

VIRGINIA ACTS OF ASSEMBLY — CHAPTER

An Act to amend and reenact § 20-108.2 of the Code of Virginia, relating to calculation of gross income for determination of child support; rental income.

[S 455]

Approved

Be it enacted by the General Assembly of Virginia:

1. That § 20-108.2 of the Code of Virginia is amended and reenacted as follows:

§ 20-108.2. Guideline for determination of child support; quadrennial review by Child Support Guidelines Review Panel; executive summary.

A. There shall be a rebuttable presumption in any judicial or administrative proceeding for child support under this title or Title 16.1 or 63.2, including cases involving split custody, shared custody, or multiple custody arrangements pursuant to subdivisions G 4, 5, and 6, that the amount of the award which would result from the application of the guidelines set forth in this section is the correct amount of child support to be awarded. In order to rebut the presumption, the court shall make written findings in the order as set out in § 20-108.1, which findings may be incorporated by reference, that the application of the guidelines would be unjust or inappropriate in a particular case as determined by relevant evidence pertaining to the factors set out in § 20-108.1. The Department of Social Services shall set child support at the amount resulting from computations using the guidelines set out in this section pursuant to the authority granted to it in Chapter 19 (§ 63.2-1900 et seq.) of Title 63.2 and subject to the provisions of § 63.2-1918.

B. For purposes of application of the guideline, a basic child support obligation shall be computed using the schedule set out below. For combined monthly gross income amounts falling between amounts shown in the schedule, basic child support obligation amounts shall be extrapolated. However, unless one of the following exemptions applies where the sole custody child support obligation as computed pursuant to subdivision G 1 is less than the statutory minimum per month, there shall be a presumptive minimum child support obligation of the statutory minimum per month payable by the payor parent. If the gross income of the obligor is equal to or less than 150 percent of the federal poverty level promulgated by the U.S. Department of Health and Human Services from time to time, then the court, upon hearing evidence that there is no ability to pay the presumptive statutory minimum, may set an obligation below the presumptive statutory minimum provided doing so does not create or reduce a support obligation to an amount which seriously impairs the custodial parent's ability to maintain minimal adequate housing and provide other basic necessities for the child. Exemptions from this presumptive minimum monthly child support obligation shall include: parents unable to pay child support because they lack sufficient assets from which to pay child support and who, in addition, are institutionalized in a psychiatric facility; are imprisoned for life with no chance of parole; are medically verified to be totally and permanently disabled with no evidence of potential for paying child support, including recipients of Supplemental Security Income (SSI); or are otherwise involuntarily unable to produce income. "Number of children" means the number of children for whom the parents share joint legal responsibility and for whom support is being sought. The guidelines worksheet relied upon by the court or the Department of Social Services to compute a child support obligation for a support order issued by such court or the Department shall be placed in the court's file or the Department's file, and a copy of such guidelines worksheet shall be provided to the parties.

SCHEDULE OF MONTHLY BASIC CHILD SUPPORT OBLIGATIONS

COMBINED
MONTHLY

GROSS INCOME	ONE CHILD	TWO CHILDREN	THREE CHILDREN	FOUR CHILDREN	FIVE CHILDREN	SIX CHILDREN
0-350	68	104	126	141	155	169
400	78	119	144	161	177	192
450	88	133	162	181	199	216
500	97	148	179	200	220	239
550	107	162	197	220	242	263
600	116	177	215	240	264	287
650	126	191	232	259	285	310
700	135	206	250	279	307	333
750	145	220	267	298	328	357
800	154	234	284	317	349	379

ENROLLED

SB455ER

58	850	163	248	300	336	369	401
59	900	171	260	316	353	388	422
60	950	179	273	331	369	406	442
61	1000	187	285	346	386	425	462
62	1050	196	298	361	403	443	482
63	1100	204	310	375	419	461	501
64	1150	212	323	390	436	480	521
65	1200	220	335	405	453	498	541
66	1250	228	347	420	469	516	561
67	1300	237	360	435	486	535	581
68	1350	245	372	450	503	553	601
69	1400	253	385	465	519	571	621
70	1450	261	397	480	536	589	641
71	1500	269	410	495	552	608	661
72	1550	278	422	509	569	626	680
73	1600	286	434	524	585	644	700
74	1650	293	446	538	601	661	718
75	1700	301	457	552	616	678	737
76	1750	309	469	566	632	695	756
77	1800	316	481	579	647	712	774
78	1850	324	492	593	663	729	792
79	1900	331	504	607	678	746	811
80	1950	339	515	621	693	763	829
81	2000	347	527	635	709	780	848
82	2050	354	538	648	724	797	866
83	2100	362	550	662	740	814	884
84	2150	369	561	676	755	830	903
85	2200	377	573	690	770	847	921
86	2250	385	584	703	786	864	940
87	2300	392	596	717	801	881	958
88	2350	400	607	731	817	898	976
89	2400	407	619	745	832	915	995
90	2450	415	630	759	847	932	1013
91	2500	423	642	772	863	949	1032
92	2550	430	653	786	878	966	1050
93	2600	438	665	800	894	983	1068
94	2650	445	676	814	909	1000	1087
95	2700	453	688	828	924	1017	1105
96	2750	460	699	841	940	1034	1124
97	2800	468	711	855	955	1051	1142
98	2850	476	722	869	971	1068	1160
99	2900	483	734	883	986	1084	1179
100	2950	491	745	896	1001	1101	1197
101	3000	498	757	910	1017	1118	1216
102	3050	506	768	924	1032	1135	1234
103	3100	514	780	938	1047	1152	1252
104	3150	521	791	952	1063	1169	1271
105	3200	529	803	965	1078	1186	1289
106	3250	536	814	979	1094	1203	1308
107	3300	544	826	993	1109	1220	1326
108	3350	551	837	1006	1123	1236	1343
109	3400	559	848	1019	1138	1252	1361
110	3450	566	859	1032	1152	1268	1378
111	3500	574	870	1045	1167	1283	1395
112	3550	581	881	1057	1181	1299	1412
113	3600	588	892	1070	1196	1315	1430
114	3650	596	903	1083	1210	1331	1447
115	3700	603	914	1096	1224	1347	1464
116	3750	611	925	1109	1239	1363	1481
117	3800	618	936	1122	1253	1379	1499
118	3850	626	947	1135	1268	1395	1516
119	3900	632	956	1146	1280	1408	1531
120	3950	638	966	1157	1293	1422	1546
121	4000	645	975	1168	1305	1436	1561
122	4050	651	985	1180	1318	1449	1575
123	4100	658	994	1191	1330	1463	1590
124	4150	664	1004	1202	1342	1477	1605
125	4200	670	1013	1213	1355	1490	1620

