

Article - State Finance and Procurement

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§3–304.

(a) In carrying out its responsibilities, the Central Collection Unit may:

(1) (i) institute, in its name, any action that is available under State law for collection of a debt or claim; or

(ii) without suit, settle the debt or claim;

(2) for all debts or claims collected on or after June 1, 1992:

(i) in addition to the outstanding principal and interest, assess and collect from the debtor a fee, which may not exceed 20% of the outstanding principal and interest, sufficient to cover all collection and administrative costs; and

(ii) prior to crediting any amount to any agency which refers a debt for any purpose, withhold a fee sufficient to cover all collection and administrative costs;

(3) waive or reduce any fee assessed under paragraph (2) of this subsection; and

(4) certify a debt or claim and the debtor responsible for the debt or claim to:

(i) the Comptroller for income tax refund interception in accordance with Title 13, Subtitle 9 of the Tax – General Article; and

(ii) the State Lottery and Gaming Control Agency for State lottery prize interception in accordance with § 3–307 of this subtitle.

(b) In addition to the authority provided under subsection (a) of this section, and notwithstanding that the Central Collection Unit is a unit of the State government and that assistant Attorneys General represent the Unit, the Unit may enforce a statutory or written contractual obligation of a debtor to pay costs in addition to principal, including collection costs, counsel fees, or interest penalties.

(c) Notwithstanding any other provision of law, the Central Collection Unit may report any account referred to it under this section to a consumer reporting agency.

(d) (1) Notwithstanding the provisions of § 9–602 of the Criminal Law Article, and subject to paragraphs (2) through (5) of this subsection, the Central Collection Unit may manage the monitoring and recording of incoming telephone calls:

(i) to the automated call distribution system; and

(ii) for training and quality control purposes.

(2) Any monitored or recorded telephone call shall contain a notice to the telephone caller that “Your call may be recorded or monitored for training and quality control purposes”.

(3) The Central Collection Unit may not record or monitor calls to or from a direct individual line of an employee of the Central Collection Unit.

(4) The recording of an incoming telephone call to an employee of the Central Collection Unit may not be offered as evidence in a criminal or civil proceeding against any caller unless:

(i) the caller has made a personal or imminent threat against an employee or property of the State; or

(ii) the caller or caller’s representative first introduces the contents or existence of the recorded telephone call in the criminal or civil proceeding.

(5) A recording of a telephone call may not be retained by the Central Collection Unit for longer than 60 days, unless the recording is being used or is to be used:

(i) for training or quality control purposes; or

(ii) in a criminal or civil proceeding under paragraph (4) of this subsection.

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