

# HOUSE BILL 1502

D4, O1

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By: **Delegate Rosenberg**

Introduced and read first time: February 12, 2016

Assigned to: Judiciary

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Committee Report: Favorable

House action: Adopted

Read second time: March 14, 2016

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Child Support Enforcement – Noncustodial Parent Employment Assistance**  
3 **Pilot Program**

4 FOR the purpose of requiring the Child Support Enforcement Administration of the  
5 Department of Human Resources, in cooperation with certain other entities, to  
6 develop and implement a Noncustodial Parent Employment Assistance Pilot  
7 Program in Baltimore City; establishing the purpose of the Program; establishing  
8 eligibility criteria for participation in the Program; requiring the Program to include  
9 certain components; specifying employment assistance services that may be provided  
10 under the Program; authorizing, in certain cases, a certain agreement between a  
11 noncustodial parent and the Child Support Enforcement Administration to provide  
12 for a certain reduction in child support arrearages on full completion of Program  
13 requirements; authorizing the Secretary of Human Resources to use certain funds  
14 for the development and implementation of the Program; requiring the Secretary to  
15 conduct evaluations of the Program using certain measures and to report to the  
16 General Assembly on or before a certain date each year on the effectiveness of the  
17 Program; authorizing the Secretary to adopt certain regulations; requiring the Child  
18 Support Enforcement Administration to notify the Motor Vehicle Administration to  
19 reinstate a certain license or privilege to drive of a participant in full compliance in  
20 the Program under certain circumstances; requiring the Child Support Enforcement  
21 Administration to notify a certain licensing authority to reinstate a certain  
22 occupational license of a participant in full compliance in the Program under certain  
23 circumstances; defining certain terms; providing for the termination of this Act; and  
24 generally relating to child support enforcement and the Noncustodial Parent  
25 Employment Assistance Pilot Program.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 BY repealing and reenacting, without amendments,  
2 Article – Family Law  
3 Section 10–101(a) and (b), 10–119(a), 10–119.3(a)(1) and (2), 10–1A–01(b) and (d),  
4 and 10–301(dd)  
5 Annotated Code of Maryland  
6 (2012 Replacement Volume and 2015 Supplement)

7 BY adding to  
8 Article – Family Law  
9 Section 10–112.2  
10 Annotated Code of Maryland  
11 (2012 Replacement Volume and 2015 Supplement)

12 BY repealing and reenacting, with amendments,  
13 Article – Family Law  
14 Section 10–119(d) and 10–119.3(j)  
15 Annotated Code of Maryland  
16 (2012 Replacement Volume and 2015 Supplement)

17 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
18 That the Laws of Maryland read as follows:

19 **Article – Family Law**

20 10–101.

21 (a) In this title the following words have the meanings indicated.

22 (b) “Administration” means the Child Support Enforcement Administration of the  
23 Department of Human Resources.

24 **10–112.2.**

25 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS  
26 INDICATED.

27 (2) “CHILD SUPPORT ORDER” HAS THE MEANING STATED IN §  
28 10–1A–01 OF THIS TITLE.

29 (3) “NONCUSTODIAL PARENT” MEANS AN INDIVIDUAL WHO:

30 (I) DOES NOT HAVE PRIMARY CARE, CUSTODY, OR CONTROL OF  
31 THE INDIVIDUAL’S CHILD; AND

1 (II) HAS AN OBLIGATION TO PAY CHILD SUPPORT UNDER A  
2 PENDING OR ESTABLISHED COURT ORDER.

3 (4) "PROGRAM" MEANS THE NONCUSTODIAL PARENT EMPLOYMENT  
4 ASSISTANCE PILOT PROGRAM.

5 (5) "SECRETARY" MEANS THE SECRETARY OF HUMAN RESOURCES.

6 (B) (1) THE ADMINISTRATION SHALL DEVELOP AND IMPLEMENT A  
7 NONCUSTODIAL PARENT EMPLOYMENT ASSISTANCE PILOT PROGRAM IN  
8 BALTIMORE CITY IN COOPERATION WITH:

9 (I) THE FAMILY INVESTMENT ADMINISTRATION;

10 (II) THE BALTIMORE CITY DEPARTMENT OF SOCIAL SERVICES;

11 (III) THE GOVERNOR'S WORKFORCE INVESTMENT BOARD;

12 (IV) LOCAL WORKFORCE INVESTMENT BOARDS IN BALTIMORE  
13 CITY; AND

14 (V) THE CIRCUIT COURT FOR BALTIMORE CITY.

