

(PRE-FILED)

By: Senator Munson

Requested: July 16, 1996

Introduced and read first time: January 8, 1997

Assigned to: Judicial Proceedings

Committee Report: Favorable

Senate action: Adopted

Read second time: January 21, 1997

CHAPTER ____

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;

2

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

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

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

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

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

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

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

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

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

18 10-113.

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

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

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

23 (3) the amount of the arrearage PLUS ANY AMOUNTS ASSESSED TO
24 COVER ANY APPLICATION OR COLLECTION FEES CHARGED BY THE
25 ADMINISTRATION.

26 (f) The State Comptroller shall:

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

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

32 (3) notify the obligor of:

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

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

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

