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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FOURTH SESSION

H. F. No. 2456

03/17/2025 Authored by Scott
03/27/2025 The bill was read for the first time and referred to the Committee on Judiciary Finance and Civil Law
By motion, recalled and re-referred to the Committee on Children and Families Finance and Policy

1.1 A bill for an act
1.2 relating to child support; repealing cost-of-living adjustments in maintenance or
1.3 child support orders; making conforming changes; amending Minnesota Statutes
1.4 2024, sections 518.68, subdivision 2; 518A.34; 518A.40, subdivision 3; 518A.41,
1.5 subdivision 5; repealing Minnesota Statutes 2024, section 518A.75.

1.6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.7 Section 1. Minnesota Statutes 2024, section 518.68, subdivision 2, is amended to read:

1.8 Subd. 2. Contents. (a) This subdivision expires January 1, 2027. For orders issued prior
1.9 to January 1, 2027, the required notices must be substantially as follows:

1.10 IMPORTANT NOTICE

1.11 1. PAYMENTS TO PUBLIC AGENCY

1.12 According to Minnesota Statutes, section 518A.50, payments ordered for maintenance
1.13 and support must be paid to the public agency responsible for child support enforcement
1.14 as long as the person entitled to receive the payments is receiving or has applied for
1.15 public assistance or has applied for support and maintenance collection services. MAIL
1.16 PAYMENTS TO:

1.17 2. DEPRIVING ANOTHER OF CUSTODIAL OR PARENTAL RIGHTS -- A FELONY

1.18 A person may be charged with a felony who conceals a minor child or takes, obtains,
1.19 retains, or fails to return a minor child from or to the child's parent (or person with
1.20 custodial or visitation rights), according to Minnesota Statutes, section 609.26. A copy
1.21 of that section is available from any district court clerk.

1.22 3. NONSUPPORT OF A SPOUSE OR CHILD -- CRIMINAL PENALTIES

2.1 A person who fails to pay court-ordered child support or maintenance may be charged  
2.2 with a crime, which may include misdemeanor, gross misdemeanor, or felony charges,  
2.3 according to Minnesota Statutes, section 609.375. A copy of that section is available  
2.4 from any district court clerk.

#### 2.5 4. RULES OF SUPPORT, MAINTENANCE, PARENTING TIME

2.6 (a) Payment of support or spousal maintenance is to be as ordered, and the giving of  
2.7 gifts or making purchases of food, clothing, and the like will not fulfill the obligation.

2.8 (b) Payment of support must be made as it becomes due, and failure to secure or denial  
2.9 of parenting time is NOT an excuse for nonpayment, but the aggrieved party must seek  
2.10 relief through a proper motion filed with the court.

2.11 (c) Nonpayment of support is not grounds to deny parenting time. The party entitled to  
2.12 receive support may apply for support and collection services, file a contempt motion,  
2.13 or obtain a judgment as provided in Minnesota Statutes, section 548.091.

2.14 (d) The payment of support or spousal maintenance takes priority over payment of debts  
2.15 and other obligations.

2.16 (e) A party who accepts additional obligations of support does so with the full knowledge  
2.17 of the party's prior obligation under this proceeding.

2.18 (f) Child support or maintenance is based on annual income, and it is the responsibility  
2.19 of a person with seasonal employment to budget income so that payments are made  
2.20 throughout the year as ordered.

2.21 (g) Reasonable parenting time guidelines are contained in Appendix B, which is available  
2.22 from the court administrator.

2.23 (h) The nonpayment of support may be enforced through the denial of student grants;  
2.24 interception of state and federal tax refunds; suspension of driver's, recreational, and  
2.25 occupational licenses; referral to the department of revenue or private collection agencies;  
2.26 seizure of assets, including bank accounts and other assets held by financial institutions;  
2.27 reporting to credit bureaus; income withholding and contempt proceedings; and other  
2.28 enforcement methods allowed by law.

2.29 (i) The public authority may suspend or resume collection of the amount allocated for  
2.30 child care expenses if the conditions of Minnesota Statutes, section 518A.40, subdivision  
2.31 4, are met.

