
By: Delegate Exum

Introduced and read first time: February 5, 1997

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Child Support - Payment by Father - Terminating Events**

3 FOR the purpose of authorizing a court to require a father to continue paying child
4 support for a certain period if the child is an adult but is not self-supporting and is
5 enrolled as a full-time undergraduate student in an accredited university or
6 post-high school graduate vocational program; making a technical change;
7 providing for the application of this Act; and generally relating to terminating
8 events for a father's payment of child support.

9 BY repealing and reenacting, with amendments,
10 Article - Family Law
11 Section 5-1032
12 Annotated Code of Maryland
13 (1991 Replacement Volume and 1996 Supplement)

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

16 **Article - Family Law**

17 5-1032.

18 (a) If the court or jury, as appropriate, finds that the alleged father is the father,
19 the court shall pass an order that:

20 (1) declares the alleged father to be the father of the child; and

21 (2) provides for the support of the child.

22 (b) (1) [The] EXCEPT AS PROVIDED IN PARAGRAPHS (2) AND (3) OF THIS
23 SUBSECTION, THE father shall pay the sum to be specified in the order until the first to
24 occur of the following events:

25 (i) the child becomes an adult;

26 (ii) the child dies;

27 (iii) the child marries; or

28 (iv) the child becomes self-supporting.

2

1 (2) If the child is an adult but is destitute and cannot be self-supporting
2 because of a physical or mental infirmity, the court may require the father to continue to
3 pay support during the period of the infirmity.

4 (3) IF THE CHILD IS AN ADULT BUT IS NOT SELF-SUPPORTING AND IS
5 ENROLLED AS A FULL-TIME UNDERGRADUATE STUDENT IN AN ACCREDITED
6 UNIVERSITY OR POST-HIGH SCHOOL GRADUATION VOCATIONAL PROGRAM, THE
7 COURT MAY REQUIRE THE FATHER TO CONTINUE TO PAY SUPPORT DURING THE
8 PERIOD OF THE ENROLLMENT.

9 (c) Any money that is due for child support under this subtitle and is unpaid at
10 the time the child becomes an adult, dies, marries, or becomes self-supporting is a
11 continuing obligation of any party bound by the order of court until the money is paid.

12 (d) (1) The court may order a lien on the earnings of the father in the amount
13 of the order.

14 (2) The father's employer:

15 (i) shall begin deducting from the father's earnings the amount of the
16 lien as soon as the employer is notified by the court;

17 (ii) shall pay the deductions directly to the recipient designated by the
18 court; and

19 (iii) may deduct an additional dollar from the father's earnings for each
20 payment made under the order.

21 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed
22 retroactively and, notwithstanding the date of any court order for support, shall be
23 applied to and interpreted to affect all cases where the child is enrolled as a full-time
24 undergraduate student as of the effective date of this Act.

25 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
26 October 1, 1997.