is a substantial increase or decrease in child care expenses, the 13.26 parties may modify the order under section 518A.39. 13.27

(d) In cases where child care expenses have terminated, the parties may modify the order 13.28 13.29 under section 518A.39.

(e) When the public authority is providing child support services, the parties may contact 13.30 13.31 the public authority about the option of a stipulation to modify or terminate the child care

support amount. 13.32

^{13.9}

14.1

Sec. 8. Minnesota Statutes 2020, section 518A.42, is amended to read:

14.2 **518A.42 ABILITY TO PAY; SELF-SUPPORT ADJUSTMENT.**

Subdivision 1. Ability to pay. (a) It is a rebuttable presumption that a child support
order should not exceed the obligor's ability to pay. To determine the amount of child support
the obligor has the ability to pay, the court shall follow the procedure set out in this section.

(b) The court shall calculate the obligor's income available for support by subtracting a
monthly self-support reserve equal to 120 percent of the federal poverty guidelines for one
person from the obligor's gross income parental income for determining child support (PICS).
If the obligor's income available for support calculated under this paragraph is equal to or
greater than the obligor's support obligation calculated under section 518A.34, the court
shall order child support under section 518A.34.

(c) If the obligor's income available for support calculated under paragraph (b) is more
than the minimum support amount under subdivision 2, but less than the guideline amount
under section 518A.34, then the court shall apply a reduction to the child support obligation
in the following order, until the support order is equal to the obligor's income available for
support:

14.17 (1) medical support obligation;

14.18 (2) child care support obligation; and

14.19 (3) basic support obligation.

(d) If the obligor's income available for support calculated under paragraph (b) is equal
to or less than the minimum support amount under subdivision 2 or if the obligor's gross
income is less than 120 percent of the federal poverty guidelines for one person, the minimum
support amount under subdivision 2 applies.

Subd. 2. Minimum basic support amount. (a) If the basic support amount applies, the
court must order the following amount as the minimum basic support obligation:

14.26 (1) for one or two children child, the obligor's basic support obligation is \$50 per month;

14.27 (2) for two children, the obligor's basic support obligation is \$60 per month;

14.28 (3) for three or four children, the obligor's basic support obligation is \$75 \$70 per month;
14.29 and

14.30 (4) for four children, the obligor's basic support obligation is \$80 per month;

15.1	(3) (5) for five or more children, the obligor's basic support obligation is $\frac{100}{90}$ per
15.2	month-; and
15.3	(6) for six or more children, the obligor's basic support obligation is \$100 per month.
15.4	(b) If the court orders the obligor to pay the minimum basic support amount under this
15.5	subdivision, the obligor is presumed unable to pay child care support and medical support.
15.6	If the court finds the obligor receives no income and completely lacks the ability to earn
15.7	income, the minimum basic support amount under this subdivision does not apply.
15.8	Subd. 3. Exception. (a) This section does not apply to an obligor who is incarcerated.
15.9	(b) If the court finds the obligor receives no income and completely lacks the ability to
15.10	earn income, the minimum basic support amount under this subdivision does not apply.
15.11	(c) If the obligor's basic support amount is reduced below the minimum basic support
15.12	amount due to the application of the parenting expense adjustment, the minimum basic
15.13	support amount under this subdivision does not apply and the lesser amount is the guideline
15.14	basic support.
15.15	Sec. 9. Minnesota Statutes 2020, section 518A.43, is amended by adding a subdivision to
15.16	read:
15.17	Subd. 1b. Increase in income of custodial parent. In a modification of support under
15.17	section 518A.39, the court may deviate from the presumptive child support obligation under
15.19	section 518A.34 when the only change in circumstances is an increase to the custodial
15.20	parent's income and:
15.21	(1) the basic support increases;
15.22	(2) the parties' combined gross income is \$6,000 or less; or
15.23	(3) the obligor's income is \$2,000 or less.
15.24	Sec. 10. Minnesota Statutes 2020, section 518A.685, is amended to read:
15.25	518A.685 CONSUMER REPORTING AGENCY; REPORTING ARREARS.
15.26	(a) If a public authority determines that an obligor has not paid the current monthly
15.27	support obligation plus any required arrearage payment for three months, the public authority
15.28	must may report this information to a consumer reporting agency.
15.29	(b) Before reporting that an obligor is in arrears for court-ordered child support, the
15.30	public authority must:

