

Senate Engrossed

~~chiropractic; technical correction~~  
(now: community property; spousal maintenance; documentation)

State of Arizona  
Senate  
Fifty-sixth Legislature  
First Regular Session  
2023

# SENATE BILL 1151

AN ACT

AMENDING SECTIONS 25-318, 25-319 AND 25-320, ARIZONA REVISED STATUTES;  
RELATING TO DISSOLUTION OF MARRIAGE.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 25-318, Arizona Revised Statutes, is amended to  
3 read:

4 25-318. Disposition of property; retroactivity; notice to  
5 creditors; assignment of debts; contempt of court

6 A. In a proceeding for dissolution of marriage, for annulment or  
7 for legal separation, or in a proceeding for disposition of property  
8 following dissolution of the marriage by a court that previously lacked  
9 personal jurisdiction over the absent spouse or previously lacked  
10 jurisdiction to dispose of the property, the court shall assign each  
11 spouse's sole and separate property to such spouse. Except as provided in  
12 section 25-318.02, the court shall also divide the community, joint  
13 tenancy and other property held in common equitably, though not  
14 necessarily in kind, without regard to marital misconduct. For the  
15 purposes of this section only, property acquired by either spouse outside  
16 this state shall be deemed to be community property if the property would  
17 have been community property if acquired in this state.

18 B. In dividing property, the court may consider all debts and  
19 obligations that are related to the property, including accrued or  
20 accruing taxes that would become due on the receipt, sale or other  
21 disposition of the property. The court may also consider the exempt  
22 status of particular property pursuant to title 33, chapter 8.

23 C. This section does not prevent the court from considering all  
24 actual damages and judgments from conduct that resulted in criminal  
25 conviction of either spouse in which the other spouse or a child was the  
26 victim or excessive or abnormal expenditures, destruction, concealment or  
27 fraudulent disposition of community, joint tenancy and other property held  
28 in common.

29 D. The community, joint tenancy and other property held in common  
30 for which no provision is made in the decree shall be from the date of the  
31 decree held by the parties as tenants in common, each possessed of an  
32 undivided one-half interest.

33 E. IN ASSESSING THE VALUE OF A BUSINESS INTEREST FOR THE PURPOSES  
34 OF DETERMINING THE COMMUNITY SHARE TO BE PAID TO THE SPOUSE WHO WILL NO  
35 LONGER MAINTAIN THAT SPOUSE'S INTEREST IN THE BUSINESS, THE COURT SHALL  
36 ASSESS THE VALUE OF THE BUSINESS AS OF THE DATE OF SERVICE OF THE PETITION  
37 FOR DISSOLUTION OF MARRIAGE, LEGAL SEPARATION OR ANNULMENT, AND, BEGINNING  
38 ON THE DATE OF SERVICE OF THE PETITION, THAT SPOUSE IS NOT ENTITLED TO ANY  
39 SHARE OF THE BUSINESS'S PROFITS AND IS NOT RESPONSIBLE FOR ANY NEW  
40 LIABILITIES INCURRED BY THE BUSINESS. ANY COMPENSATION TO THE BUSINESS  
41 OWNER THAT IS INCLUDED IN THE VALUE OF THE BUSINESS SHALL NOT BE USED FOR  
42 THE PURPOSES OF CALCULATING SPOUSAL MAINTENANCE OR CHILD SUPPORT.

43 ~~E.~~ F. The court may impress a lien on the separate property of  
44 either party or the marital property awarded to either party in order to  
45 secure the payment of:

1 1. Any interest or equity the other party has in or to the  
2 property.

3 2. Community debts that the court has ordered to be paid by the  
4 parties.

5 3. An allowance for child support or spousal maintenance, or both.

6 4. All actual damages and judgments from conduct that resulted in  
7 criminal conviction of either spouse in which the other spouse or a child  
8 was the victim.

9 ~~F.~~ G. The decree or judgment shall specifically describe by legal  
10 description any real property affected and shall specifically describe any  
11 other property affected.

12 ~~G.~~ H. This section applies through both prospective and  
13 retrospective operation to property without regard to the date of  
14 acquisition.

