
By: Delegates Menes and Shriver

Introduced and read first time: January 26, 1996

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 Child Support Arrearage - Revocation and Denial of Professional License

3 FOR the purpose of requiring a professional licensing unit to revoke or deny the
4 professional licenses or certificates of obligors who are in arrears in child support
5 payments over a certain amount; requiring the Secretary of the State Police to
6 revoke or deny certain licenses or certificates of obligors who are in arrears in child
7 support payments over a certain amount; requiring the Court of Appeals to revoke
8 orders of admission to the Bar or deny admission to the Bar of certain individuals
9 who are in arrears in child support payments over a certain amount; providing for
10 the reinstatement of a professional license or certificate on payment of arrearages;
11 providing for the reinstatement of an order of admission to the Bar on payment of
12 arrearages; requiring a revocation of a license or certificate to be made in
13 accordance with certain provisions of law; requiring the Secretary of Labor,
14 Licensing, and Regulation, the Secretary of Health and Mental Hygiene, the
15 Secretary of the State Police, and the Court of Appeals to collect certain
16 information and provide the Child Support Enforcement Administration with the
17 information; requiring the Secretary of Human Resources, the Secretary of Labor,
18 Licensing, and Regulation, and the Secretary of Health and Mental Hygiene to
19 adopt certain regulations; defining certain terms; and generally relating to the
20 revocation or denial of a professional license or certificate or an order of admission
21 to the Bar for failure to pay child support.

22 BY adding to

23 Article - Business Occupations and Professions
24 Section 10-503 and 13-609
25 Annotated Code of Maryland
26 (1995 Replacement Volume and 1995 Supplement)

27 BY adding to

28 Article - Business Regulation
29 Section 2-111
30 Annotated Code of Maryland
31 (1992 Volume and 1995 Supplement)

32 BY adding to

2

1 Article - Family Law
2 Section 10-113.2, 10-113.3, and 10-113.4
3 Annotated Code of Maryland
4 (1991 Replacement Volume and 1995 Supplement)

5 BY adding to

6 Article - Health - General
7 Section 2-108
8 Annotated Code of Maryland
9 (1994 Replacement Volume and 1995 Supplement)

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

12 **Article - Business Occupations and Professions**

13 10-503.

14 (A) THE COURT OF APPEALS SHALL PROVIDE THE CHILD SUPPORT
15 ENFORCEMENT ADMINISTRATION WITH NAMES AND OTHER IDENTIFYING
16 INFORMATION OF:

17 (1) INDIVIDUALS ADMITTED TO THE BAR; AND

18 (2) APPLICANTS FOR ADMISSION TO THE BAR.

19 (B) THE COURT OF APPEALS, WITH THE ASSISTANCE OF THE SECRETARY OF
20 HUMAN RESOURCES, SHALL ADOPT RULES TO IMPLEMENT THIS SECTION.

21 13-609.

22 (A) THE SECRETARY OF THE STATE POLICE SHALL PROVIDE THE CHILD
23 SUPPORT ENFORCEMENT ADMINISTRATION WITH NAMES AND OTHER IDENTIFYING
24 INFORMATION OF:

25 (1) LICENSEES;

26 (2) CERTIFICATE HOLDERS;

27 (3) APPLICANTS FOR LICENSES; AND

28 (4) APPLICANTS FOR CERTIFICATES.

29 (B) THE SECRETARY OF THE STATE POLICE AND THE SECRETARY OF HUMAN
30 RESOURCES JOINTLY SHALL ADOPT REGULATIONS TO IMPLEMENT THIS SECTION.

31 **Article - Business Regulation**

32 2-111.

33 (A) THE SECRETARY SHALL COLLECT, FROM EACH UNIT WITHIN THE
34 DEPARTMENT AUTHORIZED TO ISSUE FOR PROFESSIONAL SERVICES A LICENSE OR
35 CERTIFICATE, NAMES AND OTHER IDENTIFYING INFORMATION OF:

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- 1 (1) LICENSEES;
- 2 (2) CERTIFICATE HOLDERS;
- 3 (3) APPLICANTS FOR LICENSES; AND
- 4 (4) APPLICANTS FOR CERTIFICATES.

