

decree requesting the issuance of a shared parenting decree in accordance with division (G) of section 3109.04 of the Revised Code. Upon the filing of the motion, the court shall determine whether to grant the parents shared rights and responsibilities for the care of the children in accordance with divisions (A), (D)(1), ~~and (E)(1), and (I)~~ of section 3109.04 of the Revised Code.

(B) A custody decree issued pursuant to section 3109.04 of the Revised Code prior to ~~the effective date of this amendment~~ April 11, 1991, that granted joint care, custody, and control of the children to the parents shall not be affected or invalidated by, and shall not be construed as being affected or invalidated by, the provisions of section 3109.04 of the Revised Code relative to the granting of a shared parenting decree or a decree allocating parental rights and responsibilities for the care of children on and after ~~the effective date of this amendment~~ April 11, 1991. The decree issued prior to ~~the effective date of this amendment~~ April 11, 1991 shall remain in full force and effect, subject to modification or termination pursuant to section 3109.04 of the Revised Code as that section exists on and after ~~the effective date of this amendment~~ April 11, 1991.

(C) As used in this section, "joint custody" and "joint care, custody, and control" have the same meaning as "shared parenting."

Sec. 3119.022. When a court or child support enforcement agency calculates the amount of child support to be paid pursuant to a child support order in a proceeding in which one parent is the residential parent and legal custodian of all of the children who are the subject of the child support order or in which the court issues a shared parenting order, the court or agency shall use a worksheet identical in content and form to the following:

**CHILD SUPPORT COMPUTATION WORKSHEET**

**SOLE RESIDENTIAL PARENT OR SHARED PARENTING ORDER**

Name of parties .....

Case No. ....

Number of minor children .....

The following parent was designated as residential parent and legal custodian: ..... mother ..... father ..... shared

	Column I	Column II	Column III
	Father	Mother	Combined

**INCOME:**

1.a. Annual gross income from employment or, when determined appropriate

by the court or agency,  
average annual gross income  
from employment over a  
reasonable period of years.  
(Exclude overtime, bonuses,  
self-employment income, or  
commissions).....

\$.....      \$.....

b. Amount of overtime,  
bonuses, and commissions  
(year 1 representing the  
most recent year)

Father

Mother

Yr. 3 \$.....

Yr. 3 \$.....

(Three years ago)

(Three years ago)

Yr. 2 \$.....

Yr. 2 \$.....

(Two years ago)

(Two years ago)

Yr. 1 \$.....

Yr. 1 \$.....

(Last calendar year)

(Last calendar year)

Average \$.....

Average \$.....

(Include in Col. I and/or  
Col. II the average of the  
three years or the year 1  
amount, whichever is less,  
if there exists a reasonable  
expectation that the total  
earnings from overtime and/or  
bonuses during the current  
calendar year will meet or  
exceed the amount that is  
the lower of the average  
of the three years or the  
year 1 amount. If, however,  
there exists a reasonable  
expectation that the total  
earnings from overtime/  
bonuses during the current  
calendar year will be less  
than the lower of the average  
of the 3 years or the year 1  
amount, include only the

amount reasonably expected to be earned this year.)...	\$.....	\$.....
2. For self-employment income:		
a. Gross receipts from business.....	\$.....	\$.....
b. Ordinary and necessary business expenses.....	\$.....	\$.....
c. 5.6% of adjusted gross income or the actual marginal difference between the actual rate paid by the self-employed individual and the F.I.C.A. rate .....	\$.....	\$.....
d. Adjusted gross income from self-employment (subtract the sum of 2b and 2c from 2a).....	\$.....	\$.....
3. Annual income from interest and dividends (whether or not taxable).....	\$.....	\$.....
4. Annual income from unemployment compensation...	\$.....	\$.....
5. Annual income from workers' compensation, disability insurance benefits, or social security disability/retirement benefits.....	\$.....	\$.....
6. Other annual income (identify).....	\$.....	\$.....
7.a. Total annual gross income (add lines 1a, 1b, 2d, and 3-6).....	\$.....	\$.....
b. <u>Health insurance maximum (multiply line 7a by 5%)</u>	<u>\$.....</u>	<u>\$.....</u>
<b>ADJUSTMENTS TO INCOME:</b>		
8. Adjustment for minor children born to or adopted by either parent and another parent who		

	are living with this parent; adjustment does not apply to stepchildren (number of children times federal income tax exemption less child support received, not to exceed the federal tax exemption).....	\$.....	\$.....
9.	Annual court-ordered support paid for other children....	\$.....	\$.....
10.	Annual court-ordered spousal support paid to any spouse or former spouse.....	\$.....	\$.....
11.	Amount of local income taxes actually paid or estimated to be paid.....	\$.....	\$.....
12.	Mandatory work-related deductions such as union dues, uniform fees, etc. (not including taxes, social security, or retirement)...	\$.....	\$.....
13.	Total gross income adjustments (add lines 8 through 12).....	\$.....	\$.....
14.			
<u>a.</u>	Adjusted annual gross income (subtract line 13 from line 7a).....	\$.....	\$.....
<u>b.</u>	<u>Cash medical support maximum (If the amount on line 7a, Col. I, is under 150% of the federal poverty level for an individual, enter \$0 on line 14b, Col. I. If the amount on line 7a, Col. I, is 150% or higher of the federal poverty level for an individual, multiply the</u>		

amount on line 14a, Col. I,  
by 5% and enter this amount  
on line 14b, Col. I.