15 (2) THE PURPOSE OF THE PROGRAM IS TO PROVIDE ELIGIBLE  
16 UNEMPLOYED OR UNDEREMPLOYED NONCUSTODIAL PARENTS ASSISTANCE IN  
17 OBTAINING EMPLOYMENT THAT WILL ENABLE THE NONCUSTODIAL PARENTS TO  
18 ACHIEVE ECONOMIC SELF-SUFFICIENCY AND MEET THEIR CHILD SUPPORT  
19 OBLIGATIONS.

20 (C) TO BE ELIGIBLE TO PARTICIPATE IN THE PROGRAM, AN INDIVIDUAL  
21 MUST BE:

22 (1) A NONCUSTODIAL PARENT OF A CHILD WHO IS RECEIVING  
23 SERVICES IN BALTIMORE CITY UNDER TITLE IV, PART D, OF THE FEDERAL SOCIAL  
24 SECURITY ACT;

25 (2) UNABLE TO MEET A CHILD SUPPORT OBLIGATION DUE TO THE  
26 NONCUSTODIAL PARENT'S UNEMPLOYMENT OR UNDEREMPLOYMENT;

27 (3) ABLE TO WORK; AND

28 (4) SUBJECT TO THE JURISDICTION OF THE CIRCUIT COURT FOR  
29 BALTIMORE CITY.

1           **(D) THE PROGRAM SHALL INCLUDE:**

2           **(1) THE IDENTIFICATION OF NONCUSTODIAL PARENTS WHO ARE**  
3 **ELIGIBLE TO PARTICIPATE IN EMPLOYMENT SERVICES UNDER THE PROGRAM;**

4           **(2) (I) FOR AN ELIGIBLE NONCUSTODIAL PARENT WHO HAS A**  
5 **PENDING CHILD SUPPORT ORDER, AN OPPORTUNITY TO AGREE TO:**

6                   **1. PARTICIPATE IN EMPLOYMENT SERVICES UNDER THE**  
7 **PROGRAM IN ACCORDANCE WITH A CONSENT AGREEMENT BETWEEN THE**  
8 **NONCUSTODIAL PARENT AND THE ADMINISTRATION; AND**

9                   **2. HAVE THE CHILD SUPPORT ORDER REQUIRE**  
10 **PARTICIPATION IN THE PROGRAM IN ACCORDANCE WITH THE CONSENT**  
11 **AGREEMENT; OR**

12           **(II) FOR AN ELIGIBLE NONCUSTODIAL PARENT WHO HAS**  
13 **ARREARAGES UNDER AN EXISTING CHILD SUPPORT ORDER, AN OPPORTUNITY TO**  
14 **CHOOSE ONE OF THE FOLLOWING METHODS OF ADDRESSING THE FAILURE TO PAY**  
15 **CHILD SUPPORT:**

16                   **1. PAY THE ARREARAGES OR ENTER INTO A PAYMENT**  
17 **PLAN;**

18                   **2. PARTICIPATE IN EMPLOYMENT SERVICES UNDER THE**  
19 **PROGRAM IN ACCORDANCE WITH A CONSENT AGREEMENT BETWEEN THE**  
20 **NONCUSTODIAL PARENT AND THE ADMINISTRATION; OR**

21                   **3. BE SUBJECT TO ANY ENFORCEMENT REMEDY**  
22 **AUTHORIZED BY LAW FOR NONCOMPLIANCE WITH A CHILD SUPPORT ORDER,**  
23 **INCLUDING CONTEMPT OF COURT PROCEEDINGS; AND**

24           **(3) FOR A NONCUSTODIAL PARENT WHO CHOOSES TO PARTICIPATE IN**  
25 **EMPLOYMENT SERVICES UNDER THE PROGRAM:**

26                   **(I) THE ISSUANCE OF A COURT ORDER THAT:**

27                   **1. REQUIRES PARTICIPATION IN THE PROGRAM IN**  
28 **ACCORDANCE WITH A CONSENT AGREEMENT BETWEEN THE NONCUSTODIAL**  
29 **PARENT AND THE ADMINISTRATION;**

1                                   **2. INDICATES THE NONCUSTODIAL PARENT'S**  
2 **AGREEMENT TO COMPLY WITH ALL PROGRAM REQUIREMENTS; AND**

3                                   **3. IS SIGNED BY THE NONCUSTODIAL PARENT AND THE**  
4 **ADMINISTRATION;**

5                                   **(II) IMMEDIATELY AFTER ISSUANCE OF THE COURT ORDER, AN**  
6 **INITIAL ASSESSMENT OF THE NONCUSTODIAL PARENT'S WORK READINESS AND**  
7 **DETERMINATION OF APPROPRIATE EMPLOYMENT ASSISTANCE SERVICES;**

