

Introduced by

1 A BILL for an Act to amend and reenact subdivision a of subsection 1 of section 14-09-09.7 of
2 the North Dakota Century Code, relating to gross income under child support guidelines of the
3 department of human services.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1. AMENDMENT.** Subdivision a of subsection 1 of section 14-09-09.7 of the
6 North Dakota Century Code is amended and reenacted as follows:

- 7 a. Include consideration of gross income, which must include income from
8 overtime and second jobs. Income from overtime and second jobs may be
9 excluded from gross income if exclusion is in the best interest of the child; the
10 obligor is employed in excess of a forty-hour work week; the excess
11 employment is voluntary and not a condition of employment; the obligor's
12 compensation structure has not been changed for the purpose of affecting a
13 support order; and the excess employment is in the nature of employment
14 compensable by the hour or fraction of an hour. A written finding must be
15 made if the court excludes income from overtime and second jobs.