If the amount on line 7a,  
Col. II, is under 150%  
of the federal poverty level  
for an individual, enter  
\$0 on line 14b, Col. II.

If the amount on line 7a,  
Col. II, is 150% or higher  
of the federal poverty level  
for an individual, multiply  
the amount on line 14a,  
Col. II, by 5% and enter  
this amount on line 14b,  
Col. II.).....

\$.....

\$.....

15. Combined annual income that  
is basis for child support  
order (add line ~~14~~ 14a, Col.  
I and Col. II) .....

\$.....

16. Percentage of parent's  
income to total income

a. Father (divide line ~~14~~ 14a,  
Col. I, by line 15, Col.  
III).....%

b. Mother (divide line ~~14~~ 14a,  
Col. II, by line 15, Col.  
III).....%

17. Basic combined child  
support obligation (refer  
to schedule, first column,  
locate the amount nearest  
to the amount on line 15,  
Col. III, then refer to  
column for number of  
children in this family.  
If the income of the  
parents is more than one  
sum but less than another,  
you may calculate the

- difference.)..... \$.....
18. Annual support obligation per parent
- a. Father (multiply line 17,  
Col. III, by line 16a)..... \$.....
- b. Mother (multiply line 17,  
Col. III, by line 16b)..... \$.....
19. Annual child care expenses  
for children who are the  
subject of this order that  
are work-, employment  
training-, or education-  
related, as approved by  
the court or agency  
(deduct tax credit from  
annual cost, whether or  
not claimed)..... \$..... \$.....
- 20.
- a. Marginal, out-of-pocket  
costs, necessary to provide  
for health insurance for  
the children who are the  
subject of this order  
(contributing cost of private  
family health insurance,  
minus the contributing cost  
of private single health  
insurance, divided by the  
total number of dependents  
covered by the plan,  
including the children  
subject of the support  
order, times the number of  
children subject of the  
support order) ..... \$..... \$.....
- b. Cash medical support  
obligation (enter the amount  
on line 14b or the amount  
of annual health care  
expenditures estimated by  
the United States Department

of Agriculture and  
described in section 3119.30  
of the Revised Code,  
whichever amount is  
lower) .....                      \$.....                      \$.....

21. ADJUSTMENTS TO CHILD SUPPORT WHEN HEALTH INSURANCE IS PROVIDED:

- |  |  |
|--|--|
| <p>Father (only if obligor or shared parenting)</p> <p>a. Additions: line 16a times sum of amounts shown on line 19, Col. II and line <del>20</del> <u>20a</u>, Col. II<br/>\$.....</p> <p>c. Subtractions: line 16b times sum of amounts shown on line 19, Col. I and line <del>20</del> <u>20a</u>, Col. I<br/>\$.....</p> | <p>Mother (only if obligor or shared parenting)</p> <p>b. Additions: line 16b times sum of amounts shown on line 19, Col. I and line <del>20</del> <u>20a</u>, Col. I<br/>\$.....</p> <p>d. Subtractions: line 16a times sum of amounts shown on line 19, Col. II and line <del>20</del> <u>20a</u>, Col. II<br/>\$.....</p> |
|--|--|

22. OBLIGATION AFTER ADJUSTMENTS TO CHILD SUPPORT WHEN HEALTH INSURANCE IS PROVIDED:

- a. Father: line 18a plus or minus the difference between line 21a minus line 21c  
..... \$.....
- b. Mother: line 18b plus or minus the difference between line 21b minus line 21d  
..... \$.....

23. ACTUAL ANNUAL OBLIGATION WHEN HEALTH INSURANCE IS PROVIDED:

- a. (Line 22a or 22b, whichever line corresponds to the parent who is the obligor).                      \$.....
- b. Any non-means-tested benefits, including social security and veterans' benefits, paid to and

- received by a child or a person on behalf of the child due to death, disability, or retirement of the parent..... \$.....
- c. Actual annual obligation (subtract line 23b from line 23a)..... \$.....

24. ADJUSTMENTS TO CHILD SUPPORT WHEN HEALTH INSURANCE IS NOT PROVIDED:

- |   |   |
|---|---|
| <p><u>Father (only if obligor or shared parenting)</u></p> <p>a. <u>Additions: line 16a times the sum of the amounts shown on line 19, Col. II and line 20b, Col. II</u><br/>\$.....</p> <p>c. <u>Subtractions: line 16b times the sum of the amounts shown on line 19, Col. I and line 20b, Col. I</u><br/>\$.....</p> | <p><u>Mother (only if obligor or shared parenting)</u></p> <p>b. <u>Additions: line 16b times the sum of the amounts shown on line 19, Col. I and line 20b, Col. I</u><br/>\$.....</p> <p>d. <u>Subtractions: line 16a times the sum of the amounts shown on line 19, Col. II and line 20b, Col. II</u><br/>\$.....</p> |
|---|---|

25. OBLIGATION AFTER ADJUSTMENTS TO CHILD SUPPORT WHEN HEALTH INSURANCE IS NOT PROVIDED:

- a. Father: line 18a plus or minus the difference between line 24a minus line 24c  
..... \$.....
- b. Mother: line 18b plus or minus the difference between line 24b and 24d  
..... \$.....

