

**Department of Planning and Budget
2004 Fiscal Impact Statement**

1. Bill Number Senate Bill 497

House of Origin	<input checked="" type="checkbox"/> Introduced	<input type="checkbox"/> Substitute	<input type="checkbox"/> Engrossed
Second House	<input type="checkbox"/> In Committee	<input type="checkbox"/> Substitute	<input type="checkbox"/> Enrolled

2. Patron William C. Mims

3. Committee Courts of Justice

4. Title Child support petition

5. Summary/Purpose: This bill clarifies that the retroactive modification of a child support order is not dependent on the court that the petition was originally filed in. Child support orders may be modified retroactively only to the date that the petition for modification was filed. When the modification petition is originally filed in juvenile and domestic relations district court and removed to circuit court, some circuit court judges have ruled that the circuit court can order child support retroactive to the date of filing in circuit court and others have ruled that retroactivity goes back to the date of filing in juvenile court. This bill provides that the child support may be modified back to the date that the modification petition was filed in any court.

6. No Fiscal Impact

7. Budget amendment necessary: No

8. Fiscal implications: None

9. Specific agency or political subdivisions affected:
Department of Social Services

10. Technical amendment necessary: No

11. Other comments: None

Date: 02/02/04 / kwm

Document: G:\2004 Fiscal Year\Efis\Sb497.Doc

cc: Secretary of Health and Human Resources