

Amendment No. 3 to HB1391

**Chumney
Signature of Sponsor**

FILED
Date _____
Time _____
Clerk _____
Comm. Amdt. _____

AMEND Senate Bill No. 1668

House Bill No. 1391*

By deleting SECTION 20 of the bill as amended and by substituting instead the following:

SECTION 20. Tennessee Code Annotated, Section 36-5-101(e)(1), is amended designating the current language as item "(A)" by adding the following new language, to be designated as item "(B)":

(B) Notwithstanding any provision of this section or any other law or rule to the contrary, if the net income of the obligor exceeds ten thousand dollars (\$10,000) per month, then the obligor must prove by a preponderance of the evidence that child support in excess of the amount, [*calculated by multiplying the appropriate percentage set forth in the child support guidelines by a net income of ten thousand dollars (\$10,000) per month*], is not reasonably necessary to provide for the needs and best interests of the minor child or children of the parties and the circumstances of the parties. In making its determination, the court shall consider all available income of the obligor, as required by this chapter, and shall make a written finding that child support in excess of the amount so calculated is or is not reasonably necessary to provide for the needs and best interests of the minor child or children of the parties and the circumstances of the parties. The court may require that sums paid above the percentage applied to the net income above ten thousand dollars (\$10,000) be placed in an educational or other trust fund for the benefit of the minor child or children.