
By: Senator Stoltzfus

Introduced and read first time: January 24, 1996

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Aid to Families with Dependent Children - Application for Child Support Services -**
3 **Eligibility**

4 FOR the purpose of requiring certain individuals as a condition of eligibility to receive
5 assistance under the program of Aid to Families with Dependent Children to apply
6 with the appropriate local child support enforcement office for child support
7 services; and authorizing the Child Support Enforcement Administration of the
8 Department of Human Resources to waive a certain fee for certain individuals.

9 BY repealing and reenacting, with amendments,
10 Article 88A - Social Services Administration
11 Section 48
12 Annotated Code of Maryland
13 (1995 Replacement Volume)

14 BY repealing and reenacting, with amendments,
15 Article - Family Law
16 Section 10-110
17 Annotated Code of Maryland
18 (1991 Replacement Volume and 1995 Supplement)

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

21 **Article 88A - Social Services Administration**

22 48.

23 Assistance shall be given under this subtitle on condition that the applicant for or
24 recipient of the assistance:

25 (1) Resides in this State at the time of application for such assistance;

26 (2) HAS APPLIED FOR CHILD SUPPORT SERVICES WITH THE
27 APPROPRIATE LOCAL CHILD ENFORCEMENT OFFICE AT THE TIME OF APPLICATION
28 FOR ASSISTANCE;

1 [(2)] (3) Assigns to the State any right, title, and interest in support from
2 any other person that the applicant or recipient has in his own behalf or in behalf of any
3 other family member for whom he is applying for or receiving assistance, including any
4 right accrued when the assignment is executed;

5 [(3)] (4) Lives in a family home in which there is no reasonable indication
6 of neglect, as that term is defined in the law applicable to juvenile causes in the county or
7 Baltimore City where the child resides, which meets the standards of care and health
8 fixed by the laws of this State and any rules and regulations adopted pursuant to them,
9 and in which, if possible, the child's particular religious faith is fostered and protected
10 except that if an otherwise eligible child is living in a home in which there is indicated
11 neglect or which does not appear to meet the standards of care and health, assistance
12 shall be given or continued as follows:

13 (i) During a period of 90 days in which the local unit is investigating
14 the home, helping the child's parents or custodian to eliminate the indicated neglect or
15 substandard conditions of care and health, or assisting the parent or custodian to make
16 plans for the child;

17 (ii) Pending investigation and determination of neglect by the juvenile
18 court on petition filed by the local unit or others;

19 (iii) When, after determining that neglect exists, the court shall permit
20 the child to remain in the home under supervision of a probation officer or the local unit
21 pending placement elsewhere or while intensive efforts are being made to ameliorate the
22 conditions resulting in the child's neglect; and

23 (iv) During such time as the local unit, after the expiration of the
24 ninety-day period, shall inadvertently fail to file the petition alleging neglect or the court,
25 for any reason, shall fail to dispose of the petition; and

26 [(4)] (5) Meets the other requirements determined by the Administration.

27 **Article - Family Law**

28 10-110.

29 (a) The Administration may:

30 (1) EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, charge
31 an initial application fee of not more than \$25 for support services;

32 (2) deduct from the child support payment to defray the cost of providing
33 support enforcement services under:

34 (i) the Income Tax Refund Intercept Program under this subtitle; and

35 (ii) the Federal Tax Refund Offset Program; and

36 (3) collect fees from the obligor to defray the costs of providing support
37 enforcement services.

38 (b) Except as provided in subsection (a) of this section, the Administration may
39 not:

3

1 (1) collect fees from the child support obligee; or

2 (2) deduct fees from the child support payment.

3 (C) THE ADMINISTRATION MAY WAIVE THE INITIAL APPLICATION FEE FOR
4 AN INDIVIDUAL APPLYING FOR CHILD SUPPORT SERVICES ON BEHALF OF A
5 DEPENDENT CHILD FOR PURPOSES OF RECEIVING ASSISTANCE UNDER THE
6 PROGRAM OF AID TO FAMILIES WITH DEPENDENT CHILDREN ESTABLISHED UNDER
7 TITLE IV, PART A, OF THE SOCIAL SECURITY ACT.

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