3.1 (j) The public authority may remove or resume a medical support offset if the conditions  
3.2 of Minnesota Statutes, section 518A.41, subdivision 16, are met.

### 3.3 5. MODIFYING CHILD SUPPORT

3.4 If either the obligor or obligee is laid off from employment or receives a pay reduction,  
3.5 child support may be modified, increased, or decreased. Any modification will only take  
3.6 effect when it is ordered by the court, and will only relate back to the time that a motion  
3.7 is filed. Either the obligor or obligee may file a motion to modify child support, and may  
3.8 request the public agency for help. UNTIL A MOTION IS FILED, THE CHILD  
3.9 SUPPORT OBLIGATION WILL CONTINUE AT THE CURRENT LEVEL. THE  
3.10 COURT IS NOT PERMITTED TO REDUCE SUPPORT RETROACTIVELY.

### 3.11 6. PARENTAL RIGHTS FROM MINNESOTA STATUTES, SECTION 518.17, 3.12 SUBDIVISION 3

3.13 Unless otherwise provided by the Court:

3.14 (a) Each party has the right of access to, and to receive copies of, school, medical, dental,  
3.15 religious training, and other important records and information about the minor children.  
3.16 Each party has the right of access to information regarding health or dental insurance  
3.17 available to the minor children. Presentation of a copy of this order to the custodian of  
3.18 a record or other information about the minor children constitutes sufficient authorization  
3.19 for the release of the record or information to the requesting party.

3.20 (b) Each party shall keep the other informed as to the name and address of the school  
3.21 of attendance of the minor children. Each party has the right to be informed by school  
3.22 officials about the children's welfare, educational progress and status, and to attend  
3.23 school and parent teacher conferences. The school is not required to hold a separate  
3.24 conference for each party.

3.25 (c) In case of an accident or serious illness of a minor child, each party shall notify the  
3.26 other party of the accident or illness, and the name of the health care provider and the  
3.27 place of treatment.

3.28 (d) Each party has the right of reasonable access and telephone contact with the minor  
3.29 children.

### 3.30 7. WAGE AND INCOME DEDUCTION OF SUPPORT AND MAINTENANCE

3.31 Child support and/or spousal maintenance may be withheld from income, with or without  
3.32 notice to the person obligated to pay, when the conditions of Minnesota Statutes, section

4.1 518A.53 have been met. A copy of those sections is available from any district court  
4.2 clerk.

4.3 8. CHANGE OF ADDRESS OR RESIDENCE

4.4 Unless otherwise ordered, each party shall notify the other party, the court, and the public  
4.5 authority responsible for collection, if applicable, of the following information within  
4.6 ten days of any change: the residential and mailing address, telephone number, driver's  
4.7 license number, Social Security number, and name, address, and telephone number of  
4.8 the employer.

4.9 9. COST OF LIVING INCREASE OF SUPPORT AND MAINTENANCE

4.10 Basic support and/or spousal maintenance may be adjusted every two years based upon  
4.11 a change in the cost of living (using Department of Labor Consumer Price Index .....,  
4.12 unless otherwise specified in this order) when the conditions of Minnesota Statutes,  
4.13 section 518A.75, are met. Cost of living increases are compounded. A copy of Minnesota  
4.14 Statutes, section 518A.75, and forms necessary to request or contest a cost of living  
4.15 increase are available from any district court clerk.

4.16 10. JUDGMENTS FOR UNPAID SUPPORT

4.17 If a person fails to make a child support payment, the payment owed becomes a judgment  
4.18 against the person responsible to make the payment by operation of law on or after the  
4.19 date the payment is due, and the person entitled to receive the payment or the public  
4.20 agency may obtain entry and docketing of the judgment WITHOUT NOTICE to the  
4.21 person responsible to make the payment under Minnesota Statutes, section 548.091.

4.22 11. JUDGMENTS FOR UNPAID MAINTENANCE

4.23 (a) A judgment for unpaid spousal maintenance may be entered when the conditions of  
4.24 Minnesota Statutes, section 548.091, are met. A copy of that section is available from  
4.25 any district court clerk.