5 (B) THE SECRETARY SHALL PROVIDE THE CHILD SUPPORT ENFORCEMENT
6 ADMINISTRATION WITH THE INFORMATION COLLECTED UNDER SUBSECTION (A) OF
7 THIS SECTION.

8 (C) THE SECRETARY OF LABOR, LICENSING, AND REGULATION AND THE
9 SECRETARY OF HUMAN RESOURCES JOINTLY SHALL ADOPT REGULATIONS TO
10 IMPLEMENT THIS SECTION.

11 **Article - Family Law**

12 10-113.2.

13 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
14 INDICATED.

15 (2) "CERTIFICATE" MEANS ANY CERTIFICATE ISSUED BY A
16 PROFESSIONAL LICENSING UNIT.

17 (3) "LICENSE" MEANS ANY LICENSE ISSUED BY A PROFESSIONAL
18 LICENSING UNIT.

19 (4) "PROFESSIONAL LICENSING UNIT" MEANS A UNIT, WITHIN THE
20 DEPARTMENT OF LABOR, LICENSING, AND REGULATION OR THE DEPARTMENT OF
21 HEALTH AND MENTAL HYGIENE, THAT IS AUTHORIZED TO ISSUE FOR
22 PROFESSIONAL SERVICES A LICENSE OR CERTIFICATE.

23 (B) THE ADMINISTRATION SHALL CERTIFY TO A PROFESSIONAL LICENSING
24 UNIT THE NAME OF AN OBLIGOR WHO IS A HOLDER OF OR APPLICANT FOR A
25 LICENSE OR CERTIFICATE FROM THE PROFESSIONAL LICENSING UNIT AND WHO
26 ACCRUES AN ARREARAGE EQUAL TO 3 MONTHS OF A CHILD SUPPORT OBLIGATION
27 IF:

28 (1) THE ADMINISTRATION HAS ACCEPTED AN ASSIGNMENT OF
29 SUPPORT UNDER ARTICLE 88A, § 48(2) OF THE CODE; OR

30 (2) THE RECIPIENT OF SUPPORT PAYMENTS HAS FILED AN
31 APPLICATION FOR SUPPORT ENFORCEMENT SERVICES WITH THE ADMINISTRATION.

32 (C) SUBJECT TO THE PROVISIONS OF SUBSECTIONS (D) THROUGH (G) OF THIS
33 SECTION, UPON CERTIFICATION BY THE ADMINISTRATION UNDER SUBSECTION (B)
34 OF THIS SECTION, A PROFESSIONAL LICENSING UNIT SHALL:

35 (1) REVOKE THE LICENSE OR CERTIFICATE OF AN OBLIGOR WHO
36 HOLDS A LICENSE OR CERTIFICATE FROM THE UNIT; OR

37 (2) DENY THE LICENSE OR CERTIFICATE OF AN OBLIGOR WHO IS AN
38 APPLICANT FOR A LICENSE OR CERTIFICATE FROM THE UNIT.

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1 (D) PRIOR TO THE REVOCATION OR DENIAL OF A LICENSE OR CERTIFICATE
2 UNDER SUBSECTION (C) OF THIS SECTION, A PROFESSIONAL LICENSING UNIT SHALL
3 NOTIFY THE OBLIGOR THAT:

4 (1) A CERTIFICATION HAS BEEN MADE BY THE ADMINISTRATION;

5 (2) THE OBLIGOR IS IN ARREARS FOR THE AMOUNT CERTIFIED BY THE
6 ADMINISTRATION;

7 (3) THE PROFESSIONAL LICENSING UNIT SHALL INITIATE PROCEEDINGS
8 REQUIRED FOR THE REVOCATION OF THE OBLIGOR'S LICENSE OR CERTIFICATE OR
9 DENY THE OBLIGOR'S APPLICATION FOR A LICENSE OR CERTIFICATE; AND

10 (4) THE OBLIGOR MAY APPEAL TO THE ADMINISTRATION IF THE
11 OBLIGOR DISPUTES THE EXISTENCE OR AMOUNT OF THE ARREARAGE.

