WEST virginia legislature

2023 regular session

Introduced

House Bill 2130

By Delegate Steele

[Introduced January 11, 2023; Referred to the Committee on Senior, Children, and Family Issues then the Judiciary]

A BILL to amend and reenact §48-13-201 of the Code of West Virginia,1931, as amended; and to amend said code by adding thereto a new section, designated §48-13-403a, all relating to allowing as a deduction to determine adjusted gross income for either parent student loan payments and mortgage payments not to exceed 25 percent of gross income.

Be it enacted by the Legislature of West Virginia:

ARTICLE 13. GUIDELINES FOR CHILD SUPPORT AWARDS.

PART 2. CALCULATION OF CHILD SUPPORT ORDER.

§48-13-201. Use of both parents income in determining child support.

A child support order is determined by dividing the total child support obligation between the parents in proportion to their income. Both parents’ adjusted gross income is used to determine the amount of child support. To determine the adjusted gross income of either or both parents there shall be deducted student loan payments and mortgage payments made by each or both parents not to exceed 25 percent of the total gross income determined before these deductions.

part iv. support in sole custody cases.

§48-13-403a. Adjustment to worksheet.

The worksheet found in §48-13-403 of this code is modified to require the deductions to monthly gross income of the deductions provided in §48-13-201 of this code.

NOTE: The purpose of this bill is to allow deductions for student loan repayment or mortgage payments not to exceed 25 percent of gross income in determining child support payments.

Strike-throughs indicate language that would be stricken from a heading or the present law, and underscoring indicates new language that would be added.