126	4250	677	1023	1224	1367	1504	1635
127	4300	682	1030	1233	1377	1515	1647
128	4350	687	1038	1242	1387	1526	1658
129	4400	693	1046	1251	1397	1537	1670
130	4450	698	1054	1260	1407	1548	1682
131	4500	704	1062	1268	1417	1559	1694
132	4550	709	1069	1277	1427	1569	1706
133	4600	714	1077	1286	1437	1580	1718
134	4650	720	1085	1295	1447	1591	1730
135	4700	725	1093	1304	1457	1602	1742
136	4750	731	1100	1313	1466	1613	1753
137	4800	736	1108	1322	1476	1624	1765
138	4850	741	1116	1331	1486	1635	1777
139	4900	747	1124	1339	1496	1646	1789
140	4950	752	1131	1348	1506	1656	1800
141	5000	755	1136	1353	1511	1662	1807
142	5050	759	1141	1358	1516	1668	1813
143	5100	762	1145	1362	1522	1674	1820
144	5150	766	1150	1367	1527	1680	1826
145	5200	769	1155	1372	1533	1686	1833
146	5250	773	1159	1377	1538	1692	1839
147	5300	776	1164	1382	1544	1698	1846
148	5350	780	1169	1387	1549	1704	1852
149	5400	783	1173	1392	1554	1710	1859
150	5450	787	1178	1397	1560	1716	1865
151	5500	790	1183	1401	1565	1722	1872
152	5550	794	1187	1406	1571	1728	1878
153	5600	797	1192	1411	1576	1734	1885
154	5650	800	1196	1416	1582	1740	1891
155	5700	803	1201	1421	1587	1746	1897
156	5750	806	1205	1425	1592	1751	1904
157	5800	809	1209	1430	1598	1757	1910
158	5850	812	1213	1435	1603	1763	1917
159	5900	815	1217	1440	1608	1769	1923
160	5950	818	1221	1444	1613	1775	1929
161	6000	821	1226	1449	1619	1781	1936
162	6050	823	1230	1454	1624	1787	1942
163	6100	826	1234	1459	1629	1792	1948
164	6150	829	1238	1464	1635	1798	1955
165	6200	832	1242	1468	1640	1804	1961
166	6250	835	1246	1473	1645	1810	1967
167	6300	838	1251	1478	1651	1816	1974
168	6350	841	1255	1483	1656	1822	1980
169	6400	844	1259	1487	1661	1827	1986
170	6450	847	1263	1492	1667	1833	1993
171	6500	849	1267	1497	1672	1839	1999
172	6550	852	1271	1502	1677	1845	2005
173	6600	855	1276	1506	1683	1851	2012
174	6650	858	1280	1511	1688	1857	2018
175	6700	861	1285	1517	1694	1864	2026
176	6750	865	1291	1524	1703	1873	2036
177	6800	869	1297	1532	1711	1882	2046
178	6850	873	1303	1539	1719	1891	2056
179	6900	877	1309	1547	1728	1900	2066
180	6950	881	1315	1554	1736	1909	2076
181	7000	885	1321	1561	1744	1919	2085
182	7050	889	1328	1569	1752	1928	2095
183	7100	893	1334	1576	1761	1937	2105
184	7150	897	1340	1584	1769	1946	2115
185	7200	901	1346	1591	1777	1955	2125
186	7250	905	1352	1599	1786	1964	2135
187	7300	909	1358	1606	1794	1973	2145
188	7350	913	1364	1613	1802	1982	2155
189	7400	917	1370	1621	1810	1991	2165
190	7450	921	1376	1628	1819	2001	2175
191	7500	925	1382	1636	1827	2010	2185
192	7550	929	1389	1643	1835	2019	2194
193	7600	933	1395	1650	1844	2028	2204

194	7650	937	1401	1658	1852	2037	2214
195	7700	941	1407	1665	1860	2046	2224
196	7750	944	1411	1670	1865	2051	2230
197	7800	946	1413	1672	1867	2054	2233
198	7850	948	1416	1674	1870	2057	2236
199	7900	950	1419	1676	1873	2060	2239
200	7950	953	1421	1679	1875	2063	2242
201	8000	955	1424	1681	1878	2065	2245
202	8050	957	1426	1683	1880	2068	2248
203	8100	959	1429	1685	1883	2071	2251
204	8150	961	1432	1688	1885	2074	2254
205	8200	963	1434	1690	1888	2076	2257
206	8250	965	1436	1692	1890	2079	2260
207	8300	967	1439	1694	1892	2082	2263
208	8350	969	1441	1696	1895	2084	2266
209	8400	971	1444	1699	1897	2087	2269
210	8450	973	1446	1701	1899	2089	2271
211	8500	974	1447	1702	1901	2091	2273
212	8550	975	1449	1704	1903	2093	2276
213	8600	976	1450	1705	1905	2096	2278
214	8650	977	1452	1707	1907	2098	2280
215	8700	978	1453	1709	1909	2100	2282
216	8750	979	1455	1710	1911	2102	2284
217	8800	980	1456	1712	1912	2104	2287
218	8850	981	1457	1714	1914	2106	2289
219	8900	982	1459	1715	1916	2108	2291
220	8950	983	1460	1717	1918	2110	2293
221	9000	984	1462	1719	1920	2112	2295
222	9050	985	1463	1720	1922	2114	2298
223	9100	986	1465	1722	1923	2116	2300
224	9150	987	1466	1724	1925	2118	2302
225	9200	991	1471	1730	1932	2125	2310
226	9250	994	1477	1737	1940	2134	2319
227	9300	998	1483	1743	1947	2142	2328
228	9350	1002	1488	1750	1955	2150	2337
229	9400	1005	1494	1757	1962	2159	2346
230	9450	1009	1499	1764	1970	2167	2355
231	9500	1013	1505	1771	1978	2176	2365
232	9550	1017	1511	1778	1986	2185	2375
233	9600	1021	1518	1786	1995	2194	2385
234	9650	1025	1524	1793	2003	2203	2395
235	9700	1029	1530	1801	2011	2212	2405
236	9750	1033	1536	1808	2020	2222	2415
237	9800	1037	1543	1816	2028	2231	2425
238	9850	1041	1549	1823	2036	2240	2435
239	9900	1046	1555	1831	2045	2249	2445
240	9950	1050	1561	1838	2053	2258	2455
241	10000	1054	1567	1845	2061	2268	2465
242	10050	1058	1574	1853	2070	2277	2475
243	10100	1062	1580	1860	2078	2286	2485
244	10150	1066	1586	1868	2086	2295	2495
245	10200	1070	1592	1875	2095	2304	2505
246	10250	1074	1599	1883	2103	2314	2515
247	10300	1079	1605	1891	2112	2323	2525
248	10350	1083	1611	1898	2121	2333	2536
249	10400	1087	1618	1906	2129	2342	2546
250	10450	1091	1624	1914	2138	2351	2556
251	10500	1095	1631	1921	2146	2361	2566
252	10550	1100	1637	1929	2155	2370	2576
253	10600	1104	1643	1937	2163	2380	2587
254	10650	1108	1650	1944	2172	2389	2597
255	10700	1112	1656	1952	2180	2398	2607
256	10750	1117	1662	1960	2189	2408	2617
257	10800	1121	1669	1967	2197	2417	2627
258	10850	1125	1675	1975	2206	2427	2638
259	10900	1129	1682	1983	2214	2436	2648
260	10950	1134	1688	1990	2223	2445	2658
261	11000	1138	1694	1998	2232	2455	2668