4.26 (b) The public authority is not responsible for calculating interest on any judgment for  
4.27 unpaid spousal maintenance. When providing services in IV-D cases, as defined in  
4.28 Minnesota Statutes, section 518A.26, subdivision 10, the public authority will only  
4.29 collect interest on spousal maintenance if spousal maintenance is reduced to a sum  
4.30 certain judgment.

4.31 12. ATTORNEY FEES AND COLLECTION COSTS FOR ENFORCEMENT OF CHILD  
4.32 SUPPORT

5.1 A judgment for attorney fees and other collection costs incurred in enforcing a child  
 5.2 support order will be entered against the person responsible to pay support when the  
 5.3 conditions of Minnesota Statutes, section 518A.735, are met. A copy of Minnesota  
 5.4 Statutes, sections 518.14 and 518A.735 and forms necessary to request or contest these  
 5.5 attorney fees and collection costs are available from any district court clerk.

### 5.6 13. PARENTING TIME EXPEDITOR PROCESS

5.7 On request of either party or on its own motion, the court may appoint a parenting time  
 5.8 expeditor to resolve parenting time disputes under Minnesota Statutes, section 518.1751.  
 5.9 A copy of that section and a description of the expeditor process is available from any  
 5.10 district court clerk.

### 5.11 14. PARENTING TIME REMEDIES AND PENALTIES

5.12 Remedies and penalties for the wrongful denial of parenting time are available under  
 5.13 Minnesota Statutes, section 518.175, subdivision 6. These include compensatory parenting  
 5.14 time; civil penalties; bond requirements; contempt; and reversal of custody. A copy of  
 5.15 that subdivision and forms for requesting relief are available from any district court  
 5.16 clerk.

5.17 (b) For orders issued on or after January 1, 2027, the required notices must be  
 5.18 substantially as follows:

#### 5.19 IMPORTANT NOTICE

##### 5.20 1. PAYMENTS TO PUBLIC AGENCY

5.21 According to Minnesota Statutes, section 518A.50, payments ordered for maintenance  
 5.22 and support must be paid to the public agency responsible for child support enforcement  
 5.23 as long as the person entitled to receive the payments is receiving or has applied for  
 5.24 public assistance or has applied for support and maintenance collection services. MAIL  
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##### 5.26 2. DEPRIVING ANOTHER OF CUSTODIAL OR PARENTAL RIGHTS -- A FELONY

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 5.28 retains, or fails to return a minor child from or to the child's parent (or person with  
 5.29 custodial or visitation rights), according to Minnesota Statutes, section 609.26. A copy  
 5.30 of that section is available from any district court clerk.

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6.1 A person who fails to pay court-ordered child support or maintenance may be charged  
6.2 with a crime, which may include misdemeanor, gross misdemeanor, or felony charges,  
6.3 according to Minnesota Statutes, section 609.375. A copy of that section is available  
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6.7 gifts or making purchases of food, clothing, and the like will not fulfill the obligation.

6.8 (b) Payment of support must be made as it becomes due, and failure to secure or denial  
6.9 of parenting time is NOT an excuse for nonpayment, but the aggrieved party must seek  
6.10 relief through a proper motion filed with the court.

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6.12 receive support may apply for support and collection services, file a contempt motion,  
6.13 or obtain a judgment as provided in Minnesota Statutes, section 548.091.

6.14 (d) The payment of support or spousal maintenance takes priority over payment of debts  
6.15 and other obligations.

6.16 (e) A party who accepts additional obligations of support does so with the full knowledge  
6.17 of the party's prior obligation under this proceeding.

6.18 (f) Child support or maintenance is based on annual income, and it is the responsibility  
6.19 of a person with seasonal employment to budget income so that payments are made  
6.20 throughout the year as ordered.

6.21 (g) Reasonable parenting time guidelines are contained in Appendix B, which is available  
6.22 from the court administrator.