12 (E) (1) ON RECEIPT OF THE NOTICE DESCRIBED UNDER SUBSECTION (D) OF
13 THIS SECTION, AN OBLIGOR WHO DISPUTES THE EXISTENCE OR AMOUNT OF THE
14 ARREARAGE MAY ASK THE ADMINISTRATION TO INVESTIGATE THE ARREARAGE.

15 (2) ON RECEIPT OF A REQUEST FOR INVESTIGATION FROM THE
16 OBLIGOR, THE ADMINISTRATION SHALL:

17 (I) CONDUCT AN INVESTIGATION AS TO THE ACCURACY OF THE
18 REPORTED ARREARAGE; AND

19 (II) IF THE ADMINISTRATION FINDS THAT THERE IS AN ERROR,
20 CORRECT THE AMOUNT OF THE REPORTED ARREARAGE OR WITHDRAW THE
21 CERTIFICATION.

22 (F) THE REVOCATION OF AN OBLIGOR'S LICENSE OR CERTIFICATE UNDER
23 THIS SECTION SHALL BE IN ACCORDANCE WITH THE REVOCATION PROCEEDINGS
24 REQUIRED UNDER THE TITLE AUTHORIZING THE LICENSE OR CERTIFICATE IN THE
25 BUSINESS OCCUPATIONS AND PROFESSIONS ARTICLE, THE BUSINESS REGULATION
26 ARTICLE, OR THE HEALTH OCCUPATIONS ARTICLE.

27 (G) A LICENSE OR CERTIFICATE REVOKED UNDER THIS SECTION SHALL BE
28 REINSTATED ON PAYMENT BY THE OBLIGOR OF THE FULL AMOUNT OF SUPPORT
29 PAYMENTS IN ARREARS.

30 (H) THE SECRETARY OF HUMAN RESOURCES, JOINTLY WITH THE SECRETARY
31 OF LABOR, LICENSING, AND REGULATION AND THE SECRETARY OF HEALTH AND
32 MENTAL HYGIENE, SHALL ADOPT REGULATIONS TO IMPLEMENT THIS SECTION.

33 10-113.3.

34 (A) IN THIS SECTION, "SECRETARY" MEANS THE SECRETARY OF THE STATE
35 POLICE.

36 (B) THIS SECTION APPLIES ONLY TO CERTIFICATES AND LICENSES ISSUED
37 UNDER TITLE 13 OF THE BUSINESS OCCUPATIONS AND PROFESSIONS ARTICLE.

38 (C) THE ADMINISTRATION SHALL CERTIFY TO THE SECRETARY THE NAME
39 OF AN OBLIGOR WHO IS A HOLDER OF OR APPLICANT FOR A LICENSE OR

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1 CERTIFICATE AND WHO ACCRUES AN ARREARAGE EQUAL TO 3 MONTHS OF A CHILD
2 SUPPORT OBLIGATION IF:

3 (1) THE ADMINISTRATION HAS ACCEPTED AN ASSIGNMENT OF
4 SUPPORT UNDER ARTICLE 88A, § 48(2) OF THE CODE; OR

5 (2) THE RECIPIENT OF SUPPORT PAYMENTS HAS FILED AN
6 APPLICATION FOR SUPPORT ENFORCEMENT SERVICES WITH THE ADMINISTRATION.

7 (D) SUBJECT TO THE PROVISIONS OF SUBSECTIONS (E) THROUGH (H) OF THIS
8 SECTION, UPON CERTIFICATION BY THE ADMINISTRATION UNDER SUBSECTION (C)
9 OF THIS SECTION, THE SECRETARY SHALL:

10 (1) REVOKE THE LICENSE OR CERTIFICATE OF AN OBLIGOR WHO
11 HOLDS A LICENSE OR CERTIFICATE; OR

12 (2) DENY THE LICENSE OR CERTIFICATE OF AN OBLIGOR WHO IS AN
13 APPLICANT FOR A LICENSE OR CERTIFICATE.