262	11050	1142	1701	2005	2240	2464	2678
263	11100	1146	1707	2013	2249	2474	2689
264	11150	1150	1714	2021	2257	2483	2699
265	11200	1154	1718	2026	2263	2489	2706
266	11250	1157	1722	2030	2267	2494	2711
267	11300	1159	1726	2034	2272	2499	2717
268	11350	1162	1730	2038	2276	2504	2722
269	11400	1165	1733	2042	2281	2509	2727
270	11450	1168	1737	2046	2285	2514	2733
271	11500	1171	1741	2050	2290	2519	2738
272	11550	1173	1745	2054	2294	2524	2743
273	11600	1176	1749	2058	2299	2529	2749
274	11650	1179	1752	2062	2303	2534	2754
275	11700	1182	1756	2066	2308	2538	2759
276	11750	1185	1760	2070	2312	2543	2765
277	11800	1187	1764	2074	2317	2548	2770
278	11850	1190	1768	2078	2321	2553	2775
279	11900	1193	1771	2082	2326	2558	2781
280	11950	1196	1775	2086	2330	2563	2786
281	12000	1199	1779	2090	2335	2568	2791
282	12050	1201	1783	2094	2339	2573	2797
283	12100	1204	1787	2098	2344	2578	2802
284	12150	1207	1790	2102	2348	2583	2808
285	12200	1210	1795	2107	2354	2589	2815
286	12250	1213	1800	2113	2360	2596	2822
287	12300	1216	1804	2118	2366	2603	2829
288	12350	1220	1809	2124	2372	2610	2837
289	12400	1223	1814	2129	2378	2616	2844
290	12450	1226	1818	2135	2384	2623	2851
291	12500	1229	1823	2140	2391	2630	2858
292	12550	1232	1828	2146	2397	2636	2866
293	12600	1235	1832	2151	2403	2643	2873
294	12650	1239	1837	2157	2409	2650	2880
295	12700	1242	1842	2162	2415	2657	2888
296	12750	1245	1846	2168	2421	2663	2895
297	12800	1248	1851	2173	2427	2670	2902
298	12850	1251	1856	2178	2433	2677	2910
299	12900	1254	1860	2184	2439	2683	2917
300	12950	1257	1865	2189	2446	2690	2924
301	13000	1261	1870	2195	2452	2697	2931
302	13050	1264	1874	2200	2458	2704	2939
303	13100	1267	1879	2206	2464	2710	2946
304	13150	1270	1884	2211	2470	2717	2953
305	13200	1273	1888	2217	2476	2724	2961
306	13250	1276	1893	2222	2482	2730	2968
307	13300	1279	1898	2228	2488	2737	2975
308	13350	1283	1902	2233	2494	2744	2983
309	13400	1286	1907	2239	2501	2751	2990
310	13450	1289	1912	2244	2507	2757	2997
311	13500	1292	1916	2250	2513	2764	3005
312	13550	1295	1921	2256	2520	2772	3013
313	13600	1297	1925	2262	2526	2779	3021
314	13650	1300	1930	2268	2533	2786	3029
315	13700	1303	1935	2274	2540	2794	3037
316	13750	1306	1939	2280	2546	2801	3045
317	13800	1308	1944	2286	2553	2808	3053
318	13850	1311	1948	2292	2560	2816	3061
319	13900	1314	1953	2298	2566	2823	3069
320	13950	1317	1957	2304	2573	2830	3077
321	14000	1320	1962	2310	2580	2838	3085
322	14050	1322	1967	2316	2586	2845	3093
323	14100	1325	1971	2322	2593	2852	3101
324	14150	1328	1976	2328	2600	2860	3109
325	14200	1331	1980	2333	2607	2867	3117
326	14250	1334	1985	2339	2613	2875	3125
327	14300	1336	1990	2345	2620	2882	3133
328	14350	1339	1994	2351	2627	2889	3141
329	14400	1342	1999	2357	2633	2897	3149

330	14450	1345	2003	2363	2640	2904	3157
331	14500	1347	2008	2369	2647	2911	3164
332	14550	1350	2013	2375	2653	2919	3172
333	14600	1353	2017	2381	2660	2926	3180
334	14650	1356	2022	2387	2667	2933	3188
335	14700	1359	2026	2393	2673	2941	3196
336	14750	1361	2031	2399	2680	2948	3204
337	14800	1364	2036	2405	2686	2955	3212
338	14850	1368	2040	2410	2692	2961	3219
339	14900	1371	2045	2415	2698	2967	3226
340	14950	1375	2050	2420	2703	2974	3232
341	15000	1378	2055	2425	2709	2980	3239
342	15050	1382	2059	2430	2714	2986	3246
343	15100	1385	2064	2435	2720	2992	3252
344	15150	1389	2069	2440	2726	2998	3259
345	15200	1392	2074	2445	2731	3004	3266
346	15250	1396	2078	2450	2737	3010	3272
347	15300	1400	2083	2455	2742	3017	3279
348	15350	1403	2088	2460	2748	3023	3286
349	15400	1407	2093	2465	2754	3029	3292
350	15450	1410	2098	2470	2759	3035	3299
351	15500	1414	2102	2475	2765	3041	3306
352	15550	1417	2107	2480	2770	3047	3312
353	15600	1421	2112	2485	2776	3053	3319
354	15650	1424	2117	2490	2781	3060	3326
355	15700	1428	2121	2495	2787	3066	3333
356	15750	1431	2126	2500	2793	3072	3339
357	15800	1435	2131	2505	2798	3078	3346
358	15850	1438	2136	2510	2804	3084	3353
359	15900	1442	2140	2515	2809	3090	3359
360	15950	1445	2145	2520	2815	3097	3366
361	16000	1449	2150	2525	2821	3103	3373
362	16050	1453	2155	2530	2826	3109	3379
363	16100	1456	2159	2535	2832	3115	3386
364	16150	1458	2162	2538	2835	3119	3390
365	16200	1459	2164	2541	2838	3122	3394
366	16250	1461	2167	2544	2841	3125	3397
367	16300	1462	2169	2546	2844	3128	3401
368	16350	1464	2171	2549	2847	3132	3404
369	16400	1465	2173	2551	2850	3135	3408
370	16450	1466	2175	2554	2853	3138	3411
371	16500	1468	2177	2557	2856	3141	3415
372	16550	1469	2179	2559	2859	3144	3418
373	16600	1471	2182	2562	2862	3148	3422
374	16650	1472	2184	2564	2864	3151	3425
375	16700	1473	2186	2567	2867	3154	3428
376	16750	1475	2188	2570	2870	3157	3432
377	16800	1476	2190	2572	2873	3160	3435
378	16850	1477	2192	2575	2876	3164	3439
379	16900	1479	2194	2577	2879	3167	3442
380	16950	1480	2196	2580	2882	3170	3446
381	17000	1481	2198	2582	2885	3173	3449
382	17050	1483	2200	2585	2887	3176	3452
383	17100	1484	2203	2588	2890	3179	3456
384	17150	1486	2205	2590	2893	3182	3459
385	17200	1487	2207	2593	2896	3186	3463
386	17250	1488	2209	2595	2899	3189	3466
387	17300	1490	2211	2598	2902	3192	3470
388	17350	1491	2213	2600	2905	3195	3473
389	17400	1492	2215	2603	2907	3198	3476
390	17450	1494	2217	2605	2910	3201	3480
391	17500	1495	2219	2608	2913	3204	3483
392	17550	1497	2222	2611	2916	3208	3487
393	17600	1498	2224	2613	2919	3211	3490
394	17650	1499	2226	2616	2922	3214	3494
395	17700	1501	2228	2618	2925	3217	3497
396	17750	1502	2230	2621	2928	3220	3500
397	17800	1503	2232	2623	2930	3223	3504