16.1	(1) provide written notice to the obligor that the public authority intends to report the
16.2	arrears to a consumer reporting agency; and
16.3	(2) mail the written notice to the obligor's last known mailing address at least 30 days
16.4	before the public authority reports the arrears to a consumer reporting agency.
16.5	(c) The obligor may, within 21 days of receipt of the notice, do the following to prevent
16.6	the public authority from reporting the arrears to a consumer reporting agency:
16.7	(1) pay the arrears in full; or
16.8	(2) request an administrative review. An administrative review is limited to issues of
16.9	mistaken identity, a pending legal action involving the arrears, or an incorrect arrears
16.10	balance- <u>; or</u>
16.11	(3) enter into a written payment agreement pursuant to section 518A.69 that is approved
16.12	by a court, a child support magistrate, or the public authority responsible for child support
16.13	enforcement.
16.14	(d) A public authority that reports arrearage information under this section must make
16.15	monthly reports to a consumer reporting agency. The monthly report must be consistent
16.16	with credit reporting industry standards for child support.
16.17	(e) For purposes of this section, "consumer reporting agency" has the meaning given in
16.18	section 13C.001, subdivision 4, and United States Code, title 15, section 1681a(f).
16.19	EFFECTIVE DATE. This section is effective January 1, 2022.
16.20	ARTICLE 2
16.21	INTEREST ON CHILD SUPPORT JUDGMENTS
16.22	Section 1. Minnesota Statutes 2020, section 518.68, subdivision 2, is amended to read:
16.23	Subd. 2. Contents. The required notices must be substantially as follows:
16.24	IMPORTANT NOTICE
16.25	1. PAYMENTS TO PUBLIC AGENCY
16.26	According to Minnesota Statutes, section 518A.50, payments ordered for maintenance
16.27	and support must be paid to the public agency responsible for child support enforcement
16.28	as long as the person entitled to receive the payments is receiving or has applied for
16.29	public assistance or has applied for support and maintenance collection services. MAIL
16.30	PAYMENTS TO:

17.1 2. DEPRIVING ANOTHER OF CUSTODIAL OR PARENTAL RIGHTS -- A FELONY

A person may be charged with a felony who conceals a minor child or takes, obtains,
retains, or fails to return a minor child from or to the child's parent (or person with
custodial or visitation rights), according to Minnesota Statutes, section 609.26. A copy
of that section is available from any district court clerk.

17.6 3. NONSUPPORT OF A SPOUSE OR CHILD -- CRIMINAL PENALTIES

A person who fails to pay court-ordered child support or maintenance may be charged
with a crime, which may include misdemeanor, gross misdemeanor, or felony charges,
according to Minnesota Statutes, section 609.375. A copy of that section is available
from any district court clerk.

17.11 4. RULES OF SUPPORT, MAINTENANCE, PARENTING TIME

- (a) Payment of support or spousal maintenance is to be as ordered, and the giving ofgifts or making purchases of food, clothing, and the like will not fulfill the obligation.
- (b) Payment of support must be made as it becomes due, and failure to secure or denial
 of parenting time is NOT an excuse for nonpayment, but the aggrieved party must seek
 relief through a proper motion filed with the court.
- (c) Nonpayment of support is not grounds to deny parenting time. The party entitled to
 receive support may apply for support and collection services, file a contempt motion,
 or obtain a judgment as provided in Minnesota Statutes, section 548.091.
- 17.20 (d) The payment of support or spousal maintenance takes priority over payment of debts17.21 and other obligations.
- (e) A party who accepts additional obligations of support does so with the full knowledgeof the party's prior obligation under this proceeding.
- 17.24 (f) Child support or maintenance is based on annual income, and it is the responsibility
- of a person with seasonal employment to budget income so that payments are madethroughout the year as ordered.
- (g) Reasonable parenting time guidelines are contained in Appendix B, which is availablefrom the court administrator.
- (h) The nonpayment of support may be enforced through the denial of student grants;
- 17.30 interception of state and federal tax refunds; suspension of driver's, recreational, and
- 17.31 occupational licenses; referral to the department of revenue or private collection agencies;
- seizure of assets, including bank accounts and other assets held by financial institutions;