15 ~~H.~~ I. In all actions for dissolution of marriage, annulment or  
16 legal separation, the court shall require the following statement in the  
17 materials provided to the petitioner and to be served on the respondent:

18 Notice

19 In your property settlement agreement or decree of  
20 dissolution, annulment or legal separation, the court may  
21 assign responsibility for certain community debts to one  
22 spouse or the other. Please be aware that a court order that  
23 does this is binding on the spouses only and does not  
24 necessarily relieve either of you from your responsibility for  
25 these community debts. These debts are matters of contract  
26 between both of you and your creditors (such as banks, credit  
27 unions, credit card issuers, finance companies, utility  
28 companies, medical providers and retailers).

29 Since your creditors are not parties to this court case,  
30 they are not bound by court orders or any agreements you and  
31 your spouse reach in this case. On request, the court may  
32 impose a lien against the separate property of a spouse to  
33 secure payment of debts that the court orders that spouse to  
34 pay.

35 You may want to contact your creditors to discuss your  
36 debts as well as the possible effects of your court case on  
37 your debts. To assist you in identifying your creditors, you  
38 may obtain a copy of your spouse's credit report by making a  
39 written request to the court for an order requiring a credit  
40 reporting agency to release the report to you. Within thirty  
41 days after receipt of a request from a spouse who is party to  
42 a dissolution of marriage or legal separation action, which  
43 includes the court and case number of the action, creditors  
44 are required by law to provide information as to the balance  
45 and account status of any debts for which the requesting

1 spouse may be liable to the creditor. You may wish to use the  
2 following form, or one that is similar, to contact your  
3 creditors:

4 Creditor notification

5 Date: \_\_\_\_\_

6 Creditor name and

7 Address: \_\_\_\_\_

8 \_\_\_\_\_

9 \_\_\_\_\_

10 Within thirty days after receipt of this notice, you are  
11 requested to provide the balance and account status of any  
12 debt identified by account number for which the requesting  
13 party may be liable to you.

14 Name: \_\_\_\_\_

15 Address: \_\_\_\_\_

16 \_\_\_\_\_

17 \_\_\_\_\_

18 \_\_\_\_\_

19 (signature)

20 \_\_\_\_\_

21 (printed name)

22 ~~J.~~ J. On the written request of any party to a pending dissolution  
23 of marriage, annulment or legal separation action, the court, except for  
24 good cause shown, shall issue an order requiring any credit reporting  
25 agency to release the credit report as to the spouse of the requesting  
26 party on payment by the requesting party of any customary fee for  
27 providing the credit report.

28 ~~K.~~ K. On the request of either party and except for good cause  
29 shown, the court shall require the parties to submit a debt distribution  
30 plan that states the following:

31 1. How community creditors will be paid.

32 2. Whether any agreements have been entered into between the  
33 parties as to responsibility for the payment of community debts, including  
34 what, if any, collateral will secure the payment of the debt.

35 3. Whether the parties have entered into agreements with creditors  
36 through which a community debt will be the sole responsibility of one  
37 party.

38 ~~L.~~ L. The following form may be used to verify agreements with  
39 creditors:

40 Agreement with creditor

41 The parties to this agreement include \_\_\_\_\_

42 and \_\_\_\_\_ who are parties to a dissolution of

43 marriage action filed in \_\_\_\_\_ county superior

44 court, Arizona, case number \_\_\_\_\_ and \_\_\_\_\_

1 who is a duly authorized representative of \_\_\_\_\_  
2 (creditor).

3 The undersigned parties agree that the debt owed by the  
4 parties to \_\_\_\_\_ (creditor) is to be disposed of  
5 as follows (check one):

6  The debt is the joint responsibility of the  
7 parties, with payment to be made on the following  
8 terms: \_\_\_\_\_  
9 \_\_\_\_\_

10  The balance of the debt is the sole responsibility  
11 of \_\_\_\_\_ and the creditor releases  
12 \_\_\_\_\_ from any further liability for that debt,  
13 with payment to be made on the following terms:  
14 \_\_\_\_\_  
15 \_\_\_\_\_  
16 \_\_\_\_\_

17  The debt has been paid in full as of this date.  
18 We the undersigned acknowledge this agreement.  
19 Dated: \_\_\_\_\_  
20 \_\_\_\_\_

21 \_\_\_\_\_  
22 Debtor Debtor

23 \_\_\_\_\_  
24 Creditor's representative  
25 Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_,  
26 \_\_\_\_\_.