8                                   **(III) EXECUTION OF A CONSENT AGREEMENT BETWEEN THE**  
9 **NONCUSTODIAL PARENT AND THE ADMINISTRATION THAT SETS FORTH:**

10                                   **1. THE NONCUSTODIAL PARENT'S RIGHTS AND**  
11 **RESPONSIBILITIES UNDER THE PROGRAM;**

12                                   **2. AN EMPLOYMENT PLAN FOR THE NONCUSTODIAL**  
13 **PARENT; AND**

14                                   **3. THE CONSEQUENCES OF A FAILURE TO COMPLY WITH**  
15 **PROGRAM REQUIREMENTS;**

16                                   **(IV) EMPLOYMENT ASSISTANCE SERVICES;**

17                                   **(V) REFERRALS TO OTHER APPROPRIATE SUPPORT SERVICES,**  
18 **AS DETERMINED DURING THE INITIAL ASSESSMENT OR INCLUDED IN THE**  
19 **EMPLOYMENT PLAN;**

20                                   **(VI) INTENSIVE CASE MANAGEMENT THAT INCLUDES:**

21                                   **1. CLOSE MONITORING OF THE NONCUSTODIAL**  
22 **PARENT'S COMPLIANCE WITH PROGRAM REQUIREMENTS AND CONTINUING**  
23 **PAYMENT OF CHILD SUPPORT; AND**

24                                   **2. DOCUMENTATION OF THE NONCUSTODIAL PARENT'S**  
25 **COMPLIANCE STATUS AT 14, 30, 60, 90, AND 180 DAYS AFTER THE EFFECTIVE DATE**  
26 **OF THE CONSENT AGREEMENT; AND**

27                                   **(VII) STRICT ENFORCEMENT PROCEDURES FOR**  
28 **NONCOMPLIANCE WITH PROGRAM REQUIREMENTS, INCLUDING CONTEMPT OF**  
29 **COURT PROCEEDINGS.**

1           **(E) THE EMPLOYMENT ASSISTANCE SERVICES PROVIDED TO A**  
2 **NONCUSTODIAL PARENT UNDER THE PROGRAM MAY INCLUDE:**

3           **(1) JOB SKILLS ASSESSMENT;**

4           **(2) JOB SEARCH GUIDANCE AND ASSISTANCE;**

5           **(3) JOB SKILLS TRAINING;**

6           **(4) JOB PLACEMENT;**

7           **(5) CAREER COUNSELING;**

8           **(6) ASSISTANCE WITH OTHER EMPLOYMENT-RELATED NEEDS SUCH**  
9 **AS WORK CLOTHING, TESTING, TRANSPORTATION, OR CHILD CARE; AND**

10           **(7) REFERRALS TO EDUCATIONAL PROGRAMS AND OTHER**  
11 **COMMUNITY SERVICES.**

12           **(F) IN A CASE IN WHICH AN ASSIGNMENT HAS BEEN MADE UNDER §**  
13 **5-312(B)(2) OF THE HUMAN SERVICES ARTICLE, THE CONSENT AGREEMENT**  
14 **BETWEEN THE NONCUSTODIAL PARENT AND THE ADMINISTRATION MAY PROVIDE**  
15 **FOR A REDUCTION IN THE AMOUNT OF ARREARAGES AS AUTHORIZED UNDER §**  
16 **10-112 OF THIS SUBTITLE ON FULL COMPLETION OF PROGRAM REQUIREMENTS.**

17           **(G) THE SECRETARY MAY USE ANY AVAILABLE FUNDS FOR THE**  
18 **DEVELOPMENT AND IMPLEMENTATION OF THE PROGRAM.**

19           **(H) (1) THE SECRETARY SHALL CONDUCT EVALUATIONS OF THE**  
20 **PROGRAM USING THE FOLLOWING MEASURES:**

21                   **(I) THE NUMBER OF NONCUSTODIAL PARENTS WHO ARE**  
22 **ELIGIBLE TO PARTICIPATE IN THE PROGRAM;**

23                   **(II) THE NUMBER OF NONCUSTODIAL PARENTS WHO SIGN**  
24 **CONSENT AGREEMENTS AND ENROLL IN EMPLOYMENT SERVICES UNDER THE**  
25 **PROGRAM;**

26                   **(III) THE NUMBER OF PARTICIPANTS WHO ATTEND THE**  
27 **MEETINGS, CLASSES, OR WORKSHOPS SPECIFIED IN THEIR EMPLOYMENT PLANS;**

28                   **(IV) THE PERCENTAGE OF PARTICIPANTS WHO COMPLETE ALL**  
29 **PROGRAM REQUIREMENTS;**

1 (V) THE NUMBER OF PARTICIPANTS WHO RECEIVE AN  
2 OCCUPATIONAL LICENSE OR CERTIFICATE;