26. ACTUAL ANNUAL OBLIGATION WHEN HEALTH INSURANCE IS NOT PROVIDED:

- a. (Line 25a or 25b, whichever

line corresponds to the parent who is the obligor) \$.....

b. Any non-means-tested benefits, including social security and veterans' benefits, paid to and received by a child or a person on behalf of the child due to death, disability, or retirement of the parent \$.....

c. Actual annual obligation (subtract line 26b from line 26a \$.....

27.a. Deviation from sole residential parent support amount shown on line 23c if amount would be unjust or inappropriate: (see section 3119.23 of the Revised Code.) (Specific facts and monetary value must be stated.)

.....  
.....  
.....  
.....

b. Deviation from shared parenting order: (see sections 3119.23 and 3119.24 of the Revised Code.) (Specific facts including amount of time children spend with each parent, ability of each parent to maintain adequate housing for children, and each parent's expenses for children must be stated to justify deviation.)

.....  
.....  
.....  
.....

WHEN WHEN  
HEALTH HEALTH  
INSURANCE INSURANCE  
IS IS NOT  
PROVIDED PROVIDED

25 FINAL CHILD SUPPORT

28. FIGURE: (This amount

reflects final annual child support obligation; in Col. I, enter line 23c plus or minus any amounts indicated in line 24a 27a or 24b 27b; in Col. II, enter line 26c plus or minus any amounts indicated in line 27a or 27b)

..... \$..... \$..... Father/Mother, OBLIGOR

26 FOR DECREE: Child support  
29. per month (divide obligor's annual share, line 25 28, by 12) plus any processing charge

..... \$..... \$.....

30. FINAL CASH MEDICAL SUPPORT FIGURE: (this amount reflects the final annual cash medical support to be paid by the obligor when neither parent provides health insurance coverage for the child; enter obligor's cash medical support amount from line 20b

\$.....

31. FOR DECREE: Cash medical support per month (divide line 30 by 12)

\$.....

Prepared by:

Counsel: .....  
(For mother/father)

Pro se: .....

CSEA: .....

Other: .....

Worksheet Has Been Reviewed and Agreed To:

.....  
Mother

.....  
Date

.....  
Father

.....  
Date

Sec. 3119.023. When a court or child support enforcement agency calculates the amount of child support to be paid pursuant to a court child

support order in a proceeding in which the parents have split parental rights and responsibilities with respect to the children who are the subject of the child support order, the court or child support enforcement agency shall use a worksheet that is identical in content and form to the following:

CHILD SUPPORT COMPUTATION WORKSHEET  
SPLIT PARENTAL RIGHTS AND RESPONSIBILITIES

Name of parties .....

Case No. ....

Number of minor children .....

Number of minor children with mother ..... father .....

	Column I	Column II	Column III
	Father	Mother	Combined

INCOME:

1.a. Annual gross income from employment or, when determined appropriate by the court or agency, average annual gross income from employment over a reasonable period of years. (Exclude overtime, bonuses, self-employment income, or commissions).....

\$..... \$.....

b. Amount of overtime, bonuses, and commissions (year 1 representing the most recent year)

Father	Mother
Yr. 3 \$.....	Yr. 3 \$.....
(Three years ago)	(Three years ago)
Yr. 2 \$.....	Yr. 2 \$.....
(Two years ago)	(Two years ago)
Yr. 1 \$.....	Yr. 1 \$.....
(Last calendar year)	(Last calendar year)
Average \$.....	\$.....

(Include in Col. I and/or Col. II the average of the three years or the year 1 amount, whichever is less,

	if there exists a reasonable expectation that the total earnings from overtime and/or bonuses during the current calendar year will meet or exceed the amount that is the lower of the average of the three years or the year 1 amount. If, however, there exists a reasonable expectation that the total earnings from overtime/ bonuses during the current calendar year will be less than the lower of the average of the 3 years or the year 1 amount, include only the amount reasonably expected to be earned this year.)...	\$.....	\$.....
2.	For self-employment income		
a.	Gross receipts from business.....	\$.....	\$.....
b.	Ordinary and necessary business expenses.....	\$.....	\$.....
c.	5.6% of adjusted gross income or the actual marginal difference between the actual rate paid by the self-employed individual and the F.I.C.A. rate .....	\$.....	\$.....
d.	Adjusted gross income from self-employment (subtract the sum of 2b and 2c from 2a).....	\$.....	\$.....
3.	Annual income from interest and dividends (whether or not taxable).....	\$.....	\$.....
4.	Annual income from unemployment compensation...	\$.....	\$.....

5.	Annual income from workers' compensation, disability insurance benefits or social security disability retirement benefits.....	\$.....	\$.....
6.	Other annual income (identify).....	\$.....	\$.....
7.a.	Total annual gross income (add lines 1a, 1b, 2d, and 3-6).....	\$.....	\$.....
b.	<u>Health insurance maximum (multiply line 7a by 5%)</u>	<u>\$.....</u>	<u>\$.....</u>
<b>ADJUSTMENTS TO INCOME:</b>			
8.	Adjustment for minor children born to or adopted by either parent and another parent who are living with this parent; adjustment does not apply to stepchildren (number of children times federal income tax exemption less child support received, not to exceed the federal tax exemption).....	\$.....	\$.....
9.	Annual court-ordered support paid for other children....	\$.....	\$.....
10.	Annual court-ordered spousal support paid to any spouse or former spouse.....	\$.....	\$.....
11.	Amount of local income taxes actually paid or estimated to be paid.....	\$.....	\$.....
12.	Mandatory work-related deductions such as union dues, uniform fees, etc. (not including taxes, social security, or retirement)...	\$.....	\$.....
13.	Total gross income		