398	17850	1505	2234	2626	2933	3227	3507
399	17900	1506	2236	2629	2936	3230	3511
400	17950	1507	2238	2631	2939	3233	3514
401	18000	1509	2240	2634	2942	3236	3518
402	18050	1510	2243	2636	2945	3239	3521
403	18100	1512	2245	2639	2948	3242	3524
404	18150	1513	2247	2641	2950	3245	3528
405	18200	1514	2249	2644	2953	3249	3531
406	18250	1516	2251	2647	2956	3252	3535
407	18300	1517	2253	2649	2959	3255	3538
408	18350	1520	2256	2652	2963	3259	3542
409	18400	1522	2259	2655	2966	3263	3547
410	18450	1524	2262	2658	2970	3266	3551
411	18500	1526	2265	2662	2973	3270	3555
412	18550	1528	2268	2665	2976	3274	3559
413	18600	1530	2271	2668	2980	3278	3563
414	18650	1532	2274	2671	2983	3282	3567
415	18700	1535	2277	2674	2987	3285	3571
416	18750	1537	2280	2677	2990	3289	3575
417	18800	1539	2283	2680	2994	3293	3579
418	18850	1541	2285	2683	2997	3297	3584
419	18900	1543	2288	2686	3000	3301	3588
420	18950	1545	2291	2689	3004	3304	3592
421	19000	1547	2294	2692	3007	3308	3596
422	19050	1550	2297	2695	3011	3312	3600
423	19100	1552	2300	2698	3014	3316	3604
424	19150	1554	2303	2702	3018	3319	3608
425	19200	1556	2306	2705	3021	3323	3612
426	19250	1558	2309	2708	3025	3327	3616
427	19300	1560	2312	2711	3028	3331	3621
428	19350	1563	2315	2714	3031	3335	3625
429	19400	1565	2318	2717	3035	3338	3629
430	19450	1567	2320	2720	3038	3342	3633
431	19500	1569	2323	2723	3042	3346	3637
432	19550	1571	2326	2726	3045	3350	3641
433	19600	1573	2329	2729	3049	3353	3645
434	19650	1575	2332	2732	3052	3357	3649
435	19700	1578	2335	2735	3055	3361	3653
436	19750	1580	2338	2738	3059	3365	3658
437	19800	1582	2341	2742	3062	3369	3662
438	19850	1584	2344	2745	3066	3372	3666
439	19900	1586	2347	2748	3069	3376	3670
440	19950	1588	2350	2751	3073	3380	3674
441	20000	1591	2353	2754	3076	3384	3678
442	20050	1593	2355	2757	3080	3387	3682
443	20100	1595	2358	2760	3083	3391	3686
444	20150	1597	2361	2763	3086	3395	3690
445	20200	1599	2364	2766	3090	3399	3695
446	20250	1601	2367	2769	3093	3403	3699
447	20300	1603	2370	2772	3097	3406	3703
448	20350	1606	2373	2775	3100	3410	3707
449	20400	1608	2376	2778	3104	3414	3711
450	20450	1610	2379	2782	3107	3418	3715
451	20500	1612	2382	2785	3110	3421	3719
452	20550	1614	2385	2788	3114	3425	3723
453	20600	1616	2388	2791	3117	3429	3727
454	20650	1619	2390	2794	3121	3433	3731
455	20700	1621	2393	2797	3124	3437	3736
456	20750	1623	2396	2800	3128	3440	3740
457	20800	1625	2399	2803	3131	3444	3744
458	20850	1627	2402	2806	3135	3448	3748
459	20900	1629	2405	2809	3138	3452	3752
460	20950	1631	2408	2812	3141	3456	3756
461	21000	1634	2411	2815	3145	3459	3760
462	21050	1636	2414	2818	3148	3463	3764
463	21100	1638	2417	2822	3152	3467	3768
464	21150	1640	2420	2825	3155	3471	3773
465	21200	1642	2423	2828	3159	3474	3777

466	21250	1644	2425	2831	3162	3478	3781
467	21300	1647	2428	2834	3165	3482	3785
468	21350	1649	2431	2837	3169	3486	3789
469	21400	1651	2434	2840	3172	3490	3793
470	21450	1653	2437	2843	3176	3493	3797
471	21500	1655	2440	2846	3179	3497	3801
472	21550	1657	2443	2849	3183	3501	3805
473	21600	1659	2446	2853	3187	3506	3811
474	21650	1661	2449	2857	3191	3510	3816
475	21700	1663	2452	2861	3195	3515	3821
476	21750	1665	2455	2865	3200	3520	3826
477	21800	1667	2458	2868	3204	3524	3831
478	21850	1668	2461	2872	3208	3529	3836
479	21900	1670	2464	2876	3213	3534	3841
480	21950	1672	2467	2880	3217	3539	3846
481	22000	1674	2470	2884	3221	3543	3852
482	22050	1676	2473	2888	3225	3548	3857
483	22100	1678	2476	2891	3230	3553	3862
484	22150	1680	2479	2895	3234	3557	3867
485	22200	1681	2482	2899	3238	3562	3872
486	22250	1683	2485	2903	3243	3567	3877
487	22300	1685	2488	2907	3247	3571	3882
488	22350	1687	2491	2911	3251	3576	3887
489	22400	1689	2494	2914	3255	3581	3892
490	22450	1691	2497	2918	3260	3586	3898
491	22500	1692	2500	2922	3264	3590	3903
492	22550	1694	2503	2926	3268	3595	3908
493	22600	1696	2506	2930	3272	3600	3913
494	22650	1698	2509	2934	3277	3604	3918
495	22700	1700	2512	2937	3281	3609	3923
496	22750	1702	2515	2941	3285	3614	3928
497	22800	1704	2518	2945	3290	3619	3933
498	22850	1705	2521	2949	3294	3623	3938
499	22900	1707	2524	2953	3298	3628	3944
500	22950	1709	2527	2957	3302	3633	3949
501	23000	1711	2530	2960	3307	3637	3954
502	23050	1713	2533	2964	3311	3642	3959
503	23100	1715	2536	2968	3315	3647	3964
504	23150	1717	2539	2972	3320	3651	3969
505	23200	1718	2542	2976	3324	3656	3974
506	23250	1720	2545	2979	3328	3661	3979
507	23300	1722	2548	2983	3332	3666	3984
508	23350	1724	2551	2987	3337	3670	3990
509	23400	1726	2554	2991	3341	3675	3995
510	23450	1728	2557	2995	3345	3680	4000
511	23500	1730	2560	2999	3349	3684	4005
512	23550	1731	2563	3002	3354	3689	4010
513	23600	1733	2566	3006	3358	3694	4015
514	23650	1735	2569	3010	3362	3699	4020
515	23700	1737	2572	3014	3367	3703	4025
516	23750	1739	2575	3018	3371	3708	4031
517	23800	1741	2578	3022	3375	3713	4036
518	23850	1742	2581	3025	3379	3717	4041
519	23900	1744	2584	3029	3384	3722	4046
520	23950	1746	2587	3033	3388	3727	4051
521	24000	1748	2590	3037	3392	3731	4056
522	24050	1750	2593	3041	3397	3736	4061
523	24100	1752	2596	3045	3401	3741	4066
524	24150	1754	2599	3048	3405	3746	4071
525	24200	1755	2602	3052	3409	3750	4077
526	24250	1757	2605	3056	3414	3755	4082
527	24300	1759	2608	3060	3418	3760	4087
528	24350	1761	2611	3064	3422	3764	4092
529	24400	1763	2614	3068	3426	3769	4097
530	24450	1765	2617	3071	3431	3774	4102
531	24500	1767	2620	3075	3435	3779	4107
532	24550	1768	2623	3079	3439	3783	4112
533	24600	1770	2626	3083	3444	3788	4117

