
By: **Senators Hughes, Mitchell, and Forehand**
Introduced and read first time: February 5, 1999
Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Child Support Enforcement - State Case Registry**

3 FOR the purpose of requiring the Child Support Enforcement Administration of the
4 Department of Human Resources to establish a State Case Registry containing
5 records for each child support order established or modified on or after a certain
6 date; authorizing the Administration to request certain information and
7 assistance from State agencies, political subdivisions, employers, and labor
8 unions; requiring the State Case Registry to include standardized data elements
9 and case status for certain cases and support orders; specifying the standardized
10 data elements; requiring the case record for certain cases to include certain
11 information; requiring certain case records to be updated and monitored on the
12 basis of certain information; requiring court clerks to request, record, and
13 transmit to the State Case Registry identifying information on all parties
14 involved in support orders established or modified on or after a certain date;
15 defining certain terms; and generally relating to the establishment and
16 maintenance of a State Case Registry.

17 BY repealing
18 Article - Family Law
19 Section 12-105
20 Annotated Code of Maryland
21 (1999 Replacement Volume)

22 BY adding to
23 Article - Family Law
24 Section 12-105
25 Annotated Code of Maryland
26 (1999 Replacement Volume)

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

1

Article - Family Law

2 [12-105.

3 (a) (1) The Child Support Enforcement Administration of the Department of
4 Human Resources shall maintain a central registry of records of all identifying
5 information that relates to parents who have deserted or who appear to have deserted
6 their children.

7 (2) The Child Support Enforcement Administration shall list these
8 parents in the registry whether or not their children are likely to become recipients of
9 public assistance or foster care.

10 (b) In accordance with subsections (c) and (d) of this section, to carry out the
11 purposes of this section, the Child Support Enforcement Administration may receive
12 from any agency of this State, political subdivision of this State, employer, public
13 service company, energy provider, or labor union information and assistance that will
14 enable the Child Support Enforcement Administration, the local enforcement office,
15 or the State's Attorney for the county involved:

16 (1) to locate an absent parent or a parent who has deserted or appears to
17 have deserted a child;

18 (2) to enforce the liability of the parent for the support of a child of the
19 parent; or

20 (3) to obtain other financial and location information concerning parents
21 and putative fathers needed by the Administration to carry out its responsibilities
22 under State and federal law.

23 (c) (1) Upon written request by the Child Support Enforcement
24 Administration, any agency of this State, political subdivision of this State, employer,
25 or labor union shall provide, if available, a person's:

26 (i) Social Security account number;

27 (ii) date of birth;

28 (iii) last known residence or mailing address;

29 (iv) present or last known employer;

30 (v) length of employment;

31 (vi) job classification;

32 (vii) name of person to be notified in case of emergency and the
33 person's residence;

34 (viii) work hours;

1 (ix) amounts of wages or other assets; and

2 (x) medical insurance provider.

3 (2) As to individuals who were employed within the 3 years preceding a
4 request for information by the Child Support Enforcement Administration, the State
5 agency, political subdivision, employer, or labor union shall provide whatever
6 information is available.

7 (3) (i) Upon request and a showing of cause by the Child Support
8 Enforcement Administration, a circuit court may issue an order requiring an
9 employer or labor union to comply with a request for information under this section.

10 (ii) If an employer or labor union refuses to provide information
11 from its employee or member files as required by an order by a circuit court issued
12 under this paragraph, the employer or labor union shall be in contempt of court.

13 (d) (1) In accordance with a subpoena issued by the Administration under §
14 10-108.4 of this article, a public service company or energy provider shall provide, if
15 available:

16 (i) a person's name and address; and

17 (ii) the name and address of the person's employer.

18 (2) If a public service company or energy provider fails to comply with a
19 subpoena issued by the Administration, the Administration shall have available the
20 remedies provided under § 10-108.4 of this article.

21 (e) An employer, public service company, energy provider, or labor union that
22 complies with a request from the Administration made under this section is not liable
23 under State law to any person for any:

24 (1) disclosure of information to the Administration under this section; or

25 (2) other action taken in good faith to comply with the requirements of
26 this section.

27 (f) Any record compiled from information provided under this section shall be
28 available only to:

29 (1) an authorized representative of this State or of a local department of
30 this State; or

31 (2) a person who has a statutory right to the records in an official
32 capacity.]

33 12-105.

34 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
35 INDICATED.

1 (2) "ADMINISTRATION" MEANS THE CHILD SUPPORT ENFORCEMENT
2 ADMINISTRATION OF THE DEPARTMENT OF HUMAN RESOURCES.