6.23 (h) The nonpayment of support may be enforced through the denial of student grants;  
6.24 interception of state and federal tax refunds; suspension of driver's, recreational, and  
6.25 occupational licenses; referral to the Department of Revenue or private collection  
6.26 agencies; seizure of assets, including bank accounts and other assets held by financial  
6.27 institutions; reporting to credit bureaus; income withholding and contempt proceedings;  
6.28 and other enforcement methods allowed by law.

6.29 (i) The public authority may suspend or resume collection of the amount allocated for  
6.30 child care expenses if the conditions of Minnesota Statutes, section 518A.40, subdivision  
6.31 4, are met.

7.1 (j) The public authority may remove or resume a medical support offset if the conditions  
7.2 of Minnesota Statutes, section 518A.41, subdivision 16, are met.

7.3 5. MODIFYING CHILD SUPPORT

7.4 If either the obligor or obligee is laid off from employment or receives a pay reduction,  
7.5 child support may be modified, increased, or decreased. Any modification will only take  
7.6 effect when it is ordered by the court, and will only relate back to the time that a motion  
7.7 is filed. Either the obligor or obligee may file a motion to modify child support, and may  
7.8 request the public agency for help. UNTIL A MOTION IS FILED, THE CHILD  
7.9 SUPPORT OBLIGATION WILL CONTINUE AT THE CURRENT LEVEL. THE  
7.10 COURT IS NOT PERMITTED TO REDUCE SUPPORT RETROACTIVELY.

7.11 6. PARENTAL RIGHTS FROM MINNESOTA STATUTES, SECTION 518.17,  
7.12 SUBDIVISION 3

7.13 Unless otherwise provided by the Court:

7.14 (a) Each party has the right of access to, and to receive copies of, school, medical, dental,  
7.15 religious training, and other important records and information about the minor children.  
7.16 Each party has the right of access to information regarding health or dental insurance  
7.17 available to the minor children. Presentation of a copy of this order to the custodian of  
7.18 a record or other information about the minor children constitutes sufficient authorization  
7.19 for the release of the record or information to the requesting party.

7.20 (b) Each party shall keep the other informed as to the name and address of the school  
7.21 of attendance of the minor children. Each party has the right to be informed by school  
7.22 officials about the children's welfare, educational progress, and status, and to attend  
7.23 school and parent-teacher conferences. The school is not required to hold a separate  
7.24 conference for each party.

7.25 (c) In case of an accident or serious illness of a minor child, each party shall notify the  
7.26 other party of the accident or illness, and the name of the health care provider and the  
7.27 place of treatment.

7.28 (d) Each party has the right of reasonable access and telephone contact with the minor  
7.29 children.

7.30 7. WAGE AND INCOME DEDUCTION OF SUPPORT AND MAINTENANCE

7.31 Child support and/or spousal maintenance may be withheld from income, with or without  
7.32 notice to the person obligated to pay, when the conditions of Minnesota Statutes, section

8.1 518A.53, have been met. A copy of those sections is available from any district court  
8.2 clerk.

### 8.3 8. CHANGE OF ADDRESS OR RESIDENCE

8.4 Unless otherwise ordered, each party shall notify the other party, the court, and the public  
8.5 authority responsible for collection, if applicable, of the following information within  
8.6 ten days of any change: the residential and mailing address, telephone number, driver's  
8.7 license number, Social Security number, and name, address, and telephone number of  
8.8 the employer.

### 8.9 9. JUDGMENTS FOR UNPAID SUPPORT

8.10 If a person fails to make a child support payment, the payment owed becomes a judgment  
8.11 against the person responsible to make the payment by operation of law on or after the  
8.12 date the payment is due, and the person entitled to receive the payment or the public  
8.13 agency may obtain entry and docketing of the judgment WITHOUT NOTICE to the  
8.14 person responsible to make the payment under Minnesota Statutes, section 548.091.

### 8.15 10. JUDGMENTS FOR UNPAID MAINTENANCE

8.16 (a) A judgment for unpaid spousal maintenance may be entered when the conditions of  
8.17 Minnesota Statutes, section 548.091, are met. A copy of that section is available from  
8.18 any district court clerk.