534	24650	1772	2629	3087	3448	3793	4123
535	24700	1774	2632	3091	3452	3797	4128
536	24750	1776	2635	3094	3456	3802	4133
537	24800	1778	2638	3098	3461	3807	4138
538	24850	1780	2641	3102	3465	3811	4143
539	24900	1781	2644	3106	3469	3816	4148
540	24950	1783	2647	3110	3474	3821	4153
541	25000	1785	2650	3114	3478	3826	4158
542	25050	1787	2653	3117	3482	3830	4163
543	25100	1789	2656	3121	3486	3835	4169
544	25150	1791	2659	3125	3491	3840	4174
545	25200	1792	2662	3129	3495	3844	4179
546	25250	1794	2665	3133	3499	3849	4184
547	25300	1796	2668	3136	3503	3854	4189
548	25350	1798	2671	3140	3508	3858	4194
549	25400	1800	2674	3144	3512	3863	4199
550	25450	1802	2677	3148	3516	3868	4204
551	25500	1804	2680	3152	3521	3873	4210
552	25550	1805	2682	3156	3525	3877	4215
553	25600	1807	2685	3159	3529	3882	4220
554	25650	1809	2688	3163	3533	3887	4225
555	25700	1811	2691	3167	3538	3891	4230
556	25750	1813	2694	3171	3542	3896	4235
557	25800	1815	2697	3175	3546	3901	4240
558	25850	1817	2700	3179	3550	3906	4245
559	25900	1818	2703	3182	3555	3910	4250
560	25950	1820	2706	3186	3559	3915	4256
561	26000	1822	2709	3190	3563	3920	4261
562	26050	1824	2712	3194	3568	3924	4266
563	26100	1826	2715	3198	3572	3929	4271
564	26150	1828	2718	3202	3576	3934	4276
565	26200	1830	2721	3205	3580	3938	4281
566	26250	1831	2724	3209	3585	3943	4286
567	26300	1833	2727	3213	3589	3948	4291
568	26350	1835	2730	3217	3593	3953	4296
569	26400	1837	2733	3221	3598	3957	4302
570	26450	1839	2736	3225	3602	3962	4307
571	26500	1841	2739	3228	3606	3967	4312
572	26550	1842	2742	3232	3610	3971	4317
573	26600	1844	2745	3236	3615	3976	4322
574	26650	1846	2748	3240	3619	3981	4327
575	26700	1848	2751	3244	3623	3986	4332
576	26750	1850	2754	3248	3627	3990	4337
577	26800	1852	2757	3251	3632	3995	4342
578	26850	1854	2760	3255	3636	4000	4348
579	26900	1855	2763	3259	3640	4004	4353
580	26950	1857	2766	3263	3645	4009	4358
581	27000	1859	2769	3267	3649	4014	4363
582	27050	1861	2772	3270	3653	4018	4368
583	27100	1863	2775	3274	3657	4023	4373
584	27150	1865	2778	3278	3662	4028	4378
585	27200	1867	2781	3282	3666	4033	4383
586	27250	1868	2784	3286	3670	4037	4389
587	27300	1870	2787	3290	3675	4042	4394
588	27350	1872	2790	3293	3679	4047	4399
589	27400	1874	2793	3297	3683	4051	4404
590	27450	1876	2796	3301	3687	4056	4409
591	27500	1878	2799	3305	3692	4061	4414
592	27550	1880	2802	3309	3696	4066	4419
593	27600	1881	2805	3313	3700	4070	4424
594	27650	1883	2808	3316	3704	4075	4429
595	27700	1885	2811	3320	3709	4080	4435
596	27750	1887	2814	3324	3713	4084	4440
597	27800	1889	2817	3328	3717	4089	4445
598	27850	1891	2820	3332	3722	4094	4450
599	27900	1892	2823	3336	3726	4098	4455
600	27950	1894	2826	3339	3730	4103	4460
601	28000	1896	2829	3343	3734	4108	4465

602	28050	1898	2832	3347	3739	4113	4470
603	28100	1899	2833	3348	3740	4114	4472
604	28150	1900	2834	3349	3741	4115	4473
605	28200	1900	2835	3349	3741	4115	4473
606	28250	1901	2836	3350	3742	4116	4474
607	28300	1902	2836	3350	3742	4116	4474
608	28350	1902	2837	3351	3743	4117	4475
609	28400	1903	2838	3351	3743	4117	4476
610	28450	1904	2838	3351	3744	4118	4476
611	28500	1904	2839	3352	3744	4118	4477
612	28550	1905	2840	3352	3745	4119	4477
613	28600	1906	2840	3353	3745	4120	4478
614	28650	1906	2841	3353	3745	4120	4478
615	28700	1907	2842	3354	3746	4121	4479
616	28750	1908	2842	3354	3746	4121	4480
617	28800	1908	2843	3354	3747	4122	4480
618	28850	1909	2844	3355	3747	4122	4481
619	28900	1909	2844	3355	3748	4123	4481
620	28950	1910	2845	3356	3748	4123	4482
621	29000	1911	2846	3356	3749	4124	4483
622	29050	1911	2846	3357	3749	4124	4483
623	29100	1912	2847	3357	3750	4125	4484
624	29150	1913	2848	3358	3750	4125	4484
625	29200	1913	2848	3358	3751	4126	4485
626	29250	1914	2849	3358	3751	4126	4485
627	29300	1915	2850	3359	3752	4127	4486
628	29350	1915	2850	3359	3752	4128	4487
629	29400	1916	2851	3360	3753	4128	4487
630	29450	1917	2852	3360	3753	4129	4488
631	29500	1917	2852	3361	3754	4129	4488
632	29550	1918	2853	3361	3754	4130	4489
633	29600	1919	2854	3361	3755	4130	4490
634	29650	1919	2855	3362	3755	4131	4490
635	29700	1920	2855	3362	3756	4131	4491
636	29750	1921	2856	3363	3756	4132	4491
637	29800	1921	2857	3363	3757	4132	4492
638	29850	1922	2857	3364	3757	4133	4492
639	29900	1923	2858	3364	3758	4133	4493
640	29950	1923	2859	3365	3758	4134	4494
641	30000	1924	2859	3365	3759	4135	4494
642	30050	1925	2860	3365	3759	4135	4495
643	30100	1925	2861	3366	3760	4136	4495
644	30150	1926	2861	3366	3760	4136	4496
645	30200	1926	2862	3367	3761	4137	4497
646	30250	1927	2863	3367	3761	4137	4497
647	30300	1928	2863	3368	3762	4138	4498
648	30350	1928	2864	3368	3762	4138	4498
649	30400	1929	2865	3368	3763	4139	4499
650	30450	1930	2865	3369	3763	4139	4499
651	30500	1930	2866	3369	3764	4140	4500
652	30550	1931	2867	3370	3764	4140	4501
653	30600	1932	2867	3370	3765	4141	4501
654	30650	1932	2868	3371	3765	4141	4502
655	30700	1933	2869	3371	3765	4142	4502
656	30750	1934	2869	3371	3766	4143	4503
657	30800	1934	2870	3372	3766	4143	4504
658	30850	1935	2871	3372	3767	4144	4504
659	30900	1936	2871	3373	3767	4144	4505
660	30950	1936	2872	3373	3768	4145	4505
661	31000	1937	2873	3374	3768	4145	4506
662	31050	1938	2874	3374	3769	4146	4506
663	31100	1938	2874	3375	3769	4146	4507
664	31150	1939	2875	3375	3770	4147	4508
665	31200	1940	2876	3375	3770	4147	4508
666	31250	1940	2876	3376	3771	4148	4509
667	31300	1941	2877	3376	3771	4148	4509
668	31350	1942	2878	3377	3772	4149	4510
669	31400	1942	2878	3377	3772	4150	4511

