

CHAPTER 154
HB 554 – FINAL VERSION

13Mar2013... 0484h

2013 SESSION

13-0772
05/01

HOUSE BILL **554**

AN ACT allowing parents to agree on college contributions.

SPONSORS: Rep. Gargasz, Hills 27; Rep. Gile, Merr 27; Rep. Ford, Graf 3; Rep. Ladd, Graf 4;
Sen. Stiles, Dist 24; Sen. Lasky, Dist 13

COMMITTEE: Children and Family Law

ANALYSIS

This bill allows parents to agree on contributions to college or other postsecondary education expenses and authorizes the court to approve and enforce such agreements.

Explanation: Matter added to current law appears in ***bold italics***.
Matter removed from current law appears [~~in brackets and struck through.~~]
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

CHAPTER 154
HB 554 – FINAL VERSION

13Mar2013... 0484h

13-0772
05/01

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Thirteen

AN ACT allowing parents to agree on college contributions.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 154:1 Parental Rights ad Responsibilities; Support. Amend RSA 461-A:14, V to read as follows:
2 V. No child support order shall require a parent to contribute to an adult child's college
3 expenses or other educational expenses beyond the completion of high school, ***except as provided in***
4 ***RSA 461-A:21.***

5 154:2 New Sections; Agreement on College Expenses. Amend RSA 461-A by inserting after
6 section 20 the following new sections:

7 461-A:21 Agreement on College Expenses. Parents may agree to contribute to their child's
8 college expenses or other educational expenses beyond the completion of high school as part of a
9 stipulated decree, signed by both parents and approved by the court. The agreed-on contribution
10 may be made by one or both parents. The agreement may provide for contributions to an account to
11 save for college, for the use of an asset, or for payment of educational expenses as incurred. Any
12 such agreement shall specify the amount of the contribution, a percentage, or a formula to determine
13 the amount of the contribution.

14 461-A:22 Modification of Agreements on College Expenses. Every agreement made under
15 RSA 461-A:21 shall state whether the agreement either is modifiable or is not modifiable. To qualify
16 as not modifiable, the agreement shall state a specific dollar amount to be contributed by either or
17 both parents. If the parents' agreement states that it is modifiable, the legal test for modification
18 shall be a substantial change in circumstances that was not foreseeable when the agreement was
19 signed.

20 461-A:23 Enforcement of Agreements on College Expenses. The court shall enforce any parental
21 agreement on educational expenses that meets the requirements of RSA 461-A:21.

22 461-A:24 Mediation of Agreements on College Expenses. Before any court hearing to modify or
23 enforce any agreement to contribute to college expenses, the parties shall participate in mediation,
24 either privately contracted mediation or mediation under RSA 461-A:7.

25 154:3 Applicability. The requirements of RSA 461-A:21 as inserted by section 2 of this act shall
26 not apply to parental agreements signed before the effective date of this act.

27 154:4 Effective Date. This act shall take effect 60 days after its passage.

28 Approved: June 28, 2013

29 Effective Date: August 27, 2013