CONSENT CALENDAR

March 7, 2023

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

The Committee on Children and Family Law to which was referred HB 583-FN,

AN ACT relative to the termination of child support.

Having considered the same, report the same with the following amendment, and the recommendation that the bill OUGHT TO PASS WITH AMENDMENT.

Rep. Lorie Ball

FOR THE COMMITTEE

Original: House Clerk
Cc: Committee Bill File

COMMITTEE REPORT

Committee:	**Children and Family Law**
Bill Number:	**HB 583-FN**
Title:	**relative to the termination of child support.**
Date:	**March 7, 2023**
Consent Calendar:	**CONSENT**
Recommendation:	**OUGHT TO PASS WITH AMENDMENT 2023-0793h**

STATEMENT OF INTENT

As the law stands now, child support for a non-disabled child can go on indefinitely if the child does not graduate high school. This amendment closes that loophole and sets a maximum child support age at 19 plus two months provided the non-disabled child is enrolled in an elementary or secondary school. This termination of child support stipulation aligns with the US Social Security Survivors Benefits wording with regard to when government support for non-disabled children terminates. In addition, this amendment extends child support for children with disabilities to the age of 22 provided they are enrolled in a program approved by the state. This change aligns with the NH education law that extends special education services through the age of 22 years old for children with disabilities

Vote 15-0.

Rep. Lorie Ball
FOR THE COMMITTEE

Original: House Clerk
Cc: Committee Bill File

CONSENT CALENDAR

Children and Family Law

HB 583-FN, relative to the termination of child support. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Lorie Ball for Children and Family Law. As the law stands now, child support for a non-disabled child can go on indefinitely if the child does not graduate high school. This amendment closes that loophole and sets a maximum child support age at 19 plus two months provided the non-disabled child is enrolled in an elementary or secondary school. This termination of child support stipulation aligns with the US Social Security Survivors Benefits wording with regard to when government support for non-disabled children terminates. In addition, this amendment extends child support for children with disabilities to the age of 22 provided they are enrolled in a program approved by the state. This change aligns with the NH education law that extends special education services through the age of 22 years old for children with disabilities **Vote 15-0.**

Original: House Clerk
Cc: Committee Bill File

HOUSE COMMITTEE ON CHILDREN AND FAMILY LAW

EXECUTIVE SESSION on HB 583-FN

BILL TITLE: relative to the termination of child support.

DATE: March 7, 2023

LOB ROOM: 206-208

MOTIONS: OUGHT TO PASS WITH AMENDMENT

Moved by Rep. Ball	Seconded by Rep. DeSimone	AM Vote: 15-0

Amendment # 2023-0793h

Moved by Rep. Ball	Seconded by Rep. DeSimone	Vote: 15-0

CONSENT CALENDAR: YES

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep Peter Petrigno, Clerk

STATE OF NEW HAMPSHIRE
OFFICE OF THE HOUSE CLERK

1/10/2023 7:58:02 AM
Roll Call Committee Registers Report

2023 SESSION

Children and Family Law

Bill #: HB 583-FN **Motion:** Adoption ✓ **AM #:** 2023-0793h **Exec Session Date:** 3/7/23

Members	YEAS	Nays	NV
Pearson, Mark A. Chairman	✓		
Long, Patrick T. Vice Chairman	✓		
DeSimone, Debra L.	✓		
Bickford, David A.	✓		
Nelson, Jodi L	✓		
McMahon, Charles E.	✓		
Ball, Lorie	✓		
Panek, Sandra L	✓		
Seidel, Sheila C	✓		
Grossman, Gaby M.	✓		
Levesque, Cassandra N.	✓		
Petrigno, Peter Clerk	✓		
Perez, Maria	✓		
Gregg, Alicia C	✓		
Moulton, Candace			✓
Raymond, Heather	✓		
TOTAL VOTE:	15	0	1

STATE OF NEW HAMPSHIRE
OFFICE OF THE HOUSE CLERK

1/10/2023 7:58:02 AM
Roll Call Committee Registers Report

2023 SESSION

Children and Family Law

Bill #: HB 583-FN Motion: OTP A AM #: 2023-0793h Exec Session Date: 3/7/23

Members	YEAS	Nays	NV
Pearson, Mark A. Chairman	✓		
Long, Patrick T. Vice Chairman	✓		
DeSimone, Debra L.	✓		
Bickford, David A.	✓		
Nelson, Jodi L	✓		
McMahon, Charles E.	✓		
Ball, Lorie	✓		
Panek, Sandra L	✓		
Seidel, Sheila C	✓		
Grossman, Gaby M.	✓		
Levesque, Cassandra N.	✓		
Petrigno, Peter Clerk	✓		
Perez, Maria	✓		
Gregg, Alicia C	✓		
Moulton, Candace			✓
Raymond, Heather	✓		
TOTAL VOTE:	15	0	1