18.5

- reporting to credit bureaus; interest charging, income withholding, and contempt 18.1 proceedings; and other enforcement methods allowed by law. 18.2
- (i) The public authority may suspend or resume collection of the amount allocated for 18.3 child care expenses if the conditions of Minnesota Statutes, section 518A.40, subdivision 18.4 4, are met.
- (j) The public authority may remove or resume a medical support offset if the conditions 18.6 of Minnesota Statutes, section 518A.41, subdivision 16, are met. 18.7
- (k) The public authority may suspend or resume interest charging on child support 18.8 judgments if the conditions of Minnesota Statutes, section 548.091, subdivision 1a, are met. 18.9
- 5. MODIFYING CHILD SUPPORT 18.10
- If either the obligor or obligee is laid off from employment or receives a pay reduction, 18.11 child support may be modified, increased, or decreased. Any modification will only take 18.12
- effect when it is ordered by the court, and will only relate back to the time that a motion 18.13 is filed. Either the obligor or obligee may file a motion to modify child support, and may
- 18.14
- request the public agency for help. UNTIL A MOTION IS FILED, THE CHILD 18.15
- SUPPORT OBLIGATION WILL CONTINUE AT THE CURRENT LEVEL. THE 18.16
- COURT IS NOT PERMITTED TO REDUCE SUPPORT RETROACTIVELY. 18.17
- 6. PARENTAL RIGHTS FROM MINNESOTA STATUTES, SECTION 518.17, 18.18
- **SUBDIVISION 3** 18.19
- Unless otherwise provided by the Court: 18.20
- (a) Each party has the right of access to, and to receive copies of, school, medical, dental, 18.21 religious training, and other important records and information about the minor children. 18.22 Each party has the right of access to information regarding health or dental insurance 18.23 available to the minor children. Presentation of a copy of this order to the custodian of 18.24 a record or other information about the minor children constitutes sufficient authorization 18.25 for the release of the record or information to the requesting party. 18.26
- 18.27 (b) Each party shall keep the other informed as to the name and address of the school of attendance of the minor children. Each party has the right to be informed by school 18.28 officials about the children's welfare, educational progress and status, and to attend 18.29 school and parent teacher conferences. The school is not required to hold a separate 18.30
- conference for each party. 18.31

(c) In case of an accident or serious illness of a minor child, each party shall notify the
other party of the accident or illness, and the name of the health care provider and the
place of treatment.

19.4 (d) Each party has the right of reasonable access and telephone contact with the minor19.5 children.

19.6 7. WAGE AND INCOME DEDUCTION OF SUPPORT AND MAINTENANCE

19.7 Child support and/or spousal maintenance may be withheld from income, with or without
19.8 notice to the person obligated to pay, when the conditions of Minnesota Statutes, section
19.9 518A.53 have been met. A copy of those sections is available from any district court
19.10 clerk.

19.11 8. CHANGE OF ADDRESS OR RESIDENCE

Unless otherwise ordered, each party shall notify the other party, the court, and the public
authority responsible for collection, if applicable, of the following information within
ten days of any change: the residential and mailing address, telephone number, driver's
license number, Social Security number, and name, address, and telephone number of
the employer.

