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Secretary's Office

Report From Agency

Rule Report for Legislative Review

Child Support Percentage of Income Standard

DCF 150/CR 16-075

Basis and Purpose of the Proposed Rules

45 CFR 302.56 (a) requires states to review their child support guidelines at least once every 4 years to ensure that application of the guidelines results in the determination of appropriate child support award amounts. In 2014, the department appointed a Child Support Guidelines Advisory Committee comprised of representatives of the courts, family law attorneys, community-based organizations, county child support agencies, state legislators, and citizens. The proposed rules are based on the recommendations of this committee.

Public Hearing Summary

The department held a public hearing in Madison on December 20, 2016. In response to public comment, the department is no longer proposing changes to the guidelines on determining the child support obligation of a high-income payer. A summary of other comments received and the department's response is attached.

Response to Legislative Council Staff Recommendations

All comments were accepted, except the following:

- Comment 2. g. There was an error in the initial draft of the proposed rule. The department is not proposing a change to the fifth line of s. DCF 150.04 (2) (b) (Note) on page 10 or the second line of the same note on page 11.
- Comment 5. o. Since the department is no longer proposing changes to the high-income formula, the proposed Appendix E has been removed.

Changes to Analysis Prepared under Section 227.14 (2), Stats.

The summary of the proposed changes to the high-income formula has been removed. The summary of the proposed changes to the low-income formula has been amended to remove the proposed modifications to the imputation of income based on earning capacity.

Final Regulatory Flexibility Analysis

The proposed rules do not affect small businesses.

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