HOUSE COMMITTEE ON CHILDREN AND FAMILY LAW

PUBLIC HEARING ON HB 583-FN

BILL TITLE: **relative to the termination of child support.**

DATE: **February 21, 2023**

LOB ROOM: **206-208** **Time Public Hearing Called to Order:** **10:50am**

Time Adjourned: **11:23am**

Committee Members: Reps. M. Pearson, Long, Petrigno, DeSimone Bickford, J. Nelson, McMahon, Ball, Panek, Seidel, Grossman, Levesque, Gregg and Raymond.

Bill Sponsors:
Rep. Spillane **Rep. DeSimone** **Rep. Edwards**
Sen. Avard

TESTIMONY

* Use asterisk if written testimony and/or amendments are submitted.

Rep. Spillane
- Introduced his bill
- Spoke of his personal situation regarding his son turning 18 years old, to change the child support amount for other dependent children.
- The law states "whichever happens last" age 18 or high school graduation.
- Since his son has not graduated high school, he would indefinitely have to continue payments beyond age 18.
- The law does require continued support for special circumstances, such as children who remain in high school beyond age 18.
- Is open to an amendment that would address unique circumstances.

Keith Kuenning - WAYPOINT
- Spoke in Opposition
- The bill seems to be a "one size fits all" and does not account for different circumstances.
- "You have to adopt to what your child needs."

Rep. Debra DeSimmone
- Spoke in Support
- Citing emancipated children should have the means to support themselves, especially if they're going to make "poor choices" regarding not graduating from high school.

Matthew Hayes and Lisa DeKutoski - Bureau of Child Support Services
- No position (on bill)
- Spoke of possible need of Public Assistance

Richard Head - Judicial Branch
- Requested change to January 1st. to accommodate the courts.

Respectfully submitted,

Rep. Peter Petrigno, Clerk

SIGN UP SHEET

To Register Opinion If Not Speaking

Bill #: HB 583-FN Date: 2/21/23

Committee: Children and Family Law

**** Please Print All Information ****

Name	Address	Phone	Representing	Pro	Con
Rep. Jeanie Notte			Hills 12	✓	
REP JOHN POTUCEK			ROCK 13	✓	
REP JESS EDWARDS			ROCK 31	✓	
Vivian Gerrard				✓	
KEITH LUENING			UNAFFIL		✓

House Remote Testify

Children and Family Law Committee Testify List for Bill HB583 on 2023-02-2

Support: 5 Oppose: 3 Neutral: 0 Total to Testify: 0

Export to Excel

Name	City, State Email Address	Title	Representing	Position	Testifying	Non-Germane	S
Smith, Julie	Nashua, NH cantdog@comcast.net	A Member of the Public	Myself	Support	No	No	1
Ryan, Moira	Londonderry, NH army51kilo@hotmail.com	A Member of the Public	Myself	Oppose	No	No	1
Beaudoin-Friede, Forrest	Condo, NH forrestvader@gmail.com	A Member of the Public	Myself	Support	No	No	1
Bouchard, Shannon	Sandown, NH bouchardshannon92@gmail.com	A Member of the Public	Myself	Support	No	No	1
Baker, stacey	Hollis, NH staceytaylor@charter.net	A Member of the Public	Myself	Oppose	No	No	1
Cullen, Andrew	Marlborough, NH drewski0352@gmail.com	A Member of the Public	Myself	Support	No	No	1
Johnson, Dawn	Laconia, NH staterep@dawnjohnson4nh.com	A Member of the Public	Myself	Support	No	No	1
boudman, roberta	wolfeboro, NH boudwoman2@gmail.com	A Member of the Public	Myself	Oppose	No	No	1

Moira Ryan

Dear Chairperson Pearson and committee members,

I strongly oppose HB 583. There have been a number of bills which have gone before this committee which are similar and all have been rejected by the committee as inappropriate. This bill takes away any discretion that the judge has to determine child support and will negatively impact both children and their custodial parents. One factor which was not considered was that federal agencies, even over the 18 of 18 and educational institutions count the income OF BOTH PARENTS as students are deemed dependent by institutions of higher learning automatically. This would negatively impact financial aid packages as well as limit a child's ability to retain insurance after the age of 18 even if they are still a student in public school. In addition, some children with special needs require care throughout the course of their lives and this would unfairly leave one parent with the burden of that responsibility and the other parent with zero responsibility. How is that equitable when a child is the responsibility of BOTH parents? This also takes away judicial discretion to extend child support for a special needs child after the age of 21 which again leaves one parent with the responsibility. This also fails to address deadbeats and whether or not child support enforcement will continue to collect funds after the student turns 18 and as I am reading it, they would not which also negatively impacts the child as they are entitled to those funds. This bill is a disaster and should be voted ITL and never brought back again. I will absolutely NOT support this.

