



Office of the Governor

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## **Gov. Lujan Grisham signs bipartisan measure delivering more child support for families in need**

SANTA FE – Gov. Michelle Lujan Grisham on Monday signed into law Senate Bill 140, an important measure that updates and modernizes New Mexico child support law, bringing it into federal compliance and delivering more child support for New Mexico kids.

“Teaming up with parents to find jobs and set child support orders that are affordable is a better way to increase consistent child support payments for New Mexico children,” said Gov. Lujan Grisham. “Working parents who don’t live with their kids will be able to build stronger relationships with them when they feel good about being able to financially support them.”

Senate Bill 140 was sponsored by Sen. Gay Kernan; the duplicate House Bill 190 was sponsored by Rep. Daymon Ely. The measure comprehensively modernizes several child support provisions to align with federal regulations and national best practices. Signage of the bill also saves New Mexico from losing \$147.5 million in federal funding: \$122.6 million for the Temporary Assistance for Low-Income Families (TANF) program and \$24.9 million in child support administrative/program funding.

The legislation revises several items which are required for federal compliance such as changing how child support is calculated. It updates the child support guideline table and the guideline statute to align with federal rules that are based on the combined parents’ actual income and the non-custodial parents’ ability to pay to calculate the monthly child support amount. It also allows the state to focus on providing employment opportunities and job security to help non-custodial parents meet their obligations.

The legislation adjusts the timeframe guidelines for assessing fees, costs and expenses, along with assessing retroactive child support arrears, reducing it from 12 years to 3 years. The court may assess for a longer period if there is substantial evidence that an action to establish paternity could not have been brought before the court any sooner.

National best practice for child support arrears is 3 years. New Mexico statistical data on child support arrears shows the state collects more child support money for children when the debt arrearage time-period is shorter.

[Studies show](#) that when non-custodial parents owe less child support debt, they have significantly more contact with their children, are more likely to interact with them, and are more effective parents. Higher debt leads to decreased mental and physical health and worsens family relationships.

The legislation specifies that the healthcare needs of minor child is a basis for a modification of a child support order. It updates terminology, such as changing “health insurance” to “health care coverage” and “insurers” to “carriers”; and defines what a reasonable cost for medical care coverage is when determining if it should be ordered.

Additionally, the legislation clarifies the role and duties of the quadrennial Child Support Guidelines Review Commission to ensure that the application of the guidelines results in the determination of appropriate support amounts. It also defines their compensation and term.

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