

HOUSE No. 2053

The Commonwealth of Massachusetts

PRESENTED BY:

Christopher J. Worrell

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act modernizing child support.

PETITION OF:

| NAME: | DISTRICT/ADDRESS: | DATE ADDED: |
|-------------------------------|--------------------|------------------|
| <i>Christopher J. Worrell</i> | <i>5th Suffolk</i> | <i>1/8/2025</i> |
| <i>Orlando Ramos</i> | <i>9th Hampden</i> | <i>4/15/2025</i> |

HOUSE No. 2053

By Representative Worrell of Boston, a petition (accompanied by bill, House, No. 2053) of Christopher J. Worrell relative to child support. The Judiciary.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Fourth General Court
(2025-2026)**

An Act modernizing child support.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 3A of chapter 119A of the General Laws, as appearing in the 2022
2 Official Edition, is hereby amended by striking out, in lines 10 and 11, the words “in accordance
3 with rule 4(d)(2) of the Massachusetts Rules of Domestic Relations Procedure” and inserting in
4 place thereof the following words:- by summons personally.

5 SECTION 2. Paragraph (3) of section 10 of said chapter 119A, as so appearing, is hereby
6 amended by adding the following sentence:- Annually, not later than October 15, said report
7 shall be published on the Mass.gov website or any successor website.

8 SECTION 3. Section 12 of said chapter 119A, as so appearing, is hereby amended by
9 adding the following subsection:-

10 (n) If a noncustodial parent is incarcerated for a period exceeding 90 consecutive days,
11 their child support obligation shall be automatically modified to reflect an income based on the
12 state minimum wage, unless the custodial parent or the child support enforcement division

13 presents evidence to the probate and family court that the noncustodial parent has alternative
14 income or assets available to meet their support obligation.

15 SECTION 4. Subsection (b) of section 16 of said chapter 119A, as so appearing, is
16 hereby amended by inserting after the first sentence the following sentence:- The division of
17 child support enforcement shall not notify the licensing authority, for the purpose of suspending,
18 revoking, prohibiting issuance or renewal of a driver's license, for any support obligor who is
19 determined to be out of compliance with a judgment or order for support in a case enforced
20 under Title IV-D of the federal Social Security Act, if the annual household income of the
21 support obligor is at or below 70 per cent of the median income for the county in which the
22 department or the local child support enforcement agency determines the support obligor resides,
23 based on the most recent available data published by the United States Department of Housing
24 and Urban Development or any successor agency.

25 SECTION 5. The second sentence of said section (b) of said section 16 of said chapter
26 119A, inserted by section 4, is hereby amended by striking out the words “driver’s license” and
27 inserting in place thereof the following words:- noncommercial driver’s license.

28 SECTION 6. Section 8 of chapter 209C of the General Laws, as most recently amended
29 by section 37 of chapter 166 of the acts of 2024, is hereby further amended by striking out the
30 words “in accordance with the applicable rules of court” and inserting in place thereof the
31 following words:- by summons personally.

32 SECTION 7. Subsection (a) of section 9 of said chapter 209C, as most recently amended
33 by section 39 of said chapter 166, is hereby further amended by striking out the words “In

34 accordance with the applicable rules of court” and inserting in place thereof the following
35 words:- by summons personally.

36 SECTION 8. The executive office of the trial court shall promulgate amendments to the
37 child support guidelines to reflect the following:

38 (i) if the noncustodial parent earned a yearly income within the last 5 years of \$100,000
39 or more, and is currently making below that amount, a child support order may be established
40 attributed to that previous income. Otherwise, income may not be attributed to potential earning
41 capacity; and

42 (ii) if the obligor is unemployed at the time of the attribution, or employed but earning an
43 amount less than the income attributed to them, the obligor shall be granted a grace period of 60
44 days from the date of the income attribution determination to obtain employment or increase
45 their earnings to reflect the attributed income. During said grace period, no enforcement action,
46 including but not limited to license suspension, wage garnishment, bank levies or contempt
47 proceedings, shall be initiated solely based on the attributed income, and the obligor shall
48 provide reasonable documentation of job search efforts or employment status to the court or the
49 division of child support enforcement of the department of revenue.

50 SECTION 9. Section 4 shall take effect January 1, 2027.

51 SECTION 10. Section 5 shall take effect January 1, 2028.