

~~UNDER--SUBSECTIONS--(G),--(H),--AND--(I)--OF--THIS--SECTION--AND--SHALL--BE--ADDED--TO--THAT--CHILD'S--SHARE--OF--THE--BASIC--OBLIGATION.~~

~~(4)--THE--AMOUNT--DETERMINED--UNDER--PARAGRAPHS--(1)--AND--(2)--OF--THIS--SUBSECTION--SHALL--BE--A--THEORETICAL--SUPPORT--OBLIGATION--DUE--EACH--PARENT--FOR--SUPPORT--OF--THE--CHILD--OR--CHILDREN--FOR--WHOM--THE--PARENT--HAS--PHYSICAL--CUSTODY.~~

~~(5)--THE--THEORETICAL--SUPPORT--OBLIGATION--SHALL--BE--MULTIPLIED--BY--THE--PERCENTAGE--THAT--THE--OTHER--PARENT'S--GROSS--INCOME--BEARS--TO--THE--TOTAL--COMBINED--GROSS--INCOME--OF--BOTH--PARENTS.~~

~~(6)--THE--OBLIGATIONS--SHALL--THEN--BE--OFFSET--AND--THE--PARENT--OWING--THE--LARGER--AMOUNT--SHALL--OWE--THE--DIFFERENCE--BETWEEN--THE--2--AMOUNTS--TO--THE--OTHER--PARENT--AS--CHILD--SUPPORT.~~

(3) SUBJECT TO THE PROVISIONS OF PARAGRAPHS (4) AND (5) OF THIS SUBSECTION, THE PARENT OWING THE GREATER AMOUNT UNDER PARAGRAPH (2) OF THIS SUBSECTION SHALL OWE THE DIFFERENCE IN THE 2 AMOUNTS AS CHILD SUPPORT.

(4) IN ADDITION TO THE AMOUNT OF THE CHILD SUPPORT OWED UNDER PARAGRAPH (3) OF THIS SUBSECTION, IF EITHER PARENT INCURS CHILD CARE EXPENSES UNDER SUBSECTION (G) OF THIS SECTION, EXTRAORDINARY MEDICAL EXPENSES UNDER SUBSECTION (H) OF THIS SECTION, OR ADDITIONAL EXPENSES UNDER SUBSECTION (I) OF THIS SECTION, THE EXPENSE SHALL BE DIVIDED BETWEEN THE PARENTS IN PROPORTION TO THEIR RESPECTIVE ADJUSTED ACTUAL INCOMES. THE PARENT NOT INCURRING THE EXPENSE SHALL PAY THAT PARENT'S PROPORTIONATE SHARE TO:

(I) THE PARENT MAKING DIRECT PAYMENTS TO THE PROVIDER OF THE SERVICE; OR

(II) THE PROVIDER DIRECTLY, IF A COURT ORDER REQUIRES DIRECT PAYMENTS TO THE PROVIDER.

(5) THE AMOUNT OWED UNDER PARAGRAPH (3) OF THIS SUBSECTION MAY NOT EXCEED THE AMOUNT THAT WOULD BE OWED UNDER SUBSECTION (K) OF THIS SECTION IF THE OBLIGOR PARENT WERE A NONCUSTODIAL PARENT.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency measure, is necessary for the immediate preservation of the public health and safety, has been passed by a yea and nay vote supported by three-fifths of all the members elected to each of the two Houses of the General Assembly, and shall take effect from the date it is enacted.

Approved February 24, 1989.