27 \_\_\_\_\_  
28 Notary Public

29 ~~M.~~ M. If the parties are not able to agree to a joint debt  
30 distribution plan pursuant to subsection ~~J.~~ K of this section, the court  
31 may order each party to submit a proposed debt distribution plan to the  
32 court. In its orders relating to the division of property, the court  
33 shall reflect the debt distribution plan approved by the court and shall  
34 confirm that any community debts that are made the sole responsibility of  
35 one of the parties by agreement with a creditor are the sole  
36 responsibility of that party.

37 ~~M.~~ N. An agreement with a creditor pursuant to subsection ~~K.~~ L of  
38 this section that assigns or otherwise modifies repayment responsibility  
39 for community debts secured by real property located in this state shall  
40 include all of the following:

- 41 1. A legal description of the real property.
- 42 2. A copy of the note and recorded security instrument, the  
43 repayment of which is to be assigned or modified by the agreement with a  
44 creditor.

1           3. A written and notarized acknowledgment that is executed by all  
2 parties to the debt, including the lender, and that states one of the  
3 following:

4           (a) The terms for the repayment of the debt remain unchanged.

5           (b) The terms for the repayment of the debt have been modified and,  
6 beginning on the date of the execution of the acknowledgment, the creditor  
7 has agreed that one of the debtors assumes the sole responsibility for the  
8 debt and that the other debtor is released from any further liability on  
9 the debt.

10          (c) The debt is paid in full and all parties to the debt are  
11 released from any further liability.

12          ~~N~~. O. An agreement executed pursuant to subsection ~~M~~ N of this  
13 section shall be recorded by either party in the county in which the real  
14 property is located.

15          ~~O~~. P. After an agreement is recorded pursuant to subsection ~~N~~ O  
16 of this section, either party may request that on payment of the title  
17 company's fees for the document a title company authorized to do business  
18 in this state provide the requesting party with a lien search report or  
19 other documentary evidence of liens and other agreements of record in the  
20 title to the property.

21          ~~P~~. Q. If a party fails to comply with an order to pay debts, the  
22 court may enter orders transferring property of that spouse to compensate  
23 the other party. If the court finds that a party is in contempt as to an  
24 order to pay community debts, the court may impose appropriate sanctions  
25 under the law. A party must bring an action to enforce an order to pay a  
26 debt pursuant to this subsection within two years after the date in which  
27 the debt should have been paid in full.

28          ~~Q~~. R. Within thirty days after receipt of a written request for  
29 information from a spouse who is a party to a dissolution of marriage or  
30 legal separation action, which includes the court and case number of the  
31 action, a creditor shall provide the balance and account status of any  
32 debts of either or both spouses identified by account number for which the  
33 requesting spouse may be liable to the creditor.

34          ~~R~~. S. If any part of the court's division of joint, common or  
35 community property is in the nature of child support or spousal  
36 maintenance, the court shall make specific findings of fact and supporting  
37 conclusions of law in its decree.

38          Sec. 2. Section 25-319, Arizona Revised Statutes, is amended to  
39 read:

40          25-319. Maintenance; guidelines; computation factors

41          A. In a proceeding for dissolution of marriage or legal separation,  
42 or a proceeding for maintenance following dissolution of the marriage by a  
43 court that lacked personal jurisdiction over the absent spouse, the court  
44 may grant a maintenance order for either spouse for any of the following  
45 reasons if it finds that the spouse seeking maintenance:

