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# By: Delegates Shriver, Grosfeld, Marriott, Barkley, Kopp, Mandel, Bronrott, Hixson, and Heller

Introduced and read first time: February 4, 2000

Assigned to: Appropriations

#### A BILL ENTITLED

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1	$\Delta I I$	$\Delta CI$	COHCCHIIII

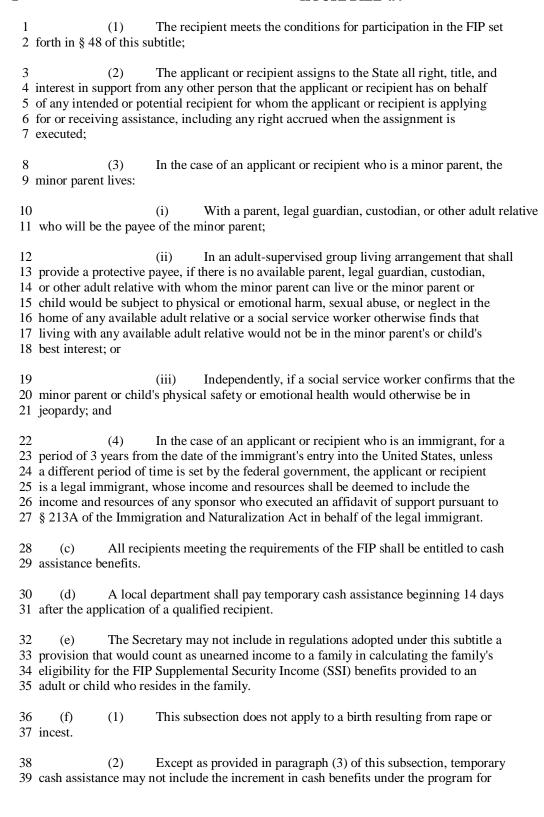
## 2 Child Support - Pass-Through to Public Assistance Recipients

- 3 FOR the purpose of prohibiting the Secretary of Human Resources from imposing
- 4 regulations that count child support as unearned income; authorizing the
- 5 Secretary to reduce temporary cash assistance by a certain amount if the
- 6 recipient does not cooperate with the local child support enforcement office;
- 7 requiring the State child support disbursement unit to disburse child support
- 8 payments to the child's caretaker under certain circumstances; and generally
- 9 relating to child support payments to families receiving temporary public
- 10 assistance.
- 11 BY repealing and reenacting, with amendments,
- 12 Article 88A Department of Human Resources
- 13 Section 50
- 14 Annotated Code of Maryland
- 15 (1998 Replacement Volume and 1999 Supplement)
- 16 BY repealing and reenacting, with amendments,
- 17 Article Family Law
- 18 Section 10-108.5
- 19 Annotated Code of Maryland
- 20 (1999 Replacement Volume and 1999 Supplement)
- 21 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
- 22 MARYLAND, That the Laws of Maryland read as follows:

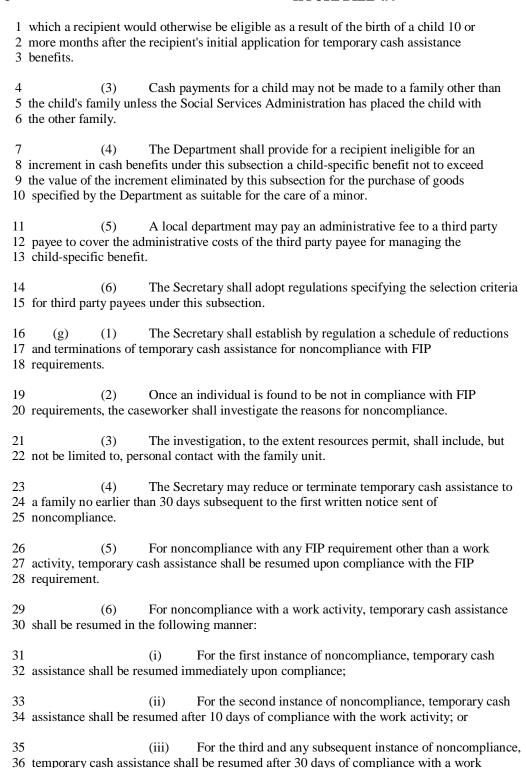
## 23 Article 88A - Department of Human Resources

24 50.