- adjustments (add lines 8 through 12)..... \$..... \$.....
- 14.
  - a. Adjusted annual gross income (subtract line 13 from 7a)..... \$..... \$.....
  - b. Cash medical support maximum (If the amount on line 7a, Col. I, is under 150% of the federal poverty level for an individual, enter \$0 on line 14b., Col. I. If the amount on line 7a, Col. I, is 150% or higher of the federal poverty level for an individual, multiply the amount on line 14a, Col. I, by 5% and enter this amount on line 14b, Col. I. If the amount on line 7a, Col. II, is under 150% of the federal poverty level for an individual, enter \$0 on line 14b, Col. II. If the amount on line 7a, Col. II, is 150% or higher of the federal poverty level for an individual, multiply the amount on line 14a, Col. II, by 5% and enter this amount on line 14b, Col. II.)  
 ..... \$..... \$.....
- 15. Combined annual income that is basis for child support order (add line ~~14~~ 14a, Col. I and Col. II)..... \$.....
- 16. Percentage of parent's income to total income
  - a. Father (divide line ~~14~~ 14a, Col. I, by line 15, Col.

- III).....%
- b. Mother (divide line ~~14~~ 14a, Col. II, by line 15, Col. III).....%

17. Basic combined child support obligation (refer to schedule, first column, locate the amount nearest to the amount on line 15, Col. III, then refer to column for number of children with this parent. If the income of the parents is more than one sum but less than another, you may calculate the difference).....

For children for whom the mother is the residential parent and legal custodian \$.....	For children for whom the father is the residential parent and legal custodian \$.....
--	--

18. Annual support obligation per parent

a. Of father for children for whom mother is the residential parent and legal custodian (multiply line 17, Col. I, by line 16a)..... \$.....

b. Of mother for children for whom the father is the residential parent and legal custodian (multiply line 17, Col. II, by line 16b)..... \$.....

19. Annual child care expenses for children who are the subject of this order that

are work-, employment training-, or education-related, as approved by the court or agency (deduct tax credit from annual cost whether or not claimed).....

Paid by father \$..... Paid by mother \$.....

20.

a. Marginal, out-of-pocket costs, necessary to provide for health insurance for the children who are the subject of this order (contributing cost of private family health insurance, minus the contributing cost of private single health insurance, divided by the total number of dependents covered by the plan, including the children subject of the support order, times the number of children subject of the support order) .....

Paid by father \$..... Paid by mother \$.....

b. Cash medical support obligation (enter the amount on line 14b or the amount of annual health care expenditures estimated by the United States Department of Agriculture and described in section 3119.30 of the Revised Code, whichever amount is lower).....

\$..... \$.....

21. ADJUSTMENTS TO CHILD SUPPORT WHEN HEALTH

INSURANCE IS PROVIDED:

- | Father   | Mother   |
|--|--|
| a. Additions: line 16a<br>times sum of amounts<br>shown on line 19, Col. II<br>and line <del>20</del> <u>20a</u> , Col. II<br>\$.....  | b. Additions: line 16b<br>times sum of amounts<br>shown on line 19, Col. I<br>and line <del>20</del> <u>20a</u> , Col. I<br>\$.....      |
| c. Subtractions: line 16b<br>times sum of amounts<br>shown on line 19, Col. I<br>and line <del>20</del> <u>20a</u> , Col. I<br>\$..... | d. Subtractions: line 16a<br>times sum of amounts<br>shown on line 19, Col. II<br>and line <del>20</del> <u>20a</u> , Col. II<br>\$..... |

22. ACTUAL ANNUAL OBLIGATION WHEN HEALTH INSURANCE IS PROVIDED:

- |   |         |
|---|---------|
| a. Father: line 18a plus line 21a minus line 21c (if the amount on line 21c is greater than or equal to the amount on line 21a-- enter the number on line 18a in Col. I).....   | \$..... |
| b. Any non-means-tested benefits, including social security and veterans' benefits, paid to and received by children for whom the mother is the residential parent and legal custodian or a person on behalf of those children due to death, disability, or retirement of the father..... | \$..... |
| c. Actual annual obligation of father (subtract line 22b from line 22a).....  | \$..... |
| d. Mother: line 18b plus line 21b minus line 21d (if the amount on line 21d is  |         |

greater than or equal to the amount on line 21b--enter the number on line 18b in Col. II)..... \$.....

e. Any non-means-tested benefits, including social security and veterans' benefits, paid to and received by children for whom the father is the residential parent and legal custodian or a person on behalf of those children due to death, disability, or retirement of the mother..... \$.....

f. Actual annual obligation of mother (subtract line 22e from line 22d)..... \$.....

g. Actual annual obligation payable (subtract lesser actual annual obligation from greater actual annual obligation using amounts in lines 22c and 22f to determine net child support payable)..... \$..... \$.....

