

Department of Legislative Services
Maryland General Assembly
1999 Session

FISCAL NOTE

Senate Bill 709 (Senators Stone and Mitchell)

Judicial Proceedings

Child Support - Parent of Other Children in the Household

This bill repeals current law authorizing a court when establishing or modifying a child support order to consider the presence of other children in the household of either parent to whom that parent owes support.

Fiscal Summary

State Effect: Indeterminate effect on special fund revenues. Expenditures would not be affected.

Local Effect: None.

Small Business Effect: None.

Fiscal Analysis

Background: Current law provides that in any proceeding to establish or modify child support, a court must use the child support guidelines in the Family Law Article. However, there is a rebuttable presumption that the amount of child support that would result from the application of the child support guidelines is the correct amount of child support to be awarded. The presumption may be rebutted by evidence that the application of the guidelines would be unjust or inappropriate in a particular case. In determining whether application of the guidelines would be unjust or inappropriate, one of the factors that a court may consider is the presence of other children in the household of either parent to whom that parent owes support.

State Revenues: Child support collections from a noncustodial parent could increase to the extent that the court no longer has to consider other children in the household of the

noncustodial parent. However, child support collections from a noncustodial parent could decrease to the extent that the court no longer has to consider other children in the household of the custodial parent. The net effect cannot be reliably estimated. 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.

Information Source(s): Department of Human Resources, Department of Legislative Services

Fiscal Note History: First Reader - March 12, 1999

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