- 25 (a) The provisions of this section are not intended to create incentives for
- 26 individuals to seek temporary cash assistance benefits instead of employment.
- 27 (b) A local department shall provide temporary cash assistance only if:



37 activity.



# **HOUSE BILL 499**

3		ent shall r	erary cash assistance is reduced or terminated under this etain eligibility for medical assistance and food meets the medical assistance and food stamp program			
		FOR NO	CRETARY MAY REDUCE TEMPORARY CASH ASSISTANCE BY A DNCOMPLIANCE WITH FIP REQUIREMENTS CONCERNING LOCAL CHILD SUPPORT ENFORCEMENT OFFICE.			
8 9	(h) (1) the recipient may rece		mination of temporary cash assistance under this section, itional assistance.			
12	(2) If the caseworker determines that the local department shall provide transitional assistance, the FIP benefit that would have been paid to the recipient shall be paid instead to a third party payee on behalf of the recipient for a period of up to 3 months.					
	(3) the FIP benefit and the eligible individuals.	FIP benefit and the benefit shall be furnished with reasonable promptness to all				
17 18	(4) The third party payee shall provide transitional assistance to the recipient in one or more of the following forms:					
19		(i)	Counseling;			
20		(ii)	Housing;			
21		(iii)	Child care;			
22		(iv)	Household supplies and equipment;			
23		(v)	Direct assistance other than a cash payment; and			
24 25	the recipient to make	(vi) the trans	Any other noncash assistance that may be necessary to assist ition from welfare.			
	(5) Subject to the approval of the Secretary, the caseworker, in conjunction with the recipient, shall select the third party payee described under paragraph (2) of this subsection.					
		lministrat	department may pay an administrative fee to a third party ive costs of the third party payee for providing the h (4) of this subsection.			
32 33	(7) be used for the further		on of the funds provided through transitional assistance may sectarian religious instruction.			
34 35	(8) for third party payees		retary shall adopt regulations specifying the selection criteria is subsection.			

### **HOUSE BILL 499**

- 1 (i) Except as limited by federal requirements, temporary cash assistance shall 2 be determined with due regard to the available resources and necessary expenditures 3 of the family and the conditions existing in each case and shall be sufficient, when 4 added to all other income and support available to the child, to provide the child with 5 a reasonable subsistence compatible with decency and health. THE SECRETARY MAY NOT INCLUDE IN REGULATIONS ADOPTED UNDER 6 7 THIS SUBTITLE A PROVISION THAT WOULD COUNT AS UNEARNED INCOME ANY 8 SUPPORT PAYMENTS DISBURSED TO THE FAMILY PURSUANT TO § 10-108.5 OF THE 9 FAMILY LAW ARTICLE. 10 **Article - Family Law** 11 10-108.5. (A) The Administration shall establish a State disbursement unit for collection 13 and disbursement of support payments in any case in which: 14 (1) an assignment is made under Article 88A, § 50(b)(2) of the Code; 15 an obligee files an application and pays a fee for child support 16 services as required by the Administration; or 17 an employer is required to send payments to a support enforcement (3) 18 agency. ANY SUPPORT PAYMENTS IN A CASE IN WHICH AN ASSIGNMENT IS MADE 19 20 UNDER ARTICLE 88A, § 50(B)(2) OF THE CODE SHALL, TO THE EXTENT PERMITTED BY
- 21 FEDERAL LAW, BE DISBURSED TO THE PARENT CUSTODIAN OR RELATIVE
- 22 CARETAKER OF THE CHILD FOR WHOM THE PAYMENT WAS MADE.
- 23 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
- 24 October 1, 2000.