3 (VI) THE NUMBER OF PARTICIPANTS WHO OBTAIN  
4 EMPLOYMENT;

5 (VII) FOR EACH EMPLOYED PARTICIPANT, THE JOB TYPE AND  
6 LOCATION, WHETHER THE JOB IS FULL-TIME, WAGE OR SALARY AMOUNT, AND  
7 LENGTH OF TIME THE JOB IS RETAINED;

8 (VIII) THE NUMBER OF PARTICIPANTS WHO CONSISTENTLY MAKE  
9 THE REQUIRED CHILD SUPPORT PAYMENTS AND THE AMOUNTS OF THE PAYMENTS;  
10 AND

11 (IX) THE AMOUNT OF CHILD SUPPORT ARREARAGES PAID BY  
12 PARTICIPANTS WHO ENTERED THE PROGRAM WITH ARREARAGES.

13 (2) ON OR BEFORE DECEMBER 31 EACH YEAR, THE SECRETARY  
14 SHALL REPORT TO THE GENERAL ASSEMBLY, IN ACCORDANCE WITH § 2-1246 OF  
15 THE STATE GOVERNMENT ARTICLE, ON THE EFFECTIVENESS OF THE PROGRAM  
16 BASED ON THE EVALUATIONS.

17 (I) THE SECRETARY MAY ADOPT REGULATIONS TO IMPLEMENT THIS  
18 SECTION.

19 10-119.

20 (a) (1) In this section the following words have the meanings indicated.

21 (2) "License" has the meaning stated in § 11-128 of the Transportation  
22 Article.

23 (3) "Motor Vehicle Administration" means the Motor Vehicle  
24 Administration of the Department of Transportation.

25 (d) If, after information about an obligor is supplied to the Motor Vehicle  
26 Administration, the obligor's arrearage is paid in full, the obligor has demonstrated good  
27 faith by paying the ordered amount of support for 6 consecutive months, **THE OBLIGOR IS**  
28 **A PARTICIPANT IN FULL COMPLIANCE IN THE NONCUSTODIAL PARENT**  
29 **EMPLOYMENT ASSISTANCE PILOT PROGRAM ESTABLISHED UNDER § 10-112.2 OF**  
30 **THIS TITLE**, or the Administration finds that one of the grounds under subsection (c)(1)(i)  
31 of this section exists, the Administration shall notify the Motor Vehicle Administration to  
32 reinstate the obligor's license or privilege to drive.

1 10–119.3.

2 (a) (1) In this section the following words have the meanings indicated.

3 (2) “License” means any license, certificate, registration, permit, or other  
4 authorization that:

5 (i) is issued by a licensing authority;

6 (ii) is subject to suspension, revocation, forfeiture, or termination by  
7 a licensing authority; and

8 (iii) is necessary for an individual to practice or engage in:

9 1. a particular business, occupation, or profession; or

10 2. recreational hunting or fishing.

11 (j) The Administration shall notify the licensing authority to reinstate any  
12 license suspended or denied under this section within 10 days after the occurrence of any  
13 of the following events:

14 (1) the Administration receives a court order to reinstate the suspended  
15 license; or

16 (2) with respect to an individual with a child support arrearage, the  
17 individual has:

18 (i) paid the support arrearage in full; [or]

19 (ii) demonstrated good faith by paying the ordered amount of  
20 support for 4 consecutive months; or

21 **(III) FULLY COMPLIED WITH THE NONCUSTODIAL PARENT**  
22 **EMPLOYMENT ASSISTANCE PILOT PROGRAM ESTABLISHED UNDER § 10–112.2 OF**  
23 **THIS TITLE; OR**

24 (3) with respect to an individual whose license was suspended or denied  
25 because of a failure to comply with a subpoena issued under § 10–108.5 of this subtitle, the  
26 individual has complied with the subpoena.

27 10–1A–01.

28 (b) “Child support order” means:

29 (1) any support order for a child issued by a tribunal; or



1           (2)     an executed affidavit of support.

2           (d)     “Tribunal” has the meaning stated in § 10–301(dd) of this title.

3 10–301.

4           (dd)    “Tribunal” means a court, administrative agency, or quasi-judicial entity  
5 authorized to establish, enforce, or modify support orders or to determine parentage of a  
6 child.

7           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
8 October 1, 2016. It shall remain effective for a period of 3 years and, at the end of September  
9 30, 2019, with no further action required by the General Assembly, this Act shall be  
10 abrogated and of no further force and effect.

Approved:

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Governor.

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Speaker of the House of Delegates.

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President of the Senate.