8.19 (b) The public authority is not responsible for calculating interest on any judgment for  
8.20 unpaid spousal maintenance. When providing services in IV-D cases, as defined in  
8.21 Minnesota Statutes, section 518A.26, subdivision 10, the public authority will only  
8.22 collect interest on spousal maintenance if spousal maintenance is reduced to a sum  
8.23 certain judgment.

### 8.24 11. ATTORNEY FEES AND COLLECTION COSTS FOR ENFORCEMENT OF CHILD 8.25 SUPPORT

8.26 A judgment for attorney fees and other collection costs incurred in enforcing a child  
8.27 support order will be entered against the person responsible to pay support when the  
8.28 conditions of Minnesota Statutes, section 518A.735, are met. A copy of Minnesota  
8.29 Statutes, sections 518.14 and 518A.735, and forms necessary to request or contest these  
8.30 attorney fees and collection costs are available from any district court clerk.

### 8.31 12. PARENTING TIME EXPEDITOR PROCESS

9.1 On request of either party or on its own motion, the court may appoint a parenting time  
 9.2 expeditor to resolve parenting time disputes under Minnesota Statutes, section 518.1751.  
 9.3 A copy of that section and a description of the expeditor process is available from any  
 9.4 district court clerk.

9.5 13. PARENTING TIME REMEDIES AND PENALTIES

9.6 Remedies and penalties for the wrongful denial of parenting time are available under  
 9.7 Minnesota Statutes, section 518.175, subdivision 6. These include compensatory parenting  
 9.8 time, civil penalties, bond requirements, contempt, and reversal of custody. A copy of  
 9.9 that subdivision and forms for requesting relief are available from any district court  
 9.10 clerk.

9.11 Sec. 2. Minnesota Statutes 2024, section 518A.34, is amended to read:

9.12 **518A.34 COMPUTATION OF CHILD SUPPORT OBLIGATIONS.**

9.13 (a) To determine the presumptive child support obligation of a parent, the court shall  
 9.14 follow the procedure set forth in this section.

9.15 (b) To determine the obligor's basic support obligation, the court shall:

9.16 (1) determine the gross income of each parent under section 518A.29;

9.17 (2) calculate the parental income for determining child support (PICS) of each parent,  
 9.18 by subtracting from the gross income the credit, if any, for each parent's nonjoint children  
 9.19 under section 518A.33;

9.20 (3) determine the percentage contribution of each parent to the combined PICS by  
 9.21 dividing the combined PICS into each parent's PICS;

9.22 (4) determine the combined basic support obligation by application of the guidelines in  
 9.23 section 518A.35;

9.24 (5) determine each parent's share of the combined basic support obligation by multiplying  
 9.25 the percentage figure from clause (3) by the combined basic support obligation in clause  
 9.26 (4); and

9.27 (6) apply the parenting expense adjustment formula provided in section 518A.36 to  
 9.28 determine the obligor's basic support obligation.

9.29 (c) If the parents have split custody of joint children, child support must be calculated  
 9.30 for each joint child as follows:

10.1 (1) for orders issued prior to January 1, 2027, the court shall determine each parent's  
10.2 basic support obligation under paragraph (b) and include the amount of each parent's  
10.3 obligation in the court order. If the basic support calculation results in each parent owing  
10.4 support to the other, the court shall offset the higher basic support obligation with the lower  
10.5 basic support obligation to determine the amount to be paid by the parent with the higher  
10.6 obligation to the parent with the lower obligation. For the purpose of the cost-of-living  
10.7 adjustment required under section 518A.75, the adjustment must be based on each parent's  
10.8 basic support obligation prior to offset. For the purposes of this paragraph, "split custody"  
10.9 means that there are two or more joint children and each parent has at least one joint child  
10.10 more than 50 percent of the time;

10.11 (2) if each parent pays all child care expenses for at least one joint child, the court shall  
10.12 calculate child care support for each joint child as provided in section 518A.40. The court  
10.13 shall determine each parent's child care support obligation and include the amount of each  
10.14 parent's obligation in the court order. If the child care support calculation results in each  
10.15 parent owing support to the other, the court shall offset the higher child care support  
10.16 obligation with the lower child care support obligation to determine the amount to be paid  
10.17 by the parent with the higher obligation to the parent with the lower obligation; ~~and~~

