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**By: Senator Munson**

Requested: July 16, 1996

Introduced and read first time: January 8, 1997

Assigned to: Judicial Proceedings

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A BILL ENTITLED

1 AN ACT concerning

2 **Child Support Enforcement - Fees**

3 FOR the purpose of requiring the Child Support Enforcement Administration to assess  
4 against and attempt to collect from an obligor certain application and collection  
5 fees charged to an obligee or to be deducted from payments made to an obligee;  
6 providing for certification and interception of the amounts assessed under the Child  
7 Support Enforcement Income Tax Refund Intercept Program; and generally  
8 relating to the assessment and collection of certain fees for child support  
9 enforcement.

10 BY repealing and reenacting, with amendments,  
11 Article - Family Law  
12 Section 10-110 and 10-113(c) and (f)  
13 Annotated Code of Maryland  
14 (1991 Replacement Volume and 1996 Supplement)

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

17 **Article - Family Law**

18 10-110.

19 (a) [The] SUBJECT TO SUBSECTION (B) OF THIS SECTION, THE Administration  
20 may:

21 (1) charge an initial application fee of not more than \$25 for support  
22 services;

23 (2) deduct A CHARGE from the [child support payment] PROCEEDS to  
24 defray the cost of providing support enforcement services under:

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

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

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

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1 (B) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THE  
2 ADMINISTRATION SHALL ASSESS AGAINST AND ATTEMPT TO COLLECT FROM THE  
3 OBLIGOR ANY AMOUNTS CHARGED TO THE OBLIGEE OR DEDUCTED FROM  
4 PAYMENTS TO THE OBLIGEE UNDER SUBSECTION (A) OF THIS SECTION.

5 (2) THIS SUBSECTION DOES NOT APPLY TO ANY AMOUNTS DEDUCTED  
6 TO DEFRAY THE COST OF PROVIDING SUPPORT ENFORCEMENT SERVICES UNDER  
7 THE FEDERAL TAX REFUND OFFSET PROGRAM.

8 [(b)] (C) Except as provided in subsection (a) of this section, the Administration  
9 may not:

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

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

12 10-113.

13 (c) The certification shall include, if known:

14 (1) the full name of the obligor, and any other names known to be used by  
15 the obligor;

16 (2) the address and the Social Security number of the obligor; and

17 (3) the amount of the arrearage PLUS ANY AMOUNTS ASSESSED TO  
18 COVER ANY APPLICATION OR COLLECTION FEES CHARGED BY THE  
19 ADMINISTRATION.

20 (f) The State Comptroller shall:

21 (1) withhold and pay to the Administration any income tax refund due to  
22 the obligor, in an amount not more than the amount [of the arrearage ] CERTIFIED BY  
23 THE ADMINISTRATION;

24 (2) pay to the obligor any part of the income tax refund over the amount [of  
25 the arrearage] CERTIFIED BY THE ADMINISTRATION; and

26 (3) notify the obligor of:

27 (i) the amount paid to the Administration; and

28 (ii) the rights of the obligor under subsection (g) of this section.

29 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
30 October 1, 1997.