

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]

1 A BILL to amend and reenact §48-13-201 of the Code of West Virginia, 1931, as amended; and to
 2 amend said code by adding thereto a new section, designated §48-13-403a, all relating to
 3 allowing as a deduction to determine adjusted gross income for either parent student loan
 4 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.

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

part iv. support in sole custody cases.

§48-13-403a. Adjustment to worksheet.

1 The worksheet found in §48-13-403 of this code is modified to require the deductions to
 2 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.