

State of Misconsin 2001 - 2002 LEGISLATURE

## SENATE AMENDMENT 2, TO SENATE SUBSTITUTE AMENDMENT 1, TO 2001 SENATE BILL 106

June 28, 2001 – Offered by Committee onJudiciary, Consumer Affairs, and Campaign Finance Reform.

1	At the locations indicated, amend the substitute amendment as follows:
2	<b>1.</b> Page 4, line 2: after that line insert:
3	"SECTION 6c. 767.25 (1g) of the statutes is amended to read:
4	767.25 (1g) In determining child support payments, the court may consider all
5	relevant financial information or other information relevant to the parent's earning
6	capacity, including information reported under s. 49.22 (2m) to the department or the
7	county child support agency under s. 59.53 (5). The court may impute income by
8	setting an amount determined by the court to represent the parent's actual ability
9	to earn, based on the parent's education, training, and work experience, and the
10	availability of work in or near the parent's community.".
11	<b>2.</b> Page 10, line 15: after that line insert:
12	"SECTION 15m. Nonstatutory provisions.

2001 – 2002 Legislature

(1) STUDY ON LIMITING ARREARAGES. The department of workforce development 1  $\mathbf{2}$ shall conduct a study on whether arrearages in child or family support that accrue 3 while the support payer's income is below the federal poverty line, as defined under 4 42 USC 9902 (2), for a single individual, should be limited to no more than a specified  $\mathbf{5}$ amount, such as \$500; whether any such limitation should not apply if the court 6 determines that the payer has the actual ability to earn more than the federal 7 poverty line amount for a single individual, based on the payer's education, training, 8 and work experience and the availability of work in or near the payer's community; 9 and what effect, if any, on such a limitation there should be if the payer, during the 10 time that his or her income is below the federal poverty line amount, receives a 11 sizable amount of money or other valuable assets that are not considered income for 12purposes of support, such as an inheritance. No later than October 1, 2001, the 13department of workforce development shall report the results of the study, together 14with its findings and recommendations, to the chairpersons of the senate and 15assembly committees on judiciary in the manner provided under section 13.172 (3) 16 of the statutes.".

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**3.** Page 10, line 18: after "767.25 (1) (a)" insert "and (1g)".

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(END)