
By: Senator Stoltzfus

Introduced and read first time: January 24, 1996

Assigned to: Finance

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: April 2, 1996

CHAPTER ____

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:

2

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

2 48.

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

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

6 (2) HAS APPLIED FOR CHILD SUPPORT SERVICES WITH THE
7 APPROPRIATE LOCAL CHILD SUPPORT ENFORCEMENT OFFICE AT THE TIME OF
8 APPLICATION FOR ASSISTANCE;

9 (3) COMPLIES WITH THE REQUIREMENTS OF THE LOCAL CHILD
10 SUPPORT OFFICE;

11 [(2)] ~~(2)~~ (4) Assigns to the State any right, title, and interest in support
12 from any other person that the applicant or recipient has in his own behalf or in behalf of
13 any other family member for whom he is applying for or receiving assistance, including
14 any right accrued when the assignment is executed;

15 [(3)] ~~(3)~~ (5) Lives in a family home in which there is no reasonable
16 indication of neglect, as that term is defined in the law applicable to juvenile causes in the
17 county or Baltimore City where the child resides, which meets the standards of care and
18 health fixed by the laws of this State and any rules and regulations adopted pursuant to
19 them, and in which, if possible, the child's particular religious faith is fostered and
20 protected except that if an otherwise eligible child is living in a home in which there is
21 indicated neglect or which does not appear to meet the standards of care and health,
22 assistance shall be given or continued as follows:

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

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

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

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

36 [(4)] ~~(4)~~ (6) Meets the other requirements determined by the
37 Administration.

3

1 **Article—Family Law**

2 ~~10-110.~~

3 (a) ~~The Administration may:~~

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

6 ~~(2) deduct from the child support payment to defray the cost of providing~~
7 ~~support enforcement services under:~~

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

9 ~~(ii) the Federal Tax Refund Offset Program; and~~

10 ~~(3) collect fees from the obligor to defray the costs of providing support~~
11 ~~enforcement services.~~

12 (b) ~~Except as provided in subsection (a) of this section, the Administration may~~
13 ~~not:~~

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

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

16 ~~(C) THE ADMINISTRATION MAY WAIVE THE INITIAL APPLICATION FEE FOR~~
17 ~~AN INDIVIDUAL APPLYING FOR CHILD SUPPORT SERVICES ON BEHALF OF A~~
18 ~~DEPENDENT CHILD FOR PURPOSES OF RECEIVING ASSISTANCE UNDER THE~~
19 ~~PROGRAM OF AID TO FAMILIES WITH DEPENDENT CHILDREN ESTABLISHED UNDER~~
20 ~~TITLE IV, PART A, OF THE SOCIAL SECURITY ACT.~~

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