

Department of Legislative Services  
Maryland General Assembly

FISCAL NOTE

House Bill 605 (Delegate Montague. *et al.*)

Judiciary

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Family Law - Child Support - Date of Award

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Current law requires a court to award child support from the date of the initial pleading, unless the court finds that the amount of the award would produce an inequitable result. This bill prohibits a court from considering factors that predate the filing of the initial child support pleading in determining whether the amount of an award will produce an inequitable result. The bill further prohibits a court from giving credits for payments that the court finds have been made before the filing of the child support pleading. The bill applies only to cases filed on or after October 1, 1998.

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Fiscal Summary

**State Effect:** Potential indeterminate special fund revenue increase from child support collections. Expenditures would not be affected.

**Local Effect:** None.

**Small Business Effect:** None.

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Fiscal Analysis

**State Revenues:** State special fund revenues could increase to the extent that the bill's provisions lead to increased child support collections. Temporary Cash Assistance (TCA) recipients must assign their support rights to the State and federal government as partial reimbursement for TCA payments made on behalf of the children of the obligor; as a result, TCA child support collections are distributed 50% to the State and 50% to the federal government. Any such impact on State revenues, however, would depend on the number of TCA child support cases affected by the bill's provisions, which cannot be reliably estimated at this time.

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**Information Source(s):** Judiciary (Administrative Office of the Courts), Department of Human Resources, Department of Legislative Services

**Fiscal Note History:** First Reader - February 23, 1998

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