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I N   S E N A T E

March 10, 2014

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Introduced by Sen. AVELLA -- (at request of the Office of Court Administration) -- read twice and ordered printed, and when printed to be committed to the Committee on Social Services

AN ACT to amend the social services law and the domestic relations law, in relation to income amounts to be utilized in issuing orders of child support and temporary spousal maintenance in supreme and family court

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1     Section 1. Paragraph (b) of subdivision 2 of section 111-i of the  
2     social services law, as amended by chapter 343 of the laws of 2009, is  
3     amended to read as follows:  
4     (b) The combined parental income amount to be reported in the child  
5     support standards chart and utilized in calculating orders of child  
6     support in accordance with subparagraph two of paragraph (c) of subdivi-  
7     sion one of section four hundred thirteen of the family court act and  
8     subparagraph two of paragraph (c) of subdivision one-b of section two  
9     hundred forty of the domestic relations law AS OF JANUARY THIRTY-FIRST,  
10    TWO THOUSAND FOURTEEN shall be one hundred [thirty] FORTY-ONE thousand  
11    dollars; provided, however, beginning January thirty-first, two thousand  
12    [twelve] SIXTEEN and every two years thereafter, the combined parental  
13    income amount shall increase by the [product] SUM of the average annual  
14    percentage changes in the consumer price index for all urban consumers  
15    (CPI-U) as published by the United States department of labor bureau of  
16    labor statistics for the PRIOR two [year period] YEARS MULTIPLIED BY THE  
17    CURRENT COMBINED PARENTAL INCOME AMOUNT AND THEN rounded to the nearest  
18    one thousand dollars.  
19    S 2. Subparagraph 5 of paragraph b of subdivision 5-a of part B of  
20    section 236 of the domestic relations law, as added by chapter 371 of  
21    the laws of 2010, is amended to read as follows:  
22    (5) "Income cap" shall mean up to and including five hundred  
23    FORTY-THREE thousand dollars of the payor's annual income AS OF JANUARY  
24    THIRTY-FIRST, TWO THOUSAND FOURTEEN; provided, however, beginning Janu-  
25    ary thirty-first, two thousand [twelve] SIXTEEN and every two years

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets  
[ ] is old law to be omitted.

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1 thereafter, the payor's annual income amount shall increase by the  
2 [product] SUM of the average annual percentage changes in the consumer  
3 price index for all urban consumers (CPI-U) as published by the United  
4 States department of labor bureau of labor statistics for the PRIOR two  
5 [year period] YEARS MULTIPLIED BY THE CURRENT PAYOR'S ANNUAL INCOME  
6 AMOUNT AND THEN rounded to the nearest one thousand dollars. The office  
7 of court administration shall determine and publish the income cap.  
8 S 3. This act shall take effect on the ninetieth day after it shall  
9 have become a law.