

Date of Hearing: June 2, 2020

ASSEMBLY COMMITTEE ON APPROPRIATIONS
Lorena Gonzalez, Chair
AB 3365 (Committee on Judiciary) – As Amended May 4, 2020

Policy Committee: Judiciary

Vote: 10 - 0

Urgency: No

State Mandated Local Program: No

Reimbursable: No

SUMMARY:

This bill makes multiple changes to the Family Code, including eliminating the sunset date on the increase in the low-income adjustment rate for the child support guideline and clarifies that child support court records are open to the public.

FISCAL EFFECT:

Likely no costs to the Department of Child Support Services (DCSS) or Judicial Council related to the elimination of the sunset date on a rebuttable presumption that a person earning less than \$1,500 is entitled to low-income adjustment to child support.

COMMENTS:

- 1) **Purpose.** This bill is the Assembly Judiciary Committee's annual omnibus family law bill. It makes non-controversial changes to family law in California, including lifting the sunset on the 2013-increase to the low-income adjustment to the child support guideline, clarifying that child support court files are open to the public, and making consistent timeframes for regular and confidential marriages.
- 2) **Background.** Existing law provides a rebuttable presumption that a parent with a net disposable income of less than \$1,500 a month is entitled to a low-income adjustment to their child support obligation. This presumption may be rebutted by evidence that application of the adjustment would be unjust or inappropriate in a particular case. Existing law also requires the Judicial Council to annually update the low-income adjustment based on the California Consumer Price Index, as specified. This rebuttable presumption sunsets on January 1, 2021.
- 3) **Prior Legislation.** SB 469 (Skinner), Chapter 730, Statutes of 2017, extended the sunset date to January 1, 2021, on statewide uniform guidelines for calculating court-ordered child support for low-income adjustment.

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