10.18 (3) if each parent pays all medical or dental insurance expenses for at least one joint  
10.19 child, medical support shall be calculated for each joint child as provided in section 518A.41.  
10.20 The court shall determine each parent's medical support obligation and include the amount  
10.21 of each parent's obligation in the court order. If the medical support calculation results in  
10.22 each parent owing support to the other, the court shall offset the higher medical support  
10.23 obligation with the lower medical support obligation to determine the amount to be paid by  
10.24 the parent with the higher obligation to the parent with the lower obligation. Unreimbursed  
10.25 and uninsured medical expenses are not included in the presumptive amount of support  
10.26 owed by a parent and are calculated and collected as provided in section 518A.41; and

10.27 (4) for orders issued on or after January 1, 2027, the court shall determine each parent's  
10.28 basic support obligation under paragraph (b) and include the amount of each parent's  
10.29 obligation in the court order. If the basic support calculation results in each parent owing  
10.30 support to the other, the court shall offset the higher basic support obligation with the lower  
10.31 basic support obligation to determine the amount to be paid by the parent with the higher  
10.32 obligation to the parent with the lower obligation. For the purpose of a future modification,  
10.33 the application of section 518A.39 must be based on each parent's basic support obligation  
10.34 prior to offset. For the purposes of this paragraph, "split custody" means that there are two

11.1 or more joint children and each parent has at least one joint child more than 50 percent of  
11.2 the time.

11.3 (d) The court shall determine the child care support obligation for the obligor as provided  
11.4 in section 518A.40.

11.5 (e) The court shall determine the medical support obligation for each parent as provided  
11.6 in section 518A.41. Unreimbursed and uninsured medical expenses are not included in the  
11.7 presumptive amount of support owed by a parent and are calculated and collected as described  
11.8 in section 518A.41.

11.9 (f) The court shall determine each parent's total child support obligation by adding  
11.10 together each parent's basic support, child care support, and health care coverage obligations  
11.11 as provided in this section.

11.12 (g) If Social Security benefits or veterans' benefits are received by one parent as a  
11.13 representative payee for a joint child based on the other parent's eligibility, the court shall  
11.14 subtract the amount of benefits from the other parent's net child support obligation, if any.  
11.15 Any benefit received by the obligee for the benefit of the joint child based upon the obligor's  
11.16 disability or past earnings in any given month in excess of the child support obligation must  
11.17 not be treated as an arrearage payment or a future payment.

11.18 (h) The final child support order shall separately designate the amount owed for basic  
11.19 support, child care support, and medical support. If applicable, the court shall use the  
11.20 self-support adjustment and minimum support adjustment under section 518A.42 to determine  
11.21 the obligor's child support obligation.

11.22 Sec. 3. Minnesota Statutes 2024, section 518A.40, subdivision 3, is amended to read:

11.23 Subd. 3. **Determining costs.** (a) The court must require verification of employment or  
11.24 school attendance and documentation of child care expenses from the obligee and the public  
11.25 authority, if applicable.

11.26 (b) If child care expenses fluctuate during the year because of the obligee's seasonal  
11.27 employment or school attendance or extended periods of parenting time with the obligor,  
11.28 the court must determine child care expenses based on an average monthly cost.

11.29 (c) For orders issued prior to January 1, 2027, the amount allocated for child care expenses  
11.30 is considered child support but is not subject to a cost-of-living adjustment under section  
11.31 518A.75.

12.1 (d) The court may allow the parent with whom the joint child does not reside to care for  
12.2 the joint child while the parent with whom the joint child resides is working or attending  
12.3 school, as provided in section 518.175, subdivision 8. Allowing the parent with whom the  
12.4 joint child does not reside to care for the joint child under section 518.175, subdivision 8,  
12.5 is not a reason to deviate from the guidelines.

12.6 (e) For orders issued on or after January 1, 2027, the amount allocated for child care  
12.7 expenses is considered child support for purposes of collection.