14 (E) PRIOR TO THE REVOCATION OR DENIAL OF A LICENSE OR CERTIFICATE
15 UNDER SUBSECTION (D) OF THIS SECTION, THE SECRETARY SHALL NOTIFY THE
16 OBLIGOR THAT:

17 (1) A CERTIFICATION HAS BEEN MADE BY THE ADMINISTRATION;

18 (2) THE OBLIGOR IS IN ARREARS FOR THE AMOUNT CERTIFIED BY THE
19 ADMINISTRATION;

20 (3) THE SECRETARY SHALL INITIATE PROCEEDINGS REQUIRED FOR
21 THE REVOCATION OF THE OBLIGOR'S LICENSE OR CERTIFICATE OR DENY THE
22 OBLIGOR'S APPLICATION FOR A LICENSE OR CERTIFICATE; AND

23 (4) THE OBLIGOR MAY APPEAL TO THE ADMINISTRATION IF THE
24 OBLIGOR DISPUTES THE EXISTENCE OR AMOUNT OF THE ARREARAGE.

25 (F) (1) ON RECEIPT OF THE NOTICE DESCRIBED UNDER SUBSECTION (E) OF
26 THIS SECTION, AN OBLIGOR WHO DISPUTES THE EXISTENCE OR AMOUNT OF THE
27 ARREARAGE MAY ASK THE ADMINISTRATION TO INVESTIGATE THE ARREARAGE.

28 (2) ON RECEIPT OF A REQUEST FOR INVESTIGATION FROM THE
29 OBLIGOR, THE ADMINISTRATION SHALL:

30 (I) CONDUCT AN INVESTIGATION AS TO THE ACCURACY OF THE
31 REPORTED ARREARAGE; AND

32 (II) IF THE ADMINISTRATION FINDS THAT THERE IS AN ERROR,
33 CORRECT THE AMOUNT OF THE REPORTED ARREARAGE OR WITHDRAW THE
34 CERTIFICATION.

35 (G) THE REVOCATION OF AN OBLIGOR'S LICENSE OR CERTIFICATE UNDER
36 THIS SECTION SHALL BE IN ACCORDANCE WITH THE REVOCATION PROCEEDINGS
37 REQUIRED UNDER TITLE 13 OF THE BUSINESS OCCUPATIONS AND PROFESSIONS
38 ARTICLE.

1 (H) A LICENSE OR CERTIFICATE REVOKED UNDER THIS SECTION SHALL BE
2 REINSTATED ON PAYMENT BY THE OBLIGOR OF THE FULL AMOUNT OF SUPPORT
3 PAYMENTS IN ARREARS.

4 (I) THE SECRETARY OF HUMAN RESOURCES, JOINTLY WITH THE SECRETARY
5 OF THE STATE POLICE, SHALL ADOPT REGULATIONS TO IMPLEMENT THIS SECTION.

6 10-113.4.

7 (A) IN THIS SECTION, "ADMISSION TO THE BAR" MEANS AUTHORIZATION BY
8 THE COURT OF APPEALS TO PRACTICE LAW IN THE STATE.

9 (B) THIS SECTION DOES NOT LIMIT THE RIGHT OF AN INDIVIDUAL TO
10 APPEAR ON THE INDIVIDUAL'S OWN BEHALF BEFORE A COURT OR OTHER UNIT OF
11 THE STATE GOVERNMENT.

12 (C) THE ADMINISTRATION SHALL CERTIFY TO THE COURT OF APPEALS THE
13 NAME OF AN OBLIGOR WHO HAS GAINED ADMISSION TO THE BAR OR IS AN
14 APPLICANT FOR ADMISSION TO THE BAR AND WHO ACCRUES AN ARREARAGE
15 EQUAL TO 3 MONTHS OF A CHILD SUPPORT OBLIGATION IF:

16 (1) THE ADMINISTRATION HAS ACCEPTED AN ASSIGNMENT OF
17 SUPPORT UNDER ARTICLE 88A, § 48(2) OF THE CODE; OR

18 (2) THE RECIPIENT OF SUPPORT PAYMENTS HAS FILED AN
19 APPLICATION FOR SUPPORT ENFORCEMENT SERVICES WITH THE ADMINISTRATION.

20 (D) SUBJECT TO THE PROVISIONS OF SUBSECTIONS (E) THROUGH (H) OF THIS
21 SECTION, UPON CERTIFICATION BY THE ADMINISTRATION UNDER SUBSECTION (C)
22 OF THIS SECTION, THE COURT OF APPEALS SHALL:

23 (1) REVOKE AN ORDER OF ADMISSION TO THE BAR; OR

24 (2) DENY AN APPLICATION FOR ADMISSION TO THE BAR.