670	31450	1943	2879	3378	3773	4150	4511
671	31500	1943	2880	3378	3773	4151	4512
672	31550	1944	2880	3378	3774	4151	4512
673	31600	1945	2881	3379	3774	4152	4513
674	31650	1945	2882	3379	3775	4152	4513
675	31700	1946	2882	3380	3775	4153	4514
676	31750	1947	2883	3380	3776	4153	4515
677	31800	1947	2884	3381	3776	4154	4515
678	31850	1948	2884	3381	3777	4154	4516
679	31900	1949	2885	3382	3777	4155	4516
680	31950	1949	2886	3382	3778	4155	4517
681	32000	1950	2886	3382	3778	4156	4518
682	32050	1951	2887	3383	3779	4156	4518
683	32100	1951	2888	3383	3779	4157	4519
684	32150	1952	2888	3384	3780	4158	4519
685	32200	1953	2889	3384	3780	4158	4520
686	32250	1953	2890	3385	3781	4159	4520
687	32300	1954	2890	3385	3781	4159	4521
688	32350	1955	2891	3385	3782	4160	4522
689	32400	1955	2892	3386	3782	4160	4522
690	32450	1956	2893	3386	3783	4161	4523
691	32500	1957	2893	3387	3783	4161	4523
692	32550	1957	2894	3387	3784	4162	4524
693	32600	1958	2895	3388	3784	4162	4525
694	32650	1959	2895	3388	3784	4163	4525
695	32700	1959	2896	3389	3785	4163	4526
696	32750	1960	2897	3389	3785	4164	4526
697	32800	1960	2897	3389	3786	4165	4527
698	32850	1961	2898	3390	3786	4165	4527
699	32900	1962	2899	3390	3787	4166	4528
700	32950	1962	2899	3391	3787	4166	4529
701	33000	1963	2900	3391	3788	4167	4529
702	33050	1964	2901	3392	3788	4167	4530
703	33100	1964	2901	3392	3789	4168	4530
704	33150	1965	2902	3392	3789	4168	4531
705	33200	1966	2903	3393	3790	4169	4532
706	33250	1966	2903	3393	3790	4169	4532
707	33300	1967	2904	3394	3791	4170	4533
708	33350	1968	2905	3394	3791	4170	4533
709	33400	1968	2905	3395	3792	4171	4534
710	33450	1969	2906	3395	3792	4172	4534
711	33500	1970	2907	3395	3793	4172	4535
712	33550	1970	2907	3396	3793	4173	4536
713	33600	1971	2908	3396	3794	4173	4536
714	33650	1972	2909	3397	3794	4174	4537
715	33700	1972	2909	3397	3795	4174	4537
716	33750	1973	2910	3398	3795	4175	4538
717	33800	1974	2911	3398	3796	4175	4539
718	33850	1974	2912	3399	3796	4176	4539
719	33900	1975	2912	3399	3797	4176	4540
720	33950	1976	2913	3399	3797	4177	4540
721	34000	1976	2914	3400	3798	4177	4541
722	34050	1977	2914	3400	3798	4178	4541
723	34100	1977	2915	3401	3799	4178	4542
724	34150	1978	2916	3401	3799	4179	4543
725	34200	1979	2916	3402	3800	4179	4543
726	34250	1979	2917	3402	3800	4180	4544
727	34300	1980	2917	3402	3800	4181	4544
728	34350	1981	2918	3403	3801	4181	4545
729	34400	1981	2919	3403	3801	4182	4545
730	34450	1982	2919	3404	3802	4182	4546
731	34500	1983	2920	3404	3802	4183	4546
732	34550	1983	2921	3405	3803	4183	4547
733	34600	1984	2921	3405	3803	4184	4548
734	34650	1984	2922	3405	3804	4184	4548
735	34700	1985	2923	3406	3804	4185	4549
736	34750	1986	2923	3406	3805	4185	4549
737	34800	1986	2924	3407	3805	4186	4550

738	34850	1987	2925	3407	3806	4186	4550
739	34900	1988	2925	3407	3806	4187	4551
740	34950	1988	2926	3408	3807	4187	4552
741	35000	1989	2927	3408	3807	4188	4552

742 For gross monthly incomes above \$35,000, add the amount of child support for \$35,000 to the
 743 following percentages of gross income above \$35,000.

744	crLf: crLf crLf: crLf	crLf: crLf crLf: crLf	crLf: crLf crLf: crLf crLf:	crLf: crLf crLf: crLf	crLf: crLf crLf: crLf	crLf: crLf crLf: crLf
745	crLf: crLf crLf: crLf	crLf: crLf crLf: crLf	crLf crLf: crLf crLf: crLf	crLf: crLf crLf: crLf	crLf: crLf crLf: crLf	crLf: crLf crLf: crLf
746	crLf: crLf	crLf: crLf	border-left:none">	crLf: crLf	crLf: crLf	crLf: crLf
747	padding:0in 5.4pt	border-left:none">	THREE CHILDREN	border-left:none">	border-left:none">	border-left:none">
748	0in 5.4pt"> ONE	TWO CHILDREN		FOUR CHILDREN	FIVE CHILDREN	SIX CHILDREN
749	CHILD					
750	crLf: crLf crLf: crLf crLf:	crLf: crLf crLf: crLf	crLf: crLf crLf: crLf crLf:	crLf: crLf crLf: crLf	crLf: crLf crLf: crLf	crLf: crLf crLf: crLf
751	crLf crLf: crLf crLf: crLf	crLf: crLf crLf: crLf	crLf crLf: crLf crLf: crLf	crLf: crLf crLf: crLf	crLf: crLf crLf: crLf	crLf: crLf crLf: crLf
752	border-top:none">	crLf: crLf padding:0in	padding:0in 5.4pt 0in	crLf: crLf crLf: crLf	crLf: crLf crLf: crLf	crLf: crLf crLf: crLf
753	2.6%	5.4pt 0in 5.4pt">	5.4pt"> 3.8%	padding:0in 5.4pt	padding:0in 5.4pt	padding:0in 5.4pt
754		3.4%		0in 5.4pt"> 4.2%	0in 5.4pt"> 4.6%	0in 5.4pt"> 5.0%

755 C. For purposes of this section, "gross income" means all income from all sources, and shall include,
 756 but not be limited to, income from salaries, wages, commissions, royalties, bonuses, dividends, severance
 757 pay, pensions, interest, trust income, annuities, capital gains, social security benefits except as listed
 758 below, workers' compensation benefits, unemployment insurance benefits, disability insurance benefits,
 759 veterans' benefits, spousal support, rental income *except as listed below*, gifts, prizes, or awards.

760 If a parent's gross income includes disability insurance benefits, it shall also include any amounts
 761 paid to or for the child who is the subject of the order and derived by the child from the parent's
 762 entitlement to disability insurance benefits. To the extent that such derivative benefits are included in a
 763 parent's gross income, that parent shall be entitled to a credit against his or her ongoing basic child
 764 support obligation for any such amounts, and, if the amount of the credit exceeds the parent's basic child
 765 support obligations, the credit may be used to reduce arrearages.

766 Gross income shall be subject to deduction of reasonable business expenses for persons with income
 767 from self-employment, a partnership, or a closely held business. *Gross rental income from any property*
 768 *owned individually, jointly, or by any entity shall be subject to deduction of reasonable expenses;*
 769 *however, the deduction shall not include the cost of acquisition, depreciation, or the principal portion of*
 770 *any mortgage payment. The party claiming any deduction for reasonable business expenses or*
 771 *reasonable expenses for rental property shall have the burden of proof to establish such expenses by a*
 772 *preponderance of the evidence.*

773 "Gross income" shall not include:

- 774 1. Benefits from public assistance and social services programs as defined in § 63.2-100;
- 775 2. Federal supplemental security income benefits;
- 776 3. Child support received; or

777 4. Income received by the payor from secondary employment income not previously included in
 778 "gross income," where the payor obtained the income to discharge a child support arrearage established
 779 by a court or administrative order and the payor is paying the arrearage pursuant to the order.
 780 "Secondary employment income" includes but is not limited to income from an additional job, from
 781 self-employment, or from overtime employment. The cessation of such secondary income upon the
 782 payment of the arrearage shall not be the basis for a material change in circumstances upon which a
 783 modification of child support may be based.

784 For purposes of this subsection: (i) spousal support received shall be included in gross income and
 785 spousal support paid shall be deducted from gross income when paid pursuant to an order or written
 786 agreement and (ii) one-half of any self-employment tax paid shall be deducted from gross income.

787 Where there is an existing court or administrative order or written agreement relating to the child or
 788 children of a party to the proceeding, who are not the child or children who are the subject of the
 789 present proceeding, then there is a presumption that there shall be deducted from the gross income of
 790 the party subject to such order or written agreement, the amount that the party is actually paying for the
 791 support of a child or children pursuant to such order or agreement.