23. ADJUSTMENTS TO CHILD SUPPORT WHEN HEALTH INSURANCE IS NOT PROVIDED:

- |   |   |
|---|---|
| <p><u>Father</u></p> <p>a. <u>Additions: line 16a times the sum of the amounts shown on line 19, Col. II and line 20b, Col. II</u><br/>\$.....</p> <p>c. <u>Subtractions: line 16b times the sum of the amounts shown on line 19, Col. I and line 20b, Col. I</u><br/>\$.....</p> | <p><u>Mother</u></p> <p>b. <u>Additions: line 16b times the sum of the amounts shown on line 19, Col. I and line 20b, Col. I</u><br/>\$.....</p> <p>d. <u>Subtractions: line 16a times the sum of the amounts shown on line 19, Col. II and line 20b, Col. II</u><br/>\$.....</p> |
|---|---|

24. ACTUAL ANNUAL OBLIGATION WHEN HEALTH INSURANCE IS NOT PROVIDED:

- a. Father: line 18a plus line 23a minus line 23c (if the amount on line 23c is greater than or equal to the amount on line 23a, enter the number on line 18a in Col. I) \$.....
- b. Any non-means-tested benefits, including social security and veterans' benefits, paid to and received by a child for whom the mother is the residential parent and legal custodian, or a person on behalf of the child, due to death, disability, or retirement of the father \$.....
- c. Actual annual obligation of the father (subtract line 24b from line 24a) \$.....
- d. Mother: line 18b plus line 23b minus 23d (if the amount on line 23d is greater than or equal to the amount on line 23b, enter the number on line 18b in Col. II)  
..... \$.....
- e. Any non-means-tested benefits, including social security and veterans' benefits, paid to and received by a child for whom the father is the residential parent and legal custodian, or a person on behalf of the child, due to death, disability, or retirement of the mother

		<u>\$.....</u>
f.	<u>Actual annual obligation of the mother (subtract line 24e from line 24d)</u>	<u>\$.....</u>
g.	<u>Actual annual obligation payable (subtract lesser actual annual obligation from greater annual obligation of parents using amounts in lines 24c and 24f to determine net child support payable)</u>	
	<u>\$.....</u>	<u>\$.....</u>
h.	<u>Add line 20b, Col. I, to line 24g, Col. I, when father is the obligor or line 20b, Col. II, to line 24g, Col. II, when mother is obligor</u>	
	<u>\$.....</u>	<u>\$.....</u>

25. Deviation from split residential parent guideline amount shown on line 22c ~~or 22f, 22f, 24c, or 24f~~ if amount would be unjust or inappropriate: (see section 3119.23 of the Revised Code.) (Specific facts and monetary value must be stated.)

.....  
 .....  
 .....  
 .....

<u>WHEN</u>	<u>WHEN</u>
<u>HEALTH</u>	<u>HEALTH</u>
<u>INSURANCE</u>	<u>INSURANCE</u>
<u>IS</u>	<u>IS NOT</u>
<u>PROVIDED</u>	<u>PROVIDED</u>

24 FINAL CHILD SUPPORT

26. FIGURE: (This amount reflects final annual child support obligation; in Col. I enter line 22g plus or minus any amounts indicated in line 23 25, or in Col. II enter line 24h plus or minus any

amounts indicated on line 25.)

..... \$..... \$..... Father/Mother,  
OBLIGOR

25 FOR DECREE: Child support  
27 per month (divide obligor's  
annual share, line 24 26, by  
12) plus any processing  
charge

..... \$..... \$.....

28 FINAL CASH MEDICAL  
SUPPORT FIGURE: (this  
amount reflects the final  
annual cash medical support  
to be paid by the obligor  
when neither parent provides  
health insurance coverage for  
the child; enter obligor's cash  
medical support from line  
20b)

..... \$.....

29 FOR DECREE: Cash medical  
support per month (divide line  
28 by 12)

..... \$.....

Prepared by:

Counsel: .....  
(For mother/father)

Pro se: .....

CSEA: .....

Other: .....

Worksheet Has Been Reviewed and Agreed To:

.....  
Mother

.....  
Date

.....  
Father

.....  
Date

Sec. 3119.05. When a court computes the amount of child support required to be paid under a court child support order or a child support enforcement agency computes the amount of child support to be paid pursuant to an administrative child support order, all of the following apply:

(A) The parents' current and past income and personal earnings shall be verified by electronic means or with suitable documents, including, but not limited to, paystubs, employer statements, receipts and expense vouchers

related to self-generated income, tax returns, and all supporting documentation and schedules for the tax returns.

(B) The amount of any pre-existing child support obligation of a parent under a child support order and the amount of any court-ordered spousal support actually paid shall be deducted from the gross income of that parent to the extent that payment under the child support order or that payment of the court-ordered spousal support is verified by supporting documentation.

(C) If other minor children who were born to the parent and a person other than the other parent who is involved in the immediate child support determination live with the parent, the court or agency shall deduct an amount from that parent's gross income that equals the number of such minor children times the federal income tax exemption for such children less child support received for them for the year, not exceeding the federal income tax exemption.

(D) When the court or agency calculates the gross income of a parent, it shall include the lesser of the following as income from overtime and bonuses:

(1) The yearly average of all overtime, commissions, and bonuses received during the three years immediately prior to the time when the person's child support obligation is being computed;

(2) The total overtime, commissions, and bonuses received during the year immediately prior to the time when the person's child support obligation is being computed.

(E) When the court or agency calculates the gross income of a parent, it shall not include any income earned by the spouse of that parent.