19.17 9. COST OF LIVING INCREASE OF SUPPORT AND MAINTENANCE

19.18 Basic support and/or spousal maintenance may be adjusted every two years based upon

19.19 a change in the cost of living (using Department of Labor Consumer Price Index,

19.20 unless otherwise specified in this order) when the conditions of Minnesota Statutes,

19.21 section 518A.75, are met. Cost of living increases are compounded. A copy of Minnesota

- 19.22 Statutes, section 518A.75, and forms necessary to request or contest a cost of living
- 19.23 increase are available from any district court clerk.
- 19.24 10. JUDGMENTS FOR UNPAID SUPPORT

If a person fails to make a child support payment, the payment owed becomes a judgment
against the person responsible to make the payment by operation of law on or after the
date the payment is due, and the person entitled to receive the payment or the public
agency may obtain entry and docketing of the judgment WITHOUT NOTICE to the

- 19.29 person responsible to make the payment under Minnesota Statutes, section 548.091.
- 19.30 Interest begins to accrue on a payment or installment of child support whenever the
- 19.31 unpaid amount due is greater than the current support due, according to Minnesota
- 19.32 Statutes, section 548.091, subdivision 1a.

19.33 11. JUDGMENTS FOR UNPAID MAINTENANCE

- 20.1 (a) A judgment for unpaid spousal maintenance may be entered when the conditions of
 20.2 Minnesota Statutes, section 548.091, are met. A copy of that section is available from
 20.3 any district court clerk.
- 20.4 (b) The public authority is not responsible for calculating interest on any judgment for
- 20.5 unpaid spousal maintenance. When providing services in IV-D cases, as defined in
- 20.6 Minnesota Statutes, section 518A.26, subdivision 10, the public authority will only
- 20.7 collect interest on spousal maintenance if spousal maintenance is reduced to a sum
 20.8 certain judgment.

20.9 12. ATTORNEY FEES AND COLLECTION COSTS FOR ENFORCEMENT OF CHILD20.10 SUPPORT

- 20.11 A judgment for attorney fees and other collection costs incurred in enforcing a child
- 20.12 support order will be entered against the person responsible to pay support when the
- 20.13 conditions of Minnesota Statutes, section 518A.735, are met. A copy of Minnesota
- 20.14 Statutes, sections 518.14 and 518A.735 and forms necessary to request or contest these
- 20.15 attorney fees and collection costs are available from any district court clerk.

20.16 13. PARENTING TIME EXPEDITOR PROCESS

20.17 On request of either party or on its own motion, the court may appoint a parenting time

20.18 expeditor to resolve parenting time disputes under Minnesota Statutes, section 518.1751.

A copy of that section and a description of the expeditor process is available from anydistrict court clerk.

20.21 14. PARENTING TIME REMEDIES AND PENALTIES

20.22 Remedies and penalties for the wrongful denial of parenting time are available under 20.23 Minnesota Statutes, section 518.175, subdivision 6. These include compensatory parenting 20.24 time; civil penalties; bond requirements; contempt; and reversal of custody. A copy of 20.25 that subdivision and forms for requesting relief are available from any district court 20.26 clerk.

- 20.27 **EFFECTIVE DATE.** This section is effective August 1, 2022.
- 20.28 Sec. 2. Minnesota Statutes 2020, section 548.091, subdivision 1a, is amended to read:

Subd. 1a. Child support judgment by operation of law. (a) Any payment or installment of support required by a judgment or decree of dissolution or legal separation, determination of parentage, an order under chapter 518C, an order under section 256.87, or an order under section 260B.331 or 260C.331, that is not paid or withheld from the obligor's income as

required under section 518A.53, or which is ordered as child support by judgment, decree, 21.1 or order by a court in any other state, is a judgment by operation of law on and after the 21.2 date it is due, is entitled to full faith and credit in this state and any other state, and shall be 21.3 entered and docketed by the court administrator on the filing of affidavits as provided in 21.4 subdivision 2a. Except as otherwise provided by paragraphs (b) and (e), interest accrues 21.5 from the date the unpaid amount due is greater than the current support due at the annual 21.6 rate provided in section 549.09, subdivision 1, not to exceed an annual rate of 18 percent. 21.7 A payment or installment of support that becomes a judgment by operation of law between 21.8 the date on which a party served notice of a motion for modification under section 518A.39, 21.9 subdivision 2, and the date of the court's order on modification may be modified under that 21.10 subdivision. Interest does not accrue on a judgment for child support, confinement and 21.11 pregnancy expenses, or genetic testing fees. 21.12

