
Wisconsin Legislative Council

ACT MEMO



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2021 Wisconsin Act 160
[2021 Senate Bill 104]

**Excluding Variable Housing
Costs From Income for
Calculating Child Support**

BACKGROUND

State law requires the Department of Children and Families (DCF) to promulgate administrative rules that provide a standard for courts to use in determining a child support obligation based upon a percentage of the gross income and assets of either or both parents. Under prior rules promulgated by DCF, the definition of “gross income” included military allowances and veterans disability compensation benefits, without any further specificity.

2021 WISCONSIN ACT 160

2021 Wisconsin Act 160 modifies the DCF administrative rule to specify that gross income, for purposes of calculating child support, excludes variable housing costs. Specifically, under the act, gross income includes veterans disability compensation benefits and military allowances, including basic allowances for subsistence and housing, but does not include amounts attributable to area variable housing costs.

Effective date: The act’s treatment of the administrative rule took effect on April 1, 2022.

AO:jal