~~(F) The court shall not order an amount of child support for reasonable and ordinary uninsured medical or dental expenses in addition to the amount of the child support obligation determined in accordance with the schedule.~~ The court shall issue a separate order for extraordinary medical or dental expenses, including, but not limited to, orthodontia, psychological, appropriate private education, and other expenses, and may consider the expenses in adjusting a child support order.

(G) When a court or agency calculates the amount of child support to be paid pursuant to a court child support order or an administrative child support order, if the combined gross income of both parents is an amount that is between two amounts set forth in the first column of the schedule, the court or agency may use the basic child support obligation that corresponds to the higher of the two amounts in the first column of the schedule, use the basic child support obligation that corresponds to the lower of the two amounts in the first column of the schedule, or calculate a basic child

support obligation that is between those two amounts and corresponds proportionally to the parents' actual combined gross income.

(H) When the court or agency calculates gross income, the court or agency, when appropriate, may average income over a reasonable period of years.

(I) A court or agency shall not determine a parent receiving means-tested public assistance benefits to be voluntarily unemployed or underemployed and shall not impute income to that parent, unless not making such determination and not imputing income would be unjust, inappropriate, and not in the best interest of the child.

(J) When a court or agency requires a parent to pay an amount for that parent's failure to support a child for a period of time prior to the date the court modifies or issues a court child support order or an agency modifies or issues an administrative child support order for the current support of the child, the court or agency shall calculate that amount using the basic child support schedule, worksheets, and child support laws in effect, and the incomes of the parents as they existed, for that prior period of time.

Sec. 3119.27. (A) A court that issues or modifies a court support order, or an administrative agency that issues or modifies an administrative child support order, shall impose on the obligor under the support order a processing charge that is the greater of two per cent of the support payment to be collected under a support order or one dollar per month. No court or agency may call the charge a poundage fee.

(B) In each child support case that is a Title IV-D case, the department of job and family services shall annually claim twenty-five dollars from the processing charge described in division (A) of this section for federal reporting purposes if the obligee has never received assistance under Title IV-A and the department has collected at least five hundred dollars of child support for the obligee. The director of job and family services shall adopt rules under Chapter 119. of the Revised Code to implement this division, and the department shall implement this division not later than March 31, 2008.

(C) As used in this section:

(1) "Annual" means the period as defined in regulations issued by the United States secretary of health and human services to implement the Deficit Reduction Act of 2005 (P.L. 109-171).

(2) "Title IV-A" has the same meaning as in section 5107.02 of the Revised Code.

(3) "Title IV-D case" has the same meaning as in section 3125.01 of the Revised Code.

Sec. 3119.29. (A) As used in this section and sections 3119.30 to 3119.56 of the Revised Code:

~~(A)~~(1) "Cash medical support" means an amount ordered to be paid in a child support order toward the cost of health insurance provided by a public entity, another parent, or person with whom the child resides, through employment or otherwise, or for other medical cost not covered by insurance.

(2) "Federal poverty line" has the same meaning as defined in section 5104.01 of the Revised Code.

(3) "Health care" means such medical support that includes coverage under a health insurance plan, payment of costs of premiums, co-payments, and deductibles, or payment for medical expenses incurred on behalf of the child.

(4) "Health insurance coverage" means accessible private health insurance that provides primary care services within thirty miles from the residence of the child subject to the child support order.

(5) "Health plan administrator" means any entity authorized under Title XXXIX of the Revised Code to engage in the business of insurance in this state, any health insuring corporation, any legal entity that is self-insured and provides benefits to its employees or members, and the administrator of any such entity or corporation.

~~(B)~~(6) "National medical support notice" means a form required by the "Child Support Performance and Incentive Act of 1998," P.L. 105-200, 112 Stat. 659, 42 U.S.C. 666(a)(19), as amended, and jointly developed and promulgated by the secretary of health and human services and the secretary of labor in federal regulations adopted under that act as modified by the department of job and family services under section 3119.291 of the Revised Code.

~~(C)~~(7) "Person required to provide health insurance coverage" means the obligor, obligee, or both, required by the court under a court child support order or by the child support enforcement agency under an administrative child support order to provide health insurance coverage pursuant to section 3119.30 of the Revised Code.

(8) Subject to division (B) of this section, "reasonable cost" means the contributing cost of private family health insurance to the person responsible for the health care of the children subject to the child support order that does not exceed an amount equal to five per cent of the annual gross income of that person.

(9) "Title XIX" has the same meaning as defined in section 5111.20 of the Revised Code.

(B) If the United States secretary of health and human services issues a regulation defining "reasonable cost" or a similar term or phrase relevant to the provisions in child support orders relating to the provision of health care for children subject to the orders, and if that definition is substantively different from the meaning of "reasonable cost" as defined in division (A) of this section, "reasonable cost" as used in this section shall have the meaning as defined by the United States secretary of health and human services.

Sec. 3119.30. (A) In any action or proceeding in which a child support order is issued or modified, the court, with respect to court child support orders, and the child support enforcement agency, with respect to administrative child support orders, shall determine the person or persons responsible for the health care of the children subject to the child support order and shall include provisions for the health care of the children in the child support order. The order shall specify that the obligor and obligee are both liable for the health care of the children who are not covered by private health insurance or cash medical support as calculated in accordance with section 3119.022 or 3119.023 of the Revised Code, as applicable. The determination shall be based

(B) Based on information provided to the court or to the child support enforcement agency under section 3119.31 of the Revised Code. The, the order shall include one of the following:

~~(A) A requirement that the obligor under the child support order obtain health insurance coverage for the children if coverage is available at a reasonable cost through a group policy, contract, or plan offered by the obligor's employer or through any other group policy, contract, or plan available to the obligor and is not available for a more reasonable cost through a group policy, contract, or plan available to the obligee;~~

(B)(1) A requirement that both the obligor and the obligee obtain private health insurance coverage for the children if coverage is available for the children at a reasonable cost to both the obligor and the obligee and dual coverage would provide for coordination of medical benefits without unnecessary duplication of coverage.