(b) Notwithstanding the provisions of section 549.09, upon motion to the court and upon 21.13 proof by the obligor of 12 consecutive months of complete and timely payments of both 21.14 current support and court-ordered paybacks of a child support debt or arrearage, the court 21.15 may order interest on the remaining debt or arrearage to stop accruing. Timely payments 21.16 are those made in the month in which they are due. If, after that time, the obligor fails to 21.17 make complete and timely payments of both current support and court-ordered paybacks 21.18 of child support debt or arrearage, the public authority or the obligee may move the court 21.19 for the reinstatement of interest as of the month in which the obligor ceased making complete 21.20 and timely payments. 21.21

21.22The court shall provide copies of all orders issued under this section to the public21.23authority. The state court administrator shall prepare and make available to the court and21.24the parties forms to be submitted by the parties in support of a motion under this paragraph.21.25(c) Notwithstanding the provisions of section 549.09, upon motion to the court, the court21.26may order interest on a child support debt or arrearage to stop accruing where the court21.27finds that the obligor is:

21.28 (1) unable to pay support because of a significant physical or mental disability;

21.29 (2) a recipient of Supplemental Security Income (SSI), Title II Older Americans Survivor's
 21.30 Disability Insurance (OASDI), other disability benefits, or public assistance based upon
 21.31 need; or

21.32 (3) institutionalized or incarcerated for at least 30 days for an offense other than
21.33 nonsupport of the child or children involved, and is otherwise financially unable to pay
21.34 support.

- (d) If the conditions in paragraph (c) no longer exist, upon motion to the court, the court
 may order interest accrual to resume retroactively from the date of service of the motion to
 resume the accrual of interest.
- (e) Notwithstanding section 549.09, the public authority must suspend the charging of
 interest when:
- 22.6 (1) the obligor makes a request to the public authority that the public authority suspend
 22.7 the charging of interest;
- 22.8 (2) the public authority provides full IV-D child support services; and

22.9 (3) the obligor has made, through the public authority, 12 consecutive months of complete
 and timely payments of both current support and court-ordered paybacks of a child support
 debt or arrearage.

22.12 Timely payments are those made in the month in which they are due.

Interest charging must be suspended on the first of the month following the date of the written notice of the public authority's action to suspend the charging of interest. If, after interest charging has been suspended, the obligor fails to make complete and timely payments of both current support and court-ordered paybacks of child support debt or arrearage, the public authority may resume the charging of interest as of the first day of the month in which the obligor ceased making complete and timely payments.

- 22.19 The public authority must provide written notice to the parties of the public authority's 22.20 action to suspend or resume the charging of interest. The notice must inform the parties of 22.21 the right to request a hearing to contest the public authority's action. The notice must be 22.22 sent by first class mail to the parties' last known addresses.
- A party may contest the public authority's action to suspend or resume the charging of 22.23 interest if the party makes a written request for a hearing within 30 days of the date of written 22.24 notice. If a party makes a timely request for a hearing, the public authority must schedule 22.25 a hearing and send written notice of the hearing to the parties by mail to the parties' last 22.26 known addresses at least 14 days before the hearing. The hearing must be conducted in 22.27 district court or in the expedited child support process if section 484.702 applies. The district 22.28 court or child support magistrate must determine whether suspending or resuming the interest 22.29 charging is appropriate and, if appropriate, the effective date. 22.30
- 22.31 **EFFECTIVE DATE.** This section is effective August 1, 2022.

