

## **Department of Planning and Budget**

### **2019 Fiscal Impact Statement**

**1. Bill Number:** SB1288

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

**2. Patron:** Edwards

**3. Committee:** Courts of Justice

**4. Title:** Child support; incarceration; voluntary unemployment or under-employment.

**5. Summary:** Provides that a party's incarceration shall not be deemed voluntary unemployment or voluntary under-employment for the purposes of establishing child support.

**6. Budget Amendment Necessary:** No.

**7. Fiscal Impact Estimates:** See Item 8.

**8. Fiscal Implications:** This legislation requires the state to provide that incarceration may not be treated as voluntary unemployment in establishing or modifying support orders, which aligns Virginia's child support laws with the Federal government's amended regulation.

This change would allow noncustodial parents to seek an adjustment to their child support orders upon incarceration. While some custodial parents may see a reduction in support payments, the Department of Social Services is rarely able to collect support from incarcerated parents, so any fiscal impact would be minimal. Additionally, most of the support collected is transferred to the custodial parent.

**9. Specific Agency or Political Subdivisions Affected:** Department of Social Services

**10. Technical Amendment Necessary:** No.

**11. Other Comments:** None.