



**ARIZONA STATE SENATE**  
*Fifty-Sixth Legislature, First Regular Session*

**VETOED**

**AMENDED**

**FACT SHEET FOR H.B. 2502**

child support; date of pregnancy

Purpose

Allows a court, when applicable, to consider the retroactive application of child support to the date on which a pregnancy was positively confirmed by a licensed health care professional.

Background

In a proceeding for dissolution of marriage, legal separation, maintenance or child support, the court may order either or both parents owing a duty of support to a child, born to or adopted by the parents, to pay an amount reasonable and necessary for support of the child, without regard to marital misconduct. If child support has not been ordered by a child support order and if the court deems child support appropriate, the court must direct, using a retroactive application of the child support guidelines to the date of filing a dissolution of marriage, legal separation, maintenance or child support proceeding, the amount that the parents must pay for the past support of the child and the manner in which the payment must be paid, taking into account any amount of temporary or voluntary support that has been paid. Retroactive child support is enforceable in any manner provided by law.

The Arizona Supreme Court is required to establish guidelines for determining the amount of child support. The amount resulting from the application of statutorily prescribed guidelines is the amount of child support ordered unless a written finding is made, based on criteria approved by the Arizona Supreme Court, that application of the statutorily prescribed guidelines would be inappropriate or unjust in a particular case. The Arizona Supreme Court must review the guidelines at least once every four years to ensure that their application results in the determination of appropriate child support amounts ([A.R.S. § 25-320](#)).

There is no anticipated fiscal impact to the state General Fund associated with this legislation.

Provisions

1. Allows a court, when applicable, to consider the retroactive application of child support to the date on which a pregnancy was positively confirmed by a licensed health care professional.
2. Requires the court, when directing the payment for the past support of a child and the manner in which payment must be paid, to take into account any amount of temporary or voluntary support that has been paid from and after the date of a positive pregnancy test confirmed by a licensed health care professional.

3. Makes technical changes.
4. Becomes effective on the general effective date.

Amendments Adopted by Committee of the Whole

- Allows, rather than requires, a court, when applicable, to consider the retroactive application of child support to the date on which a pregnancy was positively confirmed by a licensed health care professional.

Governor's Veto Message

The Governor indicates in her [veto message](#) that H.B. 2502 threatens the reproductive rights of Arizonans.

House Action

JUD	2/1/23	DP	5-3-0-0-0
3 <sup>rd</sup> Read	3/13/23		31-26-3
Final Read	5/15/23		31-27-1-0-1

Senate Action

JUD	3/30/23	DP	4-3-0
3 <sup>rd</sup> Read	4/13/23		16-11-3

Vetoed by the Governor 5/19/23

Prepared by Senate Research  
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ZD/SB/sr