23.1

Sec. 3. Minnesota Statutes 2020, section 548.091, subdivision 2a, is amended to read:

Subd. 2a. Entry and docketing of child support judgment. (a) On or after the date an
unpaid amount becomes a judgment by operation of law under subdivision 1a, the obligee
or the public authority may file with the court administrator:

(1) a statement identifying, or a copy of, the judgment or decree of dissolution or legal
separation, determination of parentage, order under chapter 518B or 518C, an order under
section 256.87, an order under section 260B.331 or 260C.331, or judgment, decree, or order
for child support by a court in any other state, which provides for periodic installments of
child support, or a judgment or notice of attorney fees and collection costs under section
518A.735;

(2) an affidavit of default. The affidavit of default must state the full name, occupation,
place of residence, and last known post office address of the obligor, the name of the obligee,
the date or dates payment was due and not received and judgment was obtained by operation
of law, the total amount of the judgments to be entered and docketed; and

(3) an affidavit of service of a notice of intent to enter and docket judgment and to recover
attorney fees and collection costs on the obligor, in person or by first class mail at the
obligor's last known post office address. Service is completed upon mailing in the manner
designated. Where applicable, a notice of interstate lien in the form promulgated under
United States Code, title 42, section 652(a), is sufficient to satisfy the requirements of clauses
(1) and (2).

(b) A judgment entered and docketed under this subdivision has the same effect and is
subject to the same procedures, defenses, and proceedings as any other judgment in district
court, and may be enforced or satisfied in the same manner as judgments under section
548.09, except as otherwise provided.

23.25 (c) A judgment entered and docketed under this subdivision is not subject to interest
 23.26 charging or accrual.

23.27 **EFFECTIVE DATE.** This section is effective August 1, 2022.

23.28 Sec. 4. Minnesota Statutes 2020, section 548.091, subdivision 3b, is amended to read:

Subd. 3b. **Child support judgment administrative renewals.** Child support judgments may be renewed by service of notice upon the debtor. Service must be by first class mail at the last known address of the debtor, with service deemed complete upon mailing in the manner designated, or in the manner provided for the service of civil process. Upon the filing of the notice and proof of service, the court administrator shall administratively renew

the judgment for child support without any additional filing fee in the same court file as the original child support judgment. The judgment must be renewed in an amount equal to the unpaid principal plus the accrued unpaid interest accrued prior to August 1, 2022. Child support judgments may be renewed multiple times until paid.

24.5 **EFFECTIVE DATE.** This section is effective August 1, 2022.

24.6 Sec. 5. Minnesota Statutes 2020, section 548.091, subdivision 9, is amended to read:

Subd. 9. Payoff statement. The public authority shall issue to the obligor, attorneys, 24.7 lenders, and closers, or their agents, a payoff statement setting forth conclusively the amount 24.8 necessary to satisfy the lien. Payoff statements must be issued within three business days 24.9 after receipt of a request by mail, personal delivery, telefacsimile, or electronic mail 24.10 transmission, and must be delivered to the requester by telefacsimile or electronic mail 24.11 transmission if requested and if appropriate technology is available to the public authority. 24.12 If the payoff statement includes amounts for unpaid maintenance, the statement shall specify 24.13 that the public authority does not calculate accrued interest and that an interest balance in 24.14

24.15 addition to the payoff statement may be owed.

24.16 **EFFECTIVE DATE.** This section is effective August 1, 2022.

24.17 Sec. 6. Minnesota Statutes 2020, section 548.091, subdivision 10, is amended to read:

Subd. 10. Release of lien. Upon payment of the <u>child support</u> amount due, the public
authority shall execute and deliver a satisfaction of the judgment lien within five business
days. <u>The public authority is not responsible for satisfaction of judgments for unpaid</u>
<u>maintenance.</u>

24.22 **EFFECTIVE DATE.** This section is effective August 1, 2022.

24.23 Sec. 7. Minnesota Statutes 2020, section 549.09, subdivision 1, is amended to read:

Subdivision 1. When owed; rate. (a) When a judgment or award is for the recovery of money, including a judgment for the recovery of taxes, interest from the time of the verdict, award, or report until judgment is finally entered shall be computed by the court administrator or arbitrator as provided in paragraph (c) and added to the judgment or award.