(2) A requirement that the obligee obtain private health insurance coverage for the children if coverage is available through a group policy, contract, or plan offered by the obligee's employer or through any other group policy, contract, or plan available to the obligee and is available at a more reasonable cost than coverage is available to the obligor;

~~(C)(3) A requirement that the obligor obtain private health insurance coverage for the children if coverage is available through any group policy, contract, or plan available to the obligor at a more reasonable cost than~~

coverage is available to the obligee:

~~(4) If health insurance coverage for the children is not available at a reasonable cost through a group policy, contract, or plan offered by the obligor's or obligee's employer or through any other group policy, contract, or plan available to the obligor or the obligee at the time the court or child enforcement agency issues the order, a requirement that the obligor and or the obligee share liability for the cost of the medical and health care needs of the children, under an equitable formula established by the court, with respect to a court child support order, or the child support enforcement agency, with respect to an administrative child support order, and a requirement that if, after the issuance of the order, health insurance coverage for the children becomes available at a reasonable cost through a group policy, contract, or plan offered by the obligor's or obligee's employer or through any other group policy, contract, or plan available to the obligor or obligee, the obligor or obligee to whom the coverage becomes available immediately inform the court, with respect to a court child support order, or the child support enforcement agency, with respect to an administrative child support order;~~

~~(D) A requirement that both the obligor and the obligee obtain health insurance coverage for the children if coverage is available for the children at a reasonable cost to both the obligor and the obligee and dual coverage would provide for coordination of medical benefits without unnecessary duplication of coverage immediately inform the child support enforcement agency that private health insurance coverage for the children has become available to either the obligor or obligee. The child support enforcement agency shall determine if the private health insurance coverage is available at a reasonable cost and if coverage is reasonable, division (B)(2) or (3) shall apply, as applicable.~~

~~(C) When a child support order is issued or modified, and the obligor's gross income is one hundred fifty per cent or more of the federal poverty level for an individual, the order shall include the amount of cash medical support to be paid by the obligor that is either five per cent of the obligor's adjusted gross income or the obligor's share of the United States department of agriculture estimated annual health care expenditure per child as determined in accordance with federal law and regulation, whichever is the lower amount. The amount of cash medical support paid by the obligor shall be paid during any period after the court or child support enforcement agency issues or modifies the order in which the children are not covered by private health insurance.~~

~~(D) Any cash medical support paid pursuant to division (C) of this~~

section shall be paid by the obligor to either the obligee if the children are not Medicaid recipients, or to the office of child support to defray the cost of Medicaid expenditures if the children are Medicaid recipients. The child support enforcement agency administering the court or administrative order shall amend the amount of monthly child support obligation to reflect the amount paid when private health insurance is not provided, as calculated in the current order pursuant to section 3119.022 or 3119.023 of the Revised Code, as applicable.

The child support enforcement agency shall give the obligor notice in accordance with Chapter 3121. of the Revised Code and provide the obligor an opportunity to be heard if the obligor believes there is a mistake of fact regarding the availability of private health insurance at a reasonable cost as determined under division (B) of this section.

(E) The obligor shall begin payment of any cash medical support on the first day of the month immediately following the month in which private health insurance coverage is unavailable or terminates and shall cease payment on the last day of the month immediately preceding the month in which private health insurance coverage begins or resumes. During the period when cash medical support is required to be paid, the obligor or obligee must immediately inform the child support enforcement agency that health insurance coverage for the children has become available.

Sec. 3119.302. (A) When the court, with respect to a court child support order, or the child support enforcement agency, with respect to an administrative child support order, determines the person or persons responsible for the health care of the children subject to the order pursuant to section 3119.30 of the Revised Code, all of the following apply:

(1) The court or agency shall consider any private health insurance in which the obligor, obligee, or children, are enrolled at the time the court or agency issues the order.

(2) If the contributing cost of private family health insurance to either parent exceeds five per cent of that parent's annual gross income, that parent shall not be ordered to provide private health insurance for the child except as follows:

(a) When both parents agree that one, or both, of the parents obtain or maintain the private health insurance that exceeds five per cent of the annual gross income of the parent obtaining or maintaining the private health insurance;

(b) When either parent requests to obtain or maintain the private health insurance that exceeds five per cent of that parent's annual gross income;

(c) When the court determines that it is in the best interest of the

children for a parent to obtain and maintain private health insurance that exceeds five per cent of that parent's annual gross income and the cost will not impose an undue financial burden on either parent. If the court makes such a determination, the court must include the facts and circumstances of the determination in the child support order.

(3) If private health insurance is available at a reasonable cost to either parent through a group policy, contract, or plan, and the court determines that it is not in the best interest of the children to utilize the available private health insurance, the court shall state the facts and circumstances of the determination in the child support order. The court determination under this division shall not limit any obligation to provide cash medical support pursuant to section 3119.30 of the Revised Code.