- 1           1. Lacks sufficient property, including property apportioned to the  
2 spouse, to provide for that spouse's reasonable needs.
- 3           2. Lacks earning ability in the labor market that is adequate to be  
4 self-sufficient.
- 5           3. Is the parent of a child whose age or condition is such that the  
6 parent should not be required to seek employment outside the home.
- 7           4. Has made a significant financial or other contribution to the  
8 education, training, vocational skills, career or earning ability of the  
9 other spouse or has significantly reduced that spouse's income or career  
10 opportunities for the benefit of the other spouse.
- 11          5. Had a marriage of long duration and is of an age that may  
12 preclude the possibility of gaining employment adequate to be  
13 self-sufficient.
- 14          B. The supreme court shall establish guidelines for determining and  
15 awarding spousal maintenance. The court may award spousal maintenance  
16 pursuant to the guidelines only for a period of time and in an amount  
17 necessary to enable the receiving spouse to become self-sufficient. The  
18 amount of spousal maintenance resulting from the application of the  
19 guidelines shall be the amount of spousal maintenance ordered by the  
20 court, unless the court finds in writing that applying the guidelines  
21 would be inappropriate or unjust. The supreme court shall base the  
22 guidelines and criteria for deviation from the guidelines on the following  
23 relevant factors ~~listed in paragraphs 1 through 13 of this subsection and~~  
24 considered together and weighed in conjunction with each other:
  - 25           1. The standard of living established during the marriage.
  - 26           2. The duration of the marriage.
  - 27           3. The age, employment history, earning ability and physical and  
28 emotional condition of the spouse seeking maintenance.
  - 29           4. The ability of the spouse from whom maintenance is sought to  
30 meet that spouse's needs while meeting those of the spouse seeking  
31 maintenance.
  - 32           5. The comparative financial resources of the spouses, including  
33 their comparative earning abilities in the labor market.
  - 34           6. The contribution of the spouse seeking maintenance to the  
35 earning ability of the other spouse.
  - 36           7. The extent to which the spouse seeking maintenance has reduced  
37 that spouse's income or career opportunities for the benefit of the other  
38 spouse.
  - 39           8. The ability of both parties after the dissolution to contribute  
40 to the future educational costs of their mutual children.
  - 41           9. The financial resources of the party seeking maintenance,  
42 including marital property apportioned to that spouse, and that spouse's  
43 ability to meet that spouse's own needs independently.

1           10. The time necessary to acquire sufficient education or training  
2 to enable the party seeking maintenance to find appropriate employment and  
3 whether such education or training is readily available.

4           11. Excessive or abnormal expenditures, destruction, concealment or  
5 fraudulent disposition of community, joint tenancy and other property held  
6 in common.

7           12. The cost for the spouse who is seeking maintenance to obtain  
8 health insurance and the reduction in the cost of health insurance for the  
9 spouse from whom maintenance is sought if the spouse from whom maintenance  
10 is sought is able to convert family health insurance to employee health  
11 insurance after the marriage is dissolved.

12           13. All actual damages and judgments from conduct that resulted in  
13 criminal conviction of either spouse in which the other spouse or a child  
14 was the victim.

15           C. A maintenance order shall be made without regard to marital  
16 misconduct.

17           D. ~~if~~ UNLESS both parties agree OTHERWISE, the maintenance order  
18 and a decree of dissolution of marriage or of legal separation ~~may~~ SHALL  
19 state that its maintenance terms shall not be modified.

20           E. Except as provided in subsection D of this section or section  
21 25-317, subsection G, the court shall maintain continuing jurisdiction  
22 over the issue of maintenance for the period of time maintenance is  
23 awarded.

24           Sec. 3. Section 25-320, Arizona Revised Statutes, is amended to  
25 read:

26           25-320. Child support; factors; methods of payment;  
27 additional enforcement provisions; definitions

28           A. In a proceeding for dissolution of marriage, legal separation,  
29 maintenance or child support, the court may order either or both parents  
30 owing a duty of support to a child, born to or adopted by the parents, to  
31 pay an amount reasonable and necessary for support of the child, without  
32 regard to marital misconduct.

33           B. If child support has not been ordered by a child support order  
34 and if the court deems child support appropriate, the court shall direct,  
35 using a retroactive application of the child support guidelines to the  
36 date of filing a dissolution of marriage, legal separation, maintenance or  
37 child support proceeding, the amount that the parents shall pay for the  
38 past support of the child and the manner in which payment shall be paid,  
39 taking into account any amount of temporary or voluntary support that has  
40 been paid. Retroactive child support is enforceable in any manner  
41 provided by law.

42           C. If the parties lived apart before the date of the filing for  
43 dissolution of marriage, legal separation, maintenance or child support  
44 and if child support has not been ordered by a child support order, the  
45 court may order child support retroactively to the date of separation, but



1 not more than three years before the date of the filing for dissolution of  
2 marriage, legal separation, maintenance or child support. The court must  
3 first consider all relevant circumstances, including the conduct or  
4 motivation of the parties in that filing and the diligence with which  
5 service of process was attempted on the obligor spouse or was frustrated  
6 by the obligor spouse. If the court determines that child support is  
7 appropriate, the court shall direct, using a retroactive application of  
8 the child support guidelines, the amount that the parents must pay for the  
9 past support of the child and the manner in which payments must be paid,  
10 taking into account any amount of temporary or voluntary support that has  
11 been paid.

