

HOUSE BILL 1207

By Montgomery

AN ACT to amend Tennessee Code Annotated, Title 36,  
relative to child support.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 36-5-101 (e)(4), is amended by adding the following as a new subdivision:

(C) In calculating amounts of support for children under the guidelines, the court shall subtract from the obligor's financial child support responsibility any amount the child receives as a result of the obligor's disability including but not limited to supplemental security income payments, state supplemental payments, and social security disability insurance payments.

SECTION 2. Tennessee Code Annotated, Section 36-5-101, is further amended by adding the following language to the end of subdivision (f)(4):

Notwithstanding any other law to the contrary, if the obligor in arrears is disabled and receiving social security disability insurance payments, no more than four percent (4%) of such payments shall be withheld or collected by the department to satisfy any child support arrearage.

SECTION 3. Tennessee Code Annotated, Section 36-5-103, is amended by adding the following to the end of subdivision (f)(1)(B):

A non-custodial parent becoming disabled or eligible to receive social security income, state supplemental payments, or social security disability insurance payments shall be considered a substantial change in circumstances for the purposes of this section.

SECTION 4. The commissioner of human services is authorized to promulgate rules and regulations to effectuate the purposes of this act. All such rules and regulations shall be promulgated in accordance with Tennessee Code Annotated, Title 4, Chapter 5.

SECTION 5. This act shall take effect upon becoming a law, the public welfare requiring it.