792 Where a party to the proceeding has a natural or adopted child or children in the party's household
 793 or primary physical custody, and the child or children are not the subject of the present proceeding,
 794 there is a presumption that there shall be deducted from the gross income of that party the amount as
 795 shown on the Schedule of Monthly Basic Child Support Obligations contained in subsection B that
 796 represents that party's support obligation based solely on that party's income as being the total income
 797 available for the natural or adopted child or children in the party's household or primary physical
 798 custody, who are not the subject of the present proceeding. Provided, however, that the existence of a
 799 party's financial responsibility for such a child or children shall not of itself constitute a material change

in circumstances for modifying a previous order of child support in any modification proceeding. Any adjustment to gross income under this subsection shall not create or reduce a support obligation to an amount which seriously impairs the custodial parent's ability to maintain minimal adequate housing and provide other basic necessities for the child, as determined by the court.

In cases in which retroactive liability for support is being determined, the court or administrative agency may use the gross monthly income of the parties averaged over the period of retroactivity.

D. Except for good cause shown or the agreement of the parties, in addition to any other child support obligations established pursuant to this section, any child support order shall provide that the parents pay in proportion to their gross incomes, as used for calculating the monthly support obligation, any reasonable and necessary unreimbursed medical or dental expenses. The method of payment of those expenses shall be contained in the support order. Each parent shall pay his respective share of expenses as those expenses are incurred. Any amount paid under this subsection shall not be adjusted by, nor added to, the child support calculated in accordance with subsection G. For the purposes of this section, medical or dental expenses shall include but not be limited to eyeglasses, prescription medication, prosthetics, orthodontics, and mental health or developmental disabilities services, including but not limited to services provided by a social worker, psychologist, psychiatrist, counselor, or therapist.

D1. In any initial child support proceeding commenced within six months of the birth of a child, except for good cause shown or the agreement of the parties, in addition to any other child support obligations established pursuant to this section, the child support order shall provide that the parents pay in proportion to their gross incomes, as used for calculating the monthly support obligation, any reasonable and necessary unpaid expenses of the mother's pregnancy and the delivery of such child. Any amount paid under this subsection shall not be adjusted by, nor added to, the child support calculated in accordance with subsection G.

E. The costs for health care coverage as defined in § 63.2-1900, vision care coverage, and dental care coverage for the child or children who are the subject of the child support order that are being paid by a parent or that parent's spouse shall be added to the basic child support obligation. To determine the cost to be added to the basic child support obligation, the cost per person shall be applied to the child or children who are subject of the child support order. If the per child cost is provided by the insurer, that is the cost per person. Otherwise, to determine the cost per person, the cost of individual coverage for the policy holder shall be subtracted from the total cost of the coverage, and the remaining amount shall be divided by the number of remaining covered persons.

F. Any child-care costs incurred on behalf of the child or children due to employment of the custodial parent shall be added to the basic child support obligation. Child-care costs shall not exceed the amount required to provide quality care from a licensed source. When requested by the noncustodial parent, the court may require the custodial parent to present documentation to verify the costs incurred for child care under this subsection. Where appropriate, the court shall consider the willingness and availability of the noncustodial parent to provide child care personally in determining whether child-care costs are necessary or excessive. Upon the request of either party, and upon a showing of the tax savings a party derives from child-care cost deductions or credits, the court shall factor actual tax consequences into its calculation of the child-care costs to be added to the basic child support obligation.

G. 1. Sole custody support. The sole custody total monthly child support obligation shall be established by adding (i) the monthly basic child support obligation, as determined from the schedule contained in subsection B, (ii) costs for health care coverage to the extent allowable by subsection E, and (iii) work-related child-care costs and taking into consideration all the factors set forth in subsection B of § 20-108.1. The total monthly child support obligation shall be divided between the parents in the same proportion as their monthly gross incomes bear to their monthly combined gross income. The monthly obligation of each parent shall be computed by multiplying each parent's percentage of the parents' monthly combined gross income by the total monthly child support obligation.

However, the monthly obligation of the noncustodial parent shall be reduced by the cost for health care coverage to the extent allowable by subsection E when paid directly by the noncustodial parent or that parent's spouse. Unreimbursed medical and dental expenses shall be calculated and allocated in accordance with subsection D.

2. Split custody support. In cases involving split custody, the amount of child support to be paid shall be the difference between the amounts owed by each parent as a noncustodial parent, computed in accordance with subdivision 1, with the noncustodial parent owing the larger amount paying the difference to the other parent. Unreimbursed medical and dental expenses shall be calculated and allocated in accordance with subsection D.

For the purpose of this section and § 20-108.1, split custody shall be limited to those situations where each parent has physical custody of a child or children born of the parents, born of either parent and adopted by the other parent or adopted by both parents. For the purposes of calculating a child support obligation where split custody exists, a separate family unit exists for each parent, and child

support for that family unit shall be calculated upon the number of children in that family unit who are born of the parents, born of either parent and adopted by the other parent or adopted by both parents. Where split custody exists, a parent is a custodial parent to the children in that parent's family unit and is a noncustodial parent to the children in the other parent's family unit.

3. Shared custody support.

(a) Where a party has custody or visitation of a child or children for more than 90 days of the year, as such days are defined in subdivision G 3 (c), a shared custody child support amount based on the ratio in which the parents share the custody and visitation of any child or children shall be calculated in accordance with this subdivision. The presumptive support to be paid shall be the shared custody support amount, unless a party affirmatively shows that the sole custody support amount calculated as provided in subdivision G 1 is less than the shared custody support amount. If so, the lesser amount shall be the support to be paid. For the purposes of this subsection, the following shall apply:

(i) Income share. "Income share" means a parent's percentage of the combined monthly gross income of both parents. The income share of a parent is that parent's gross income divided by the combined gross incomes of the parties.

(ii) Custody share. "Custody share" means the number of days that a parent has physical custody, whether by sole custody, joint legal or joint residential custody, or visitation, of a shared child per year divided by the number of days in the year. The actual or anticipated "custody share" of the parent who has or will have fewer days of physical custody shall be calculated for a one-year period. The "custody share" of the other parent shall be presumed to be the number of days in the year less the number of days calculated as the first parent's "custody share." For purposes of this calculation, the year may begin on such date as is determined in the discretion of the court, and the day may begin at such time as is determined in the discretion of the court. For purposes of this calculation, a day shall be as defined in subdivision G 3 (c).

(iii) Shared support need. "Shared support need" means the presumptive guideline amount of needed support for the shared child or children calculated pursuant to subsection B of this section, for the combined gross income of the parties and the number of shared children, multiplied by 1.4.

(iv) Sole custody support. "Sole custody support" means the support amount determined in accordance with subdivision G 1.

(b) Support to be paid. The shared support need of the shared child or children shall be calculated pursuant to subdivision G 3 (a) (iii). This amount shall then be multiplied by the other parent's custody share. To that sum for each parent shall be added the other parent's or that parent's spouse's cost of health care coverage to the extent allowable by subsection E, plus the other parent's work-related child-care costs to the extent allowable by subsection F. This total for each parent shall be multiplied by that parent's income share. The support amounts thereby calculated that each parent owes the other shall be subtracted one from the other and the difference shall be the shared custody support one parent owes to the other, with the payor parent being the one whose shared support is the larger. Unreimbursed medical and dental expenses shall be calculated and allocated in accordance with subsection D.

(c) Definition of a day. For the purposes of this section, "day" means a period of 24 hours; however, where the parent who has the fewer number of overnight periods during the year has an overnight period with a child, but has physical custody of the shared child for less than 24 hours during such overnight period, there is a presumption that each parent shall be allocated one-half of a day of custody for that period.

(d) Minimum standards. Any calculation under this subdivision shall not create or reduce a support obligation to an amount which seriously impairs the custodial parent's ability to maintain minimal adequate housing and provide other basic necessities for the child. If the gross income of either party is equal to or less than 150 percent of the federal poverty level promulgated by the U.S. Department of Health and Human Services from time to time, then the shared custody support calculated pursuant to this subsection shall not be the presumptively correct support and the court may consider whether the sole custody support or the shared custody support is more just and appropriate.