12 D. The supreme court shall establish guidelines for determining the  
13 amount of child support. The amount resulting from the application of  
14 these guidelines is the amount of child support ordered unless a written  
15 finding is made, based on criteria approved by the supreme court, that  
16 application of the guidelines would be inappropriate or unjust in a  
17 particular case. The supreme court shall review the guidelines at least  
18 once every four years to ensure that their application results in the  
19 determination of appropriate child support amounts. The supreme court  
20 shall base the guidelines and criteria for deviation from them on all  
21 relevant factors, considered together and weighed in conjunction with each  
22 other, including:

- 23 1. The financial resources and needs of the child.
- 24 2. The financial resources and needs of the custodial parent.
- 25 3. The standard of living the child would have enjoyed if the child  
26 lived in an intact home with both parents to the extent it is economically  
27 feasible considering the resources of each parent and each parent's need  
28 to maintain a home and to provide support for the child when the child is  
29 with that parent.
- 30 4. The physical and emotional condition of the child, and the  
31 child's educational needs.
- 32 5. The financial resources and needs of the noncustodial parent.
- 33 6. The medical support plan for the child. The plan should include  
34 the child's medical support needs, the availability of medical insurance  
35 or services provided by the Arizona health care cost containment system  
36 and whether a cash medical support order is necessary.
- 37 7. Excessive or abnormal expenditures, destruction, concealment or  
38 fraudulent disposition of community, joint tenancy and other property held  
39 in common.
- 40 8. The duration of parenting time and related expenses.

41 E. Even if a child is over the age of majority when a petition is  
42 filed or at the time of the final decree, the court may order support to  
43 continue past the age of majority if all of the following are true:

- 44 1. The court has considered the factors prescribed in subsection D  
45 of this section.

1           2. The child has severe mental or physical disabilities as  
2 demonstrated by the fact that the child is unable to live independently  
3 and be self-supporting.

4           3. The child's disability began before the child reached the age of  
5 majority.

6           F. If a child reaches the age of majority while the child is  
7 attending high school or a certified high school equivalency program,  
8 support shall continue to be provided during the period in which the child  
9 is actually attending high school or the equivalency program but only  
10 until the child reaches nineteen years of age unless the court enters an  
11 order pursuant to subsection E of this section. Notwithstanding any other  
12 law, a parent paying support for a child over the age of majority pursuant  
13 to this section is entitled to obtain all records related to the  
14 attendance of the child in the high school or equivalency program.

15           G. If a personal check for support payments and handling fees is  
16 rightfully dishonored by the payor bank or other drawee, the person  
17 obligated to pay support shall make any subsequent support payments and  
18 handling fees only by cash, money order, cashier's check, traveler's check  
19 or certified check. If a person required to pay support other than by  
20 personal check demonstrates full and timely payment for twenty-four  
21 consecutive months, that person may pay support by personal check if these  
22 payments are for the full amount, are timely tendered and are not  
23 rightfully dishonored by the payor bank or other drawee.

24           H. Subsection G of this section does not apply to payments made by  
25 means of an assignment.

26           I. If after reasonable efforts to locate the obligee the clerk or  
27 support payment clearinghouse is unable to deliver payments for the period  
28 prescribed in section 25-503 due to the failure of the person to whom the  
29 support has been ordered to be paid to notify the clerk or support payment  
30 clearinghouse of a change in address, the clerk or support payment  
31 clearinghouse shall not deliver further payments and shall return the  
32 payments to the obligor consistent with the requirements of section  
33 25-503.

34           J. An order for child support shall assign responsibility for  
35 providing medical insurance for the child who is the subject of the  
36 support order to one of the parents and shall assign responsibility for  
37 the payment of any medical costs of the child that are not covered by  
38 insurance according to the child support guidelines. Each parent shall  
39 provide information to the court regarding the availability of medical  
40 insurance for the child that is accessible and available at a reasonable  
41 cost. In title IV-D cases, the parent responsible pursuant to court order  
42 for providing medical insurance for the child shall notify the child  
43 support enforcement agency in the department of economic security if  
44 medical insurance has been obtained or if the child is no longer covered  
45 under an insurance plan.