(b) Except as otherwise provided by contract or allowed by law, preverdict, preaward,
or prereport interest on pecuniary damages shall be computed as provided in paragraph (c)
from the time of the commencement of the action or a demand for arbitration, or the time
of a written notice of claim, whichever occurs first, except as provided herein. The action

must be commenced within two years of a written notice of claim for interest to begin to 25.1 accrue from the time of the notice of claim. If either party serves a written offer of settlement, 25.2 the other party may serve a written acceptance or a written counteroffer within 30 days. 25.3 After that time, interest on the judgment or award shall be calculated by the judge or arbitrator 25.4 in the following manner. The prevailing party shall receive interest on any judgment or 25.5 award from the time of commencement of the action or a demand for arbitration, or the time 25.6 of a written notice of claim, or as to special damages from the time when special damages 25.7 25.8 were incurred, if later, until the time of verdict, award, or report only if the amount of its offer is closer to the judgment or award than the amount of the opposing party's offer. If 25.9 the amount of the losing party's offer was closer to the judgment or award than the prevailing 25.10 party's offer, the prevailing party shall receive interest only on the amount of the settlement 25.11 offer or the judgment or award, whichever is less, and only from the time of commencement 25.12 of the action or a demand for arbitration, or the time of a written notice of claim, or as to 25.13 special damages from when the special damages were incurred, if later, until the time the 25.14 settlement offer was made. Subsequent offers and counteroffers supersede the legal effect 25.15 of earlier offers and counteroffers. For the purposes of clause (2), the amount of settlement 25.16 offer must be allocated between past and future damages in the same proportion as determined 25.17 by the trier of fact. Except as otherwise provided by contract or allowed by law, preverdict, 25.18 preaward, or prereport interest shall not be awarded on the following: 25.19

(1) judgments, awards, or benefits in workers' compensation cases, but not including
third-party actions;

25.22 (2) judgments or awards for future damages;

25.23 (3) punitive damages, fines, or other damages that are noncompensatory in nature;

(4) judgments or awards not in excess of the amount specified in section 491A.01; and

(5) that portion of any verdict, award, or report which is founded upon interest, or costs,
disbursements, attorney fees, or other similar items added by the court or arbitrator.

(c)(1)(i) For a judgment or award of \$50,000 or less or a judgment or award for or against
the state or a political subdivision of the state, regardless of the amount, or a judgment or
award in a family court action, except for a child support judgment, regardless of the amount,
the interest shall be computed as simple interest per annum. The rate of interest shall be
based on the secondary market yield of one year United States Treasury bills, calculated on
a bank discount basis as provided in this section.

25.33 On or before the 20th day of December of each year the state court administrator shall 25.34 determine the rate from the one-year constant maturity treasury yield for the most recent calendar month, reported on a monthly basis in the latest statistical release of the board of
governors of the Federal Reserve System. This yield, rounded to the nearest one percent,

or four percent, whichever is greater, shall be the annual interest rate during the succeeding
calendar year. The state court administrator shall communicate the interest rates to the court
administrators and sheriffs for use in computing the interest on verdicts and shall make the
interest rates available to arbitrators.

This item applies to any section that references section 549.09 by citation for the purposes of computing an interest rate on any amount owed to or by the state or a political subdivision of the state, regardless of the amount.

(ii) The court, in a family court action, may order a lower interest rate or no interest rate
if the parties agree or if the court makes findings explaining why application of a lower
interest rate or no interest rate is necessary to avoid causing an unfair hardship to the debtor.
This item does not apply to child support or spousal maintenance judgments subject to
section 548.091.

(2) For a judgment or award over \$50,000, other than a judgment or award for or against
the state or a political subdivision of the state or a judgment or award in a family court
action, the interest rate shall be ten percent per year until paid.

