

Amend **HB 448** by striking Sections 2 through 4 of the bill and substituting the following appropriately numbered sections:

SECTION \_\_\_\_\_. Section 154.125, Family Code, is amended to read as follows:

Sec. 154.125. APPLICATION OF GUIDELINES TO NET RESOURCES [~~OF \$6,000 OR LESS~~]. (a) The guidelines for the support of a child in this section are specifically designed to apply to situations in which the obligor's monthly net resources are not greater than \$7,500 or the adjusted amount determined under Subsection (a-1), whichever is greater [~~\$6,000 or less~~].

(a-1) The dollar amount prescribed by Subsection (a) is adjusted every six years as necessary to reflect inflation. The Title IV-D agency shall compute the adjusted amount, to take effect beginning September 1 of the year of the adjustment, based on the percentage change during the preceding six-year period in the consumer price index, as rounded to the nearest \$50 increment. The Title IV-D agency shall publish the adjusted amount in the Texas Register before September 1 of the year in which the adjustment takes effect. For purposes of this subsection, "consumer price index" has the meaning assigned by Section 341.201, Finance Code.

(a-2) The initial adjustment required by Subsection (a-1) shall take effect September 1, 2013. This subsection expires September 1, 2014.

(b) If the obligor's monthly net resources are not greater than the amount provided by Subsection (a) [~~\$6,000 or less~~], the court shall presumptively apply the following schedule in rendering the child support order:

#### CHILD SUPPORT GUIDELINES

##### BASED ON THE MONTHLY NET RESOURCES OF THE OBLIGOR

1 child	20% of Obligor's Net Resources
2 children	25% of Obligor's Net Resources
3 children	30% of Obligor's Net Resources
4 children	35% of Obligor's Net Resources
5 children	40% of Obligor's Net Resources
6+ children	Not less than the amount for 5 children

SECTION \_\_\_\_\_. Section 154.126, Family Code, is amended to read as follows:

Sec. 154.126. APPLICATION OF GUIDELINES TO ADDITIONAL NET RESOURCES [~~OF MORE THAN \$6,000 MONTHLY~~]. (a) If the obligor's net resources exceed the amount provided by Section 154.125(a) [~~\$6,000 per month~~], the court shall presumptively apply the percentage guidelines to the portion [~~first \$6,000~~] of the obligor's net resources that does not exceed that amount. Without further reference to the percentage recommended by these guidelines, the court may order additional amounts of child support as appropriate, depending on the income of the parties and the proven needs of the child.

(b) The proper calculation of a child support order that exceeds the presumptive amount established for the portion [~~first \$6,000~~] of the obligor's net resources provided by Section 154.125(a) requires that the entire amount of the presumptive award be subtracted from the proven total needs of the child. After the presumptive award is subtracted, the court shall allocate between the parties the responsibility to meet the additional needs of the child according to the circumstances of the parties. However, in no event may the obligor be required to pay more child support than the greater of the presumptive amount or the amount equal to 100 percent of the proven needs of the child.

SECTION \_\_\_\_\_. Section 154.130(b), Family Code, is amended to read as follows:

(b) If findings are required by this section, the court shall state whether the application of the guidelines would be unjust or inappropriate and shall state the following in the child support order:

"(1) the monthly net resources of the obligor per month are \$\_\_\_\_\_;

"(2) the monthly net resources of the obligee per month are \$\_\_\_\_\_;

"(3) the percentage applied to the obligor's net resources for child support by the actual order rendered by the court is \_\_\_\_\_%;

"(4) the amount of child support if the percentage guidelines are applied to the portion [~~first \$6,000~~] of the obligor's net resources that does not exceed the amount provided by

Section 154.125(a), Family Code, is \$\_\_\_\_\_;

"(5) if applicable, the specific reasons that the amount of child support per month ordered by the court varies from the amount stated in Subdivision (4) are: \_\_\_\_\_; and

"(6) if applicable, the obligor is obligated to support children in more than one household, and:

"(A) the number of children before the court is \_\_\_\_\_;

"(B) the number of children not before the court residing in the same household with the obligor is \_\_\_\_\_; and

"(C) the number of children not before the court for whom the obligor is obligated by a court order to pay support, without regard to whether the obligor is delinquent in child support payments, and who are not counted under Paragraph (A) or (B) is \_\_\_\_\_."

SECTION \_\_\_\_\_. The changes in law made by this Act to Sections 154.125, 154.126, and 154.130(b), Family Code, apply only to a suit affecting the parent-child relationship that is commenced on or after September 1, 2007. A suit affecting the parent-child relationship commenced before September 1, 2007, is governed by the law in effect on the date the suit was filed, and the former law is continued in effect for that purpose.