12.8 Sec. 4. Minnesota Statutes 2024, section 518A.41, subdivision 5, is amended to read:

12.9 **Subd. 5. Medical support costs; unreimbursed and uninsured health-related**  
12.10 **expenses.** (a) For orders issued on or after January 1, 2027, unless otherwise agreed to by  
12.11 the parties and approved by the court, the court must order that the cost of private health  
12.12 care coverage and all unreimbursed and uninsured health-related expenses be divided  
12.13 between the obligor and obligee based on their proportionate share of the parties' combined  
12.14 monthly PICS. The amount allocated for medical support is considered child support but  
12.15 is not subject to a cost-of-living adjustment under section 518A.75.

12.16 (b) If a party owes a basic support obligation for a joint child and is ordered to carry  
12.17 private health care coverage for the joint child, and the other party is ordered to contribute  
12.18 to the carrying party's cost for coverage, the carrying party's basic support payment must  
12.19 be reduced by the amount of the contributing party's contribution.

12.20 (c) If a party owes a basic support obligation for a joint child and is ordered to contribute  
12.21 to the other party's cost for carrying private health care coverage for the joint child, the  
12.22 contributing party's child support payment must be increased by the amount of the  
12.23 contribution. The contribution toward private health care coverage must not be charged in  
12.24 any month in which the party ordered to carry private health care coverage fails to maintain  
12.25 private coverage.

12.26 (d) If the party ordered to carry private health care coverage for the joint child already  
12.27 carries dependent private health care coverage for other dependents and would incur no  
12.28 additional premium costs to add the joint child to the existing health care coverage, the court  
12.29 must not order the other party to contribute to the premium costs for health care coverage  
12.30 of the joint child.

12.31 (e) If a party ordered to carry private health care coverage for the joint child does not  
12.32 already carry dependent private health care coverage but has other dependents who may be  
12.33 added to the ordered health care coverage, the full premium costs of the dependent private

13.1 health care coverage must be allocated between the parties in proportion to the party's share  
13.2 of the parties' combined monthly PICS, unless the parties agree otherwise.

13.3 (f) If a party ordered to carry private health care coverage for the joint child is required  
13.4 to enroll in a health plan so that the joint child can be enrolled in dependent private health  
13.5 care coverage under the plan, the court must allocate the costs of the dependent private  
13.6 health care coverage between the parties. The costs of the private health care coverage for  
13.7 the party ordered to carry the health care coverage for the joint child must not be allocated  
13.8 between the parties.

13.9 (g) If the joint child is receiving any form of public health care coverage:

13.10 (1) the parent with whom the joint child does not reside shall contribute a monthly  
13.11 amount toward the actual cost of public health care coverage. The amount of the noncustodial  
13.12 parent's contribution is determined by applying the noncustodial parent's PICS to the premium  
13.13 scale for MinnesotaCare under section 256L.15, subdivision 2, paragraph (d). If the  
13.14 noncustodial parent's PICS meets the eligibility requirements for MinnesotaCare, the  
13.15 contribution is the amount that the noncustodial parent would pay for the child's premium;

13.16 (2) if the noncustodial parent's PICS exceeds the eligibility requirements, the contribution  
13.17 is the amount of the premium for the highest eligible income on the premium scale for  
13.18 MinnesotaCare under section 256L.15, subdivision 2, paragraph (d). For purposes of  
13.19 determining the premium amount, the noncustodial parent's household size is equal to one  
13.20 parent plus the child or children who are the subject of the order;

13.21 (3) the custodial parent's obligation is determined under the requirements for public  
13.22 health care coverage in chapter 256B; or

13.23 (4) if the noncustodial parent's PICS is less than 200 percent of the federal poverty  
13.24 guidelines for one person or the noncustodial parent receives public assistance, the  
13.25 noncustodial parent must not be ordered to contribute toward the cost of public health care  
13.26 coverage.

13.27 (h) The commissioner of children, youth, and families must publish a table for section  
13.28 256L.15, subdivision 2, paragraph (d), and update the table with changes to the schedule  
13.29 by July 1 of each year.