Shannon Bouchard

Disabled children of divorced parents should not have their child's support stop at age 18. These children require supports possibly for a lifetime. It should be continued and only stopped if a court determines that the disabled child is not longer in need. Thank you for listening to my feelings on this. It is a BAD BILL for single divorced parents!

Andrew Cullen

I support this bill. HS graduation ought to not be a requirement for the termination of child support.

roberta boudman

The calendar birthday year for students is October 1 - September 30. Many students are 18 before their Senior year of school even begins. About 2% of students are retained and many students who have birthdays after June don't attend school until the following year.

There are many students with disabilities who attend high school programs past their 18th year.

I oppose this bill.

HB 583-FN - AS INTRODUCED

2023 SESSION

23-0474
04/08

HOUSE BILL ***583-FN***

AN ACT relative to the termination of child support.

SPONSORS: Rep. Spillane, Rock. 2; Rep. DeSimone, Rock. 18; Rep. Edwards, Rock. 31; Sen. Avard, Dist 12

COMMITTEE: Children and Family Law

ANALYSIS

This bill removes high school graduation as a condition for the termination of a support obligation.

- -

Explanation: Matter added to current law appears in ***bold italics.***
Matter removed from current law appears [~~in brackets and struckthrough.~~]
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

HB 583-FN - AS INTRODUCED

23-0474
04/08

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Three

AN ACT relative to the termination of child support.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 Parental Rights and Responsibilities; Support. Amend RSA 461-A:14, IV to read as follows:

IV. The amount of a child support obligation shall remain as stated in the order until the dependent child for whom support is ordered [~~completes his or her high school education or~~] reaches the age of 18 years, [~~whichever is later,~~] or marries, or becomes a member of the armed services, or is emancipated pursuant to an order of emancipation under RSA 461-B, at which time the child support obligation, including all educational support obligations, [~~terminates~~] ***shall terminate*** without further legal action. If the parties have a child with disabilities, the court may initiate or continue the child support obligation after the child reaches the age of 18. No child support order for a child with disabilities which becomes effective after July 9, 2013 may continue after the child reaches age 21.

2 Effective Date. This act shall take effect 60 days after its passage.

LBA
23-0474
1/9/23

HB 583-FN- FISCAL NOTE
AS INTRODUCED

AN ACT relative to the termination of child support.

FISCAL IMPACT:

Due to time constraints, the Office of Legislative Budget Assistant is unable to provide a fiscal note for this bill, **as introduced**, at this time. When completed, the fiscal note will be forwarded to the House Clerk's Office.

AGENCIES CONTACTED:

Department of Health and Human Services

Rep. Ball, Rock. 25
March 7, 2023
2023-0793h
07/08

Amendment to HB 583-FN

Amend the bill by replacing section 1 with the following:

1 Parental Rights and Responsibilities; Support. Amend RSA 461-A:14, IV to read as follows:

IV. The amount of a child support obligation shall remain as stated in the order until the dependent child for whom support is ordered [~~completes his or her high school education or reaches the age of 18 years, whichever is later,~~] or marries, or becomes a member of the armed services, or is emancipated pursuant to an order of emancipation under RSA 461-B, ***or reaches the age of 18 years, unless the child is still a full-time student at a secondary or elementary school at age 18, then benefits will continue until the child graduates or until two months after the child becomes age 19, whichever is first,*** at which time the child support obligation, including all educational support obligations, [~~terminates~~] ***shall terminate*** without further legal action. If the parties have a child with disabilities, the court may initiate or continue the child support obligation after the child reaches the age of 18. No child support order for a child with disabilities which becomes effective after July 9, 2013 may continue after the child reaches age 21 ***unless the child is participating in a program approved by the state board of education, then through the child's 22nd birthday, at which point the child support obligation shall terminate***.

2023-0793h

AMENDED ANALYSIS

This bill alters the time at which a child support obligation terminates.