

1 **ENROLLED**

2 **H. B. 4521**

3  
4 (By Delegates Poore, Hunt, Moore, Mahan, Guthrie,  
5 Ireland, Wells, Miley, Michael, Frazier and White)

6  
7 [Passed March 10, 2012; in effect ninety days from passage.]  
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10 AN ACT to amend the Code of West Virginia, 1931, as amended, by  
11 adding thereto a new section, designated §48-13-703, relating  
12 to permitting the restructuring of child support payments of  
13 an inmate who is released from the custody of the Division of  
14 Corrections or United States Bureau of Prisons under certain  
15 circumstances; providing that one judge within the circuit may  
16 assume jurisdiction over all child support obligations of the  
17 former inmate; and providing a minimum amount of child support  
18 which is to be paid each month in each case.

19 *Be it enacted by the Legislature of West Virginia:*

20 That the Code of West Virginia, 1931, as amended, be amended  
21 by adding thereto a new section, designated §48-13-703, to read as  
22 follows:

23 **ARTICLE 13. GUIDELINES FOR CHILD SUPPORT AWARDS.**

24 **§48-13-703. Restructuring of payments upon release of inmate.**

25 Upon his or her release from the custody of the Division of

1 Corrections or the United States Bureau of Prisons, a person who is  
2 gainfully employed and is subject to a child support obligation or  
3 obligations and from whose weekly disposable earnings an amount in  
4 excess of forty percent is being withheld for the child support  
5 obligation or obligations may, within eighteen months of his or her  
6 release, petition the court having jurisdiction over the case or  
7 cases to restructure the payments to an amount that allows the  
8 person to pay his or her necessary living expenses. In order to  
9 achieve consistency and fairness, one judge may assume jurisdiction  
10 over all the cases the person may have within that circuit of the  
11 court. In apportioning the available funds, the court shall give  
12 priority to the person's current child support obligations:  
13 *Provided*, That a minimum of \$50 per month shall be paid in each  
14 case.