
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 669 Session of
2015

INTRODUCED BY HANNA, D. COSTA, ROZZI, V. BROWN, THOMAS, McNEILL,
KINSEY, SCHLOSSBERG, COHEN, MAHONEY AND MURT, MARCH 2, 2015

REFERRED TO COMMITTEE ON JUDICIARY, MARCH 2, 2015

AN ACT

1 Amending Title 23 (Domestic Relations) of the Pennsylvania
2 Consolidated Statutes, in support matters generally, further
3 providing for support guidelines.

4 The General Assembly of the Commonwealth of Pennsylvania
5 hereby enacts as follows:

6 Section 1. Section 4322(a) of Title 23 of the Pennsylvania
7 Consolidated Statutes is amended to read:

8 § 4322. Support guideline.

9 (a) Statewide guideline.--

10 (1) Child and spousal support shall be awarded pursuant
11 to a Statewide guideline as established by general rule by
12 the Supreme Court, so that persons similarly situated shall
13 be treated similarly. [The] Subject to the provisions of
14 paragraph (2), the guideline shall be based upon the
15 reasonable needs of the child or spouse seeking support and
16 the ability of the obligor to provide support. In determining
17 the reasonable needs of the child or spouse seeking support
18 and the ability of the obligor to provide support, the

1 guideline shall place primary emphasis on the net incomes and
2 earning capacities of the parties, with allowable deviations
3 for unusual needs, extraordinary expenses and other factors,
4 such as the parties' assets, as warrant special attention.
5 The guideline so developed shall be reviewed at least once
6 every four years.

7 (2) (i) Public assistance, Supplemental Security Income
8 (SSI) benefits and Social Security benefits received by
9 the child as a result of a parent's death shall not be
10 counted as income for purposes of determining support.

11 (ii) If a child for whom support is sought is
12 receiving Social Security benefits as a result of an
13 obligor parent's retirement or disability, the benefits
14 the child receives shall be added to the combined monthly
15 net incomes of the obligor and the obligee to calculate
16 the income available for support on the vertical axis of
17 the basic child support schedule set forth in the
18 Pa.R.C.P. 1910.16-3 (relating to Support Guidelines.
19 Basic Child Support Schedule). The presumptive amount of
20 support as set forth on the schedule at the combined
21 income of the obligee, obligor and child's benefits shall
22 then be reduced by the amount of the child's benefits
23 before apportioning the remaining support obligation
24 between the parties pursuant to Pa.R.C.P. 1910.16-4
25 (relating to Support Guidelines. Calculation of Support
26 Obligation. Formula). For purposes of determining the
27 support obligation of a surviving parent, the income of a
28 nonparent obligee who is caring for the child but has no
29 support obligation to that child shall not be considered.

30 (iii) If a child for whom support is sought is

1 receiving Social Security benefits as a result of the
2 death, retirement or disability of anyone other than the
3 obligor, then the obligor shall not receive a credit for
4 these Social Security benefits against the obligor's
5 child support obligation.

6 * * *

7 Section 2. This act shall take effect in 60 days.