1 K. If the court finds that neither parent has the ability to obtain  
2 medical insurance for the child that is accessible and available at a  
3 reasonable cost, the court shall:

4 1. In a title IV-D case, in accordance with established title IV-D  
5 criteria, establish a reasonable monthly cash medical support order to be  
6 paid by the obligor. If medical assistance is being provided to a child  
7 under title XIX of the social security act, cash medical support is  
8 assigned to the state pursuant to section 46-407. On verification that  
9 the obligor has obtained private insurance, the cash medical support order  
10 terminates by operation of law on the first day of the month after the  
11 policy's effective date or on the date the court, or the department in a  
12 title IV-D case, is notified that insurance has been obtained, whichever  
13 is later. If the private insurance terminates, the cash medical support  
14 order automatically resumes by operation of law on the first day of the  
15 month following the termination date of the policy.

16 2. Order one parent to provide medical insurance when it becomes  
17 accessible and available at a reasonable cost.

18 3. Order that medical costs in excess of the cash medical support  
19 amount shall be paid by each parent according to the percentage assigned  
20 for payment of uninsured costs.

21 L. In a title IV-D case, if the court orders the noncustodial  
22 parent to obtain medical insurance the court shall also set an alternative  
23 cash medical support order to be paid by that parent if the child is not  
24 covered under an insurance plan within ninety days after entry of the  
25 order or if the child is no longer covered by insurance. The court shall  
26 not order the custodial parent to pay cash medical support.

27 M. In title IV-D cases the superior court shall accept for filing  
28 any documents that are received through electronic transmission if the  
29 electronically reproduced document states that the copy used for the  
30 electronic transmission was certified before it was electronically  
31 transmitted.

32 N. The court shall presume, in the absence of contrary testimony,  
33 that a parent is capable of full-time employment at least at the  
34 applicable state or federal adult minimum wage, whichever is higher. This  
35 presumption does not apply to noncustodial parents who are under eighteen  
36 years of age and who are attending high school.

37 O. An order for support shall provide for an assignment pursuant to  
38 sections 25-504 and 25-323.

39 P. Each licensing board or agency that issues professional,  
40 recreational or occupational licenses or certificates shall record on the  
41 application the social security number of the applicant and shall enter  
42 this information in its database in order to aid the department of  
43 economic security in locating parents or their assets or to enforce child  
44 support orders. This subsection does not apply to a license that is  
45 issued pursuant to title 17 and that is not issued by an automated drawing

1 system. If a licensing board or agency allows an applicant to use a  
2 number other than the social security number on the face of the license or  
3 certificate while the licensing board or agency keeps the social security  
4 number on file, the licensing board or agency shall advise an applicant of  
5 this fact.

6 Q. The factors prescribed pursuant to subsection D of this section  
7 are stated for direction to the supreme court. Except pursuant to  
8 subsection E of this section and sections 25-501 and 25-809, the superior  
9 court shall not consider the factors when making child support orders,  
10 independent of the child support guidelines.

11 R. IF A PARTY STIPULATES THAT THE PARTY'S INCOME IS AT OR EXCEEDS  
12 THE MAXIMUM CHILD SUPPORT INCOME LEVEL UNDER THE CHILD SUPPORT GUIDELINES,  
13 THE COURT MAY NOT REQUIRE THAT PARTY TO PROVIDE INCOME DOCUMENTATION FOR  
14 THE PURPOSES OF CALCULATING GUIDELINE CHILD SUPPORT UNLESS THE COURT  
15 DETERMINES THAT UPWARD DEVIATION FOR CHILD SUPPORT MAY BE APPROPRIATE.

16 ~~R.~~ S. For the purposes of this section:

17 1. "Accessible" means that insurance is available in the geographic  
18 region where the child resides.

19 2. "Child support guidelines" means the child support guidelines  
20 that are adopted by the state supreme court pursuant to 42 United States  
21 Code sections 651 through 669B.

22 3. "Date of separation" means the date the married parents ceased  
23 to cohabit.

24 4. "Reasonable cost" means an amount that does not exceed the  
25 higher of five ~~per cent~~ PERCENT of the gross income of the obligated  
26 parent or an income-based numeric standard that is prescribed in the child  
27 support guidelines.

28 5. "Support" has the same meaning prescribed in section 25-500.

29 6. "Support payments" means the amount of money ordered by the  
30 court to be paid for the support of the minor child or children.