25 (E) (1) PRIOR TO REVOKING AN ORDER OF ADMISSION TO THE BAR UNDER
26 SUBSECTION (D) OF THIS SECTION, THE COURT OF APPEALS SHALL ISSUE AN ORDER
27 TO SHOW CAUSE WHY THE ORDER SHOULD NOT BE REVOKED.

28 (2) PRIOR TO DENYING AN APPLICATION FOR ADMISSION TO THE BAR
29 UNDER SUBSECTION (D) OF THIS SECTION, THE COURT OF APPEALS SHALL ISSUE AN
30 ORDER TO SHOW CAUSE WHY THE APPLICATION SHOULD NOT BE DENIED.

31 (F) AN ORDER TO SHOW CAUSE DESCRIBED IN SUBSECTION (E) OF THIS
32 SECTION SHALL NOTIFY THE OBLIGOR THAT:

33 (1) A CERTIFICATION HAS BEEN MADE BY THE ADMINISTRATION;

34 (2) THE OBLIGOR IS IN ARREARS FOR THE AMOUNT CERTIFIED BY THE
35 ADMINISTRATION;

36 (3) THE COURT OF APPEALS SHALL REVOKE THE ORDER BY WHICH THE
37 OBLIGOR GAINED ADMISSION TO THE BAR OR DENY THE OBLIGOR'S APPLICATION
38 FOR ADMISSION TO THE BAR; AND

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1 (4) THE OBLIGOR MAY APPEAL TO THE ADMINISTRATION IF THE
2 OBLIGOR DISPUTES THE EXISTENCE OR AMOUNT OF THE ARREARAGE.

3 (G) (1) ON RECEIPT OF AN ORDER TO SHOW CAUSE DESCRIBED UNDER
4 SUBSECTIONS (E) AND (F) OF THIS SECTION, AN OBLIGOR WHO DISPUTES THE
5 EXISTENCE OR AMOUNT OF THE ARREARAGE MAY ASK THE ADMINISTRATION TO
6 INVESTIGATE THE ARREARAGE.

7 (2) ON RECEIPT OF A REQUEST FOR INVESTIGATION FROM THE
8 OBLIGOR, THE ADMINISTRATION SHALL:

9 (I) CONDUCT AN INVESTIGATION AS TO THE ACCURACY OF THE
10 REPORTED ARREARAGE; AND

11 (II) IF THE ADMINISTRATION FINDS THAT THERE IS AN ERROR,
12 CORRECT THE AMOUNT OF THE REPORTED ARREARAGE OR WITHDRAW THE
13 CERTIFICATION.

14 (H) AN ORDER OF ADMISSION TO THE BAR REVOKED UNDER THIS SECTION
15 SHALL BE REINSTATED ON PAYMENT BY THE OBLIGOR OF THE FULL AMOUNT OF
16 SUPPORT PAYMENTS IN ARREARS.

17 **Article - Health - General**

18 2-108.

19 (A) THE SECRETARY SHALL COLLECT, FROM EACH UNIT WITHIN THE
20 DEPARTMENT AUTHORIZED TO ISSUE FOR PROFESSIONAL SERVICES A LICENSE OR
21 CERTIFICATE, NAMES AND OTHER IDENTIFYING INFORMATION OF:

22 (1) LICENSEES;

23 (2) CERTIFICATE HOLDERS;

24 (3) APPLICANTS FOR LICENSES; AND

25 (4) APPLICANTS FOR CERTIFICATES.

26 (B) THE SECRETARY SHALL PROVIDE THE CHILD SUPPORT ENFORCEMENT
27 ADMINISTRATION WITH THE INFORMATION COLLECTED UNDER SUBSECTION (A) OF
28 THIS SECTION.

29 (C) THE SECRETARY OF HEALTH AND MENTAL HYGIENE AND THE
30 SECRETARY OF HUMAN RESOURCES JOINTLY SHALL ADOPT REGULATIONS TO
31 IMPLEMENT THIS SECTION.

32 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
33 October 1, 1996.