(4) Notwithstanding division (A)(4) of section 3119.29 of the Revised Code, the court or agency may allow private health insurance to be farther than thirty miles if residents in part or all of the immediate geographic area customarily travel farther distances or if primary care services are accessible only by public transportation. The court or agency shall include this accessibility determination in the child support order.

(B) The director of job and family services shall create and annually update a table to be used to determine the amount of cash medical support to be paid pursuant to division (C) of section 3119.30 of the Revised Code. The table shall incorporate potential combined gross incomes of the parties, in a manner determined by the director, and the United States department of agriculture estimated annual health care expenditure per child as determined in accordance with federal law and regulation.

Sec. 3119.32. A child support order shall contain all of the following:

(A) If the obligor, obligee, or both obligor and obligee, are required under section 3119.30 of the Revised Code to provide private health insurance coverage for the children, a requirement pursuant to section 3119.30 of the Revised Code that whoever is required to provide private health insurance coverage provide to the other, not later than thirty days after the issuance of the order, information regarding the benefits, limitations, and exclusions of the coverage, copies of any insurance forms necessary to receive reimbursement, payment, or other benefits under the coverage, and a copy of any necessary insurance cards;

(B) A statement setting forth the name, address, and telephone number of the individual who is to be reimbursed for out-of-pocket medical, optical, hospital, dental, or prescription expenses paid for each child and a statement that the health plan administrator that provides the private health insurance coverage for the children may continue making payment for medical,

optical, hospital, dental, or prescription services directly to any health care provider in accordance with the applicable private health insurance policy, contract, or plan;

(C) A requirement that a person required to provide private health insurance coverage for the children designate the children as covered dependents under any private health insurance policy, contract, or plan for which the person contracts;

(D) A requirement that the obligor, the obligee, or both of them under a formula established by the court, with respect to a court child support order, or the child support enforcement agency, with respect to an administrative child support order, pay co-payment or deductible costs required under the private health insurance policy, contract, or plan that covers the children;

(E) A notice that the employer of the person required to obtain private health insurance coverage is required to release to the other parent, any person subject to an order issued under section 3109.19 of the Revised Code, or the child support enforcement agency on written request any necessary information on the private health insurance coverage, including the name and address of the health plan administrator and any policy, contract, or plan number, and to otherwise comply with this section and any order or notice issued under this section;

(F) A statement setting forth the full name and date of birth of each child who is the subject of the child support order;

(G) A requirement that the obligor and the obligee comply with any requirement described in section 3119.30 of the Revised Code and divisions (A) and (C) of this section that is contained in an order issued in compliance with this section no later than thirty days after the issuance of the order;

(H) A notice that states the following: "If the person required to obtain private health care insurance coverage for the children subject to this child support order obtains new employment, the agency shall comply with the requirements of section 3119.34 of the Revised Code, which may result in the issuance of a notice requiring the new employer to take whatever action is necessary to enroll the children in private health care insurance coverage provided by the new employer."

(I) A statement that, upon receipt of notice by the child support enforcement agency that private health insurance coverage is not available at a reasonable cost, cash medical support shall be paid in the amount as determined by the child support computation worksheets in section 3119.022 or 3119.023 of the Revised Code, as applicable. The child support enforcement agency may change the financial obligations of the parties to pay child support in accordance with the terms of the court or administrative

order and cash medical support without a hearing or additional notice to the parties.

Sec. 3123.23. (A) The director of job and family services shall adopt rules under Chapter 119. of the Revised Code to implement a program to collect arrearages owed under child support orders from insurance claims, settlements, awards, and payments based on information obtained pursuant to Title IV-D of the Social Security Act, 42 U.S.C. 652.

(B) Any insurer and any director, agent, or employee authorized to act on behalf of an insurer, that releases information or makes a disclosure in accordance with rules adopted pursuant to this section shall be immune from liability in a civil action for harm resulting from the disclosure.

(C) As used in this section, "insurer" has the same meaning as in section 3901.32 of the Revised Code.

Sec. 3125.12. Each child support enforcement agency shall enter into a plan of cooperation with the board of county commissioners under section 307.983 of the Revised Code and comply with each ~~fiscal grant~~ agreement the board enters into under ~~section~~ sections 307.98 and 5101.21 and contracts the board enters into under sections 307.981 and 307.982 of the Revised Code that affect the agency.

Sec. 3301.011. As used in Title XXXIII of the Revised Code, "total student count" for any school district means the average number of students enrolled during the first full school week of October in a school district in grades kindergarten through twelve, including students with dual enrollment in a joint vocational or cooperative education district that week, and the total number of students enrolled in ~~preschool-handicapped~~ units for preschool children with disabilities on the first day of December in the district.

Sec. 3301.07. The state board of education shall exercise under the acts of the general assembly general supervision of the system of public education in the state. In addition to the powers otherwise imposed on the state board under the provisions of law, the board shall have the following powers:

(A) Exercise policy forming, planning, and evaluative functions for the public schools of the state, and for adult education, except as otherwise provided by law;

(B) Exercise leadership in the improvement of public education in this state, and administer the educational policies of this state relating to public schools, and relating to instruction and instructional material, building and equipment, transportation of pupils, administrative responsibilities of school officials and personnel, and finance and organization of school districts, educational service centers, and territory. Consultative and advisory services