(3) When a judgment creditor, or the judgment creditor's attorney or agent, has received 26.18 a payment after entry of judgment, whether the payment is made voluntarily by or on behalf 26.19 of the judgment debtor, or is collected by legal process other than execution levy where a 26.20 proper return has been filed with the court administrator, the judgment creditor, or the 26.21 judgment creditor's attorney, before applying to the court administrator for an execution 26.22 shall file with the court administrator an affidavit of partial satisfaction. The affidavit must 26.23 state the dates and amounts of payments made upon the judgment after the most recent 26.24 affidavit of partial satisfaction filed, if any; the part of each payment that is applied to taxable 26.25 26.26 disbursements and to accrued interest and to the unpaid principal balance of the judgment; and the accrued, but the unpaid interest owing, if any, after application of each payment. 26.27

26.28

.28 (4) Interest shall not accrue on child support judgments.

(d) This section does not apply to arbitrations between employers and employees under
chapter 179 or 179A. An arbitrator is neither required to nor prohibited from awarding
interest under chapter 179 or under section 179A.16 for essential employees.

26.32 (e) For purposes of this subdivision:

- (1) "state" includes a department, board, agency, commission, court, or other entity in
 the executive, legislative, or judicial branch of the state; and
- 27.3 (2) "political subdivision" includes a town, statutory or home rule charter city, county,
- 27.4 school district, or any other political subdivision of the state.
- 27.5 **EFFECTIVE DATE.** This section is effective August 1, 2022.
- 27.6

ARTICLE 3

PARENT EDUCATION PROGRAM REQUIREMENTS

27.7

27.8 Section 1. Minnesota Statutes 2020, section 518.157, subdivision 1, is amended to read:

Subdivision 1. Implementation; administration. (a) By January 1, 1998, the chief 27.9 judge of each judicial district or a designee shall implement one or more parent education 27.10 programs within the judicial district for the purpose of educating parents about the impact 27.11 that divorce, the restructuring of families, and judicial proceedings have upon children and 27.12 families; methods for preventing parenting time conflicts; and dispute resolution options. 27.13 The chief judge of each judicial district or a designee may require that children attend a 27.14 separate education program designed to deal with the impact of divorce upon children as 27.15 part of the parent education program. Each parent education program must enable persons 27.16 27.17 to have timely and reasonable access to education sessions.

27.18 (b) The chief judge of each judicial district shall ensure that the judicial district's website
 27.19 includes information on the parent education program or programs required under this
 27.20 section.

27.21 Sec. 2. Minnesota Statutes 2020, section 518.157, subdivision 3, is amended to read:

Subd. 3. Attendance. (a) In a proceeding under this chapter where <u>the parties have not</u> agreed to custody or <u>a parenting time is contested schedule</u>, <u>the court shall order</u> the parents of a minor child shall attend <u>to attend or take online</u> a minimum of eight hours in an orientation and education program that meets the minimum standards promulgated by the Minnesota Supreme Court.

- 27.27 (b) In all other proceedings involving custody, support, or parenting time the court may
 27.28 order the parents of a minor child to attend a parent education program.
- (c) The program shall provide the court with names of persons who fail to attend the
 parent education program as ordered by the court. Persons who are separated or contemplating
 involvement in a dissolution, paternity, custody, or parenting time proceeding may attend
 a parent education program without a court order.

(d) Unless otherwise ordered by the court, participation in a parent education program
must begin <u>before an initial case management conference and within 30 days after the first</u>
filing with the court or as soon as practicable after that time based on the reasonable
availability of classes for the program for the parent. Parent education programs must offer
an opportunity to participate at all phases of a pending or postdecree proceeding.

(e) Upon request of a party and a showing of good cause, the court may excuse the party
from attending the program. If past or present domestic abuse, as defined in chapter 518B,
is alleged, the court shall not require the parties to attend the same parent education sessions
and shall enter an order setting forth the manner in which the parties may safely participate
in the program.

28.11 (f) Before an initial case management conference for a proceeding under this chapter

28.12 where the parties have not agreed to custody or parenting time, the court shall notify the

- 28.13 parties of their option to resolve disagreements, including the development of a parenting
- 28.14 plan, through the use of private mediation."
- 28.15 Amend the title accordingly