3 (3) "ADMINISTRATION CASE" MEANS A CASE IN WHICH CHILD SUPPORT
4 SERVICES ARE BEING PROVIDED BY THE ADMINISTRATION UNDER THE STATE PLAN
5 UNDER 42 U.S.C. § 654.

6 (B) THE ADMINISTRATION SHALL ESTABLISH A STATE CASE REGISTRY IN ITS
7 CHILD SUPPORT ENFORCEMENT AUTOMATED SYSTEM CONTAINING RECORDS FOR
8 EACH CHILD SUPPORT ORDER ESTABLISHED OR MODIFIED ON OR AFTER OCTOBER 1,
9 1998.

10 (C) TO CARRY OUT THE PURPOSES OF THIS SECTION, THE ADMINISTRATION
11 MAY REQUEST FROM ANY AGENCY OF THIS STATE, ANY POLITICAL SUBDIVISION OF
12 THIS STATE, ANY EMPLOYER, OR ANY LABOR UNION, INFORMATION AND ASSISTANCE
13 THAT WILL ENABLE THE ADMINISTRATION, THE LOCAL ENFORCEMENT OFFICE, OR
14 THE STATE'S ATTORNEY FOR THE COUNTY INVOLVED TO:

15 (1) LOCATE CUSTODIAL OR NONCUSTODIAL PARENTS;

16 (2) ENFORCE THE LIABILITY OF A NONCUSTODIAL PARENT FOR THE
17 SUPPORT OF A CHILD OF THE NONCUSTODIAL PARENT; OR

18 (3) OBTAIN INFORMATION.

19 (D) (1) THE STATE CASE REGISTRY SHALL INCLUDE STANDARDIZED DATA
20 ELEMENTS AND CASE STATUS FOR ADMINISTRATION CASES AND SUPPORT ORDERS
21 RECEIVED FROM THE COURTS.

22 (2) THE STANDARDIZED DATA ELEMENTS FOR EACH CUSTODIAL AND
23 NONCUSTODIAL PARENT AND CHILD ASSOCIATED WITH AN ADMINISTRATION CASE
24 OR A SUPPORT ORDER RECEIVED FROM A COURT SHALL INCLUDE:

25 (I) NAME;

26 (II) SOCIAL SECURITY NUMBER OR OTHER UNIFORM
27 IDENTIFICATION NUMBER;

28 (III) DATE OF BIRTH; AND

29 (IV) ANY OTHER INFORMATION REQUIRED BY THE SECRETARY OF
30 HEALTH AND HUMAN SERVICES, SUCH AS CASE STATUS.

31 (3) THE CASE RECORD FOR EACH ADMINISTRATION CASE IN THE STATE
32 CASE REGISTRY SHALL INCLUDE:

33 (I) THE AMOUNT OF MONTHLY SUPPORT OR OTHER PERIODIC
34 SUPPORT OWED, AND OTHER AMOUNTS DUE, INCLUDING ARREARAGES, INTEREST
35 OR LATE PAYMENTS, AND FEES;

36 (II) ANY AMOUNTS COLLECTED;

- 1 (III) THE DISTRIBUTION OF COLLECTED AMOUNTS;
- 2 (IV) THE CHILD'S NAME AND DATE OF BIRTH;
- 3 (V) BEGINNING NOT LATER THAN OCTOBER 1, 1999, THE CHILD'S
4 SOCIAL SECURITY NUMBER; AND
- 5 (VI) THE AMOUNT OF ANY LIEN IMPOSED.
- 6 (4) ADMINISTRATION CASE RECORDS SHALL BE UPDATED AND
7 MONITORED ON THE BASIS OF:
- 8 (I) ADMINISTRATIVE ACTIONS;
- 9 (II) ADMINISTRATIVE AND JUDICIAL PROCEEDINGS;
- 10 (III) ORDERS RELATING TO PATERNITY AND SUPPORT;
- 11 (IV) SHARING AND TRACKING OF INFORMATION OBTAINED FROM
12 COMPARISONS WITH FEDERAL, STATE, OR LOCAL SOURCES;
- 13 (V) SUPPORT COLLECTIONS AND DISTRIBUTIONS; AND
- 14 (VI) ANY OTHER RELEVANT INFORMATION.
- 15 (E) CLERKS OF THE COURTS SHALL REQUEST, RECORD, AND TRANSMIT TO
16 THE STATE CASE REGISTRY IDENTIFYING INFORMATION ON ALL PARTIES INVOLVED
17 IN SUPPORT ORDERS ESTABLISHED OR MODIFIED ON OR AFTER OCTOBER 1, 1998.

18 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
19 July 1, 1999.