(e) Support modification. When there has been an award of child support based on the shared custody formula and one parent consistently fails to exercise custody or visitation in accordance with the parent's custody share upon which the award was based, there shall be a rebuttable presumption that the support award should be modified.

(f) In the event that the shared custody support calculation indicates that the net support is to be paid to the parent who would not be the parent receiving support pursuant to the sole custody calculation, then the shared support shall be deemed to be the lesser support.

4. Multiple shared custody support. In cases with different shared custody arrangements for two or more minor children of the parties, the procedures in subdivision G 3 shall apply, except that one shared guideline shall be used to determine the total amount of child support owed by one parent to the other by:

(a) Calculating each parent's custody share by adding the total number of days, as defined in subdivision G 3 (c), that each parent has with each child and dividing such total number of days by the number of children of the parties to determine the average number of shared custody days; and

(b) Using each parent's custody share as determined in subdivision G 4 (a) for each parent to calculate the child support owed, in accordance with the provisions of subdivision G 3.

5. Sole and shared custody support. In cases where one parent has sole custody of one or more minor children of the parties, and the parties share custody of one or more other minor children of the parties, the procedures in subdivisions G 1 and 3 shall apply, except that one sole custody support guideline calculation and one shared custody support guideline calculation shall be used to determine the total amount of child support owed by one parent to the other by:

(a) Calculating the sole custody support obligation by:

(i) Calculating the per child monthly basic child support obligation by determining, for the number of children of the parties, the scheduled monthly basic child support obligation and dividing that amount by the number of children of the parties;

(ii) Calculating the sole custody pro rata monthly basic child support obligation by multiplying the per child monthly basic child support obligation determined in subdivision G 5 (a) (i) by the number of children subject to the sole custody support obligation; and

(iii) Applying the sole custody pro rata monthly basic child support obligation determined in subdivision G 5 (a) (ii) to the procedures in subdivision G 1.

(b) Calculating the shared custody child support obligation by:

(i) Calculating the per child monthly basic child support obligation by determining, for the number of children of the parties, the scheduled monthly basic child support obligation and dividing that amount by the number of children of the parties;

(ii) Calculating the shared custody pro rata monthly basic child support obligation by multiplying the per child monthly basic child support obligation determined in subdivision G 5 (b) (i) by the number of children subject to the shared custody support obligation; and

(iii) Applying the shared custody pro rata monthly basic child support obligation determined in subdivision G 5 (b) (ii) to the procedures in subdivision G 3.

(c) Determining the total amount of child support owed by one parent to the other. Where one parent owes both the sole custody support obligation and the shared custody support obligation to the other parent, the total of both such obligations calculated pursuant to subdivisions G 5 (a) and G 5 (b) shall be added to determine the total amount of child support owed by one parent to the other. Where one parent owes one such obligation to the other parent, and such other parent owes the other such obligation to the other such parent, the parent owing the greater obligation amount to the other parent shall pay the difference between the obligations to such other parent.

6. Split and shared custody support. In cases where the parents have split custody of two or more children, and there is a shared custody arrangement with one or more other minor children of the parties, the procedures set forth in subdivisions G 2 and G 3 shall apply, except that one split custody child support guideline calculation and one shared custody child support guideline calculation shall be used to calculate the total amount of child support owed by one parent to the other by:

(a) Calculating the split custody child support obligation by:

(i) Calculating the per child monthly basic child custody support obligation by determining, for the number of children of the parties, the scheduled monthly basic child support obligation and dividing that amount by the number of children of the parties;

(ii) Calculating the split custody pro rata monthly basic child support obligation by multiplying the per child monthly basic child support obligation determined in subdivision G 6 (a) (i) by the number of children subject to the split custody support obligation; and

(iii) Applying the split custody pro rata monthly basic child support obligation determined in subdivision G 6 (a) (ii) for each parent to the procedures in subdivision G 2.

(b) Calculating the shared custody child support obligation by:

(i) Calculating the per child monthly basic child custody support obligation by determining, for the number of children of the parties, the scheduled monthly basic child support obligation and dividing that amount by the number of children of the parties;

(ii) Calculating the shared custody pro rata monthly basic child custody support obligation by multiplying the per child monthly basic child support obligation determined in subdivision G 6 (b) (i) by the number of children subject to the shared custody support obligation; and

(iii) Applying the shared custody pro rata monthly basic child support obligation determined in subdivision G 6 (b) (ii) to the procedures in subdivision G 3.

(c) Determining the total amount of child support owed by one parent to the other. Where one parent owes both the split custody support obligation and the shared custody support obligation to the other parent, the total of both such obligations calculated pursuant to subdivisions G 6 (a) and G 6 (b) shall

983 be added to determine the total amount of child support owed by one parent to the other. Where one
984 parent owes one such obligation to the other parent, and such other parent owes the other such
985 obligation to the other such parent, the parent owing the greater obligation amount to the other parent
986 shall pay the difference between the obligations to such other parent.

987 H. The Secretary of Health and Human Resources shall ensure that the guideline set out in this
988 section is reviewed by October 31, 2001, and every four years thereafter, by the Child Support
989 Guidelines Review Panel, consisting of 15 members comprised of four legislative members and 11
990 nonlegislative citizen members. Members shall be appointed as follows: three members of the House
991 Committee for Courts of Justice, upon the recommendation of the chairman of such committee, to be
992 appointed by the Speaker of the House of Delegates in accordance with the principles of proportional
993 representation contained in the Rules of the House of Delegates; one member of the Senate Committee
994 for Courts of Justice, upon the recommendation of the chairman of such committee, to be appointed by
995 the Senate Committee on Rules; and one representative of a juvenile and domestic relations district
996 court, one representative of a circuit court, one representative of the Department of Social Services'
997 Division of Child Support Enforcement, three members of the Virginia State Bar, two custodial parents,
998 two noncustodial parents, and one child advocate, upon the recommendation of the Secretary of Health
999 and Human Resources, to be appointed by the Governor. The Panel shall determine the adequacy of the
1000 guideline for the determination of appropriate awards for the support of children by considering current
1001 research and data on the cost of and expenditures necessary for rearing children, and any other resources
1002 it deems relevant to such review. The Panel shall report its findings to the General Assembly as
1003 provided in the procedures of the Division of Legislative Automated Systems for the processing of
1004 legislative documents and reports before the General Assembly next convenes following such review.

1005 Legislative members shall serve terms coincident with their terms of office. Nonlegislative citizen
1006 members shall serve at the pleasure of the Governor. All members may be reappointed. Appointments to
1007 fill vacancies, other than by expiration of a term, shall be made for the unexpired terms. Vacancies shall
1008 be filled in the same manner as the original appointments.

1009 Legislative members shall receive such compensation as provided in § 30-19.12, and nonlegislative
1010 citizen members shall receive such compensation for the performance of their duties as provided in
1011 § 2.2-2813. All members shall be reimbursed for all reasonable and necessary expenses incurred in the
1012 performance of their duties as provided in §§ 2.2-2813 and 2.2-2825. Funding for the costs of
1013 compensation and expenses of the members shall be provided by the Department of Social Services.

1014 The Department of Social Services shall provide staff support to the Panel. All agencies of the
1015 Commonwealth shall provide assistance to the Panel, upon request.

1016 The chairman of the Panel shall submit to the Governor and the General Assembly a quadrennial
1017 executive summary of the interim activity and work of the Panel no later than the first day of 2006
1018 regular session of the General Assembly and every four years thereafter. The executive summary shall
1019 be submitted as provided in the procedures of the Division of Legislative Automated Systems for the
1020 processing of legislative documents and reports and shall be posted on the General Assembly's website.