13.30 (i) For orders issued on or after January 1, 2027, unless otherwise agreed to by the parties  
13.31 and approved by the court, the court must order that the cost of private health care coverage  
13.32 and all unreimbursed and uninsured health-related expenses be divided between the obligor

- 14.1 and obligee based on their proportionate share of the parties' combined monthly PICS. The
- 14.2 amount allocated for medical support is considered child support for purposes of collection.
- 14.3 **Sec. 5. REPEALER.**
- 14.4 Minnesota Statutes 2024, section 518A.75, is repealed.
- 14.5 **EFFECTIVE DATE.** This section is effective January 1, 2027.

**518A.75 COST-OF-LIVING ADJUSTMENTS IN MAINTENANCE OR CHILD SUPPORT ORDER.**

Subdivision 1. **Requirement.** (a) An order establishing, modifying, or enforcing maintenance or child support shall provide for a biennial adjustment in the amount to be paid based on a change in the cost of living. An order that provides for a cost-of-living adjustment shall specify the cost-of-living index to be applied and the date on which the cost-of-living adjustment shall become effective. The court may use the Consumer Price Index for all urban consumers, Minneapolis-St. Paul (CPI-U), the Consumer Price Index for wage earners and clerical, Minneapolis-St. Paul (CPI-W), or another cost-of-living index published by the Department of Labor which it specifically finds is more appropriate. Cost-of-living increases under this section shall be compounded. The court may also increase the amount by more than the cost-of-living adjustment by agreement of the parties or by making further findings.

(b) The adjustment becomes effective on the first of May of the year in which it is made, for cases in which payment is made to the public authority. For cases in which payment is not made to the public authority, application for an adjustment may be made in any month but no application for an adjustment may be made sooner than two years after the date of the dissolution decree. A court may waive the requirement of the cost-of-living clause if it expressly finds that the obligor's occupation or income, or both, does not provide for cost-of-living adjustment or that the order for maintenance or child support has a provision such as a step increase that has the effect of a cost-of-living clause. The court may waive a cost-of-living adjustment in a maintenance order if the parties so agree in writing. The commissioner of children, youth, and families may promulgate rules for child support adjustments under this section in accordance with the rulemaking provisions of chapter 14. Notice of this statute must comply with section 518.68, subdivision 2.

Subd. 2. **Notice.** No adjustment under this section may be made unless the order provides for it and the public authority or the obligee, if the obligee is requesting the cost-of-living adjustment, sends notice of the intended adjustment to the obligor at the obligor's last known address at least 20 days before the effective date of the adjustment. The notice shall inform the obligor of the date on which the adjustment will become effective and the procedures for contesting the adjustment.

Subd. 2a. **Procedures for contesting adjustment.** (a) To contest cost-of-living adjustments initiated by the public authority or an obligee who has applied for or is receiving child support and maintenance collection services from the public authority, other than income withholding only services, the obligor, before the effective date of the adjustment, must:

- (1) file a motion contesting the cost-of-living adjustment with the court administrator; and
- (2) serve the motion by first-class mail on the public authority and the obligee.

The hearing shall take place in the expedited child support process as governed by section 484.702.

(b) To contest cost-of-living adjustments initiated by an obligee who is not receiving child support and maintenance collection services from the public authority, or for an obligee who receives income withholding only services from the public authority, the obligor must, before the effective date of the adjustment:

- (1) file a motion contesting the cost-of-living adjustment with the court administrator; and
- (2) serve the motion by first-class mail on the obligee.

The hearing shall take place in district court.

(c) Upon receipt of a motion contesting the cost-of-living adjustment, the cost-of-living adjustment shall be stayed pending further order of the court.

(d) The court administrator shall make available pro se motion forms for contesting a cost-of-living adjustment under this subdivision.

Subd. 3. **Result of hearing.** If, at a hearing pursuant to this section, the obligor establishes an insufficient cost of living or other increase in income that prevents fulfillment of the adjusted maintenance or basic support obligation, the court or child support magistrate may direct that all or part of the adjustment not take effect. If, at the hearing, the obligor does not establish this insufficient increase in income, the adjustment shall take effect as of the date it would have become effective had no hearing been requested.