

Department of Legislative Services
Maryland General Assembly
2000 Session

FISCAL NOTE

House Bill 396 (Delegate Grosfeld. *et al.*)

Judiciary

Family Law - Child Support Guidelines

This bill provides that when making a determination whether the court's guidelines could be rebutted as unjust or inappropriate in a child support award case, the court must not base the rebuttal solely on either parent's duty to support other children in the household. The bill only applies to those cases filed on or after the bill's October 1, 2000, effective date.

Fiscal Summary

State Effect: Potential minimal effect on special fund revenues. Collections of child support on behalf of Temporary Cash Assistance (TCA) recipients could either increase or decrease due to the bill's provisions.

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law: A court must use the child support guidelines in the Family Law Article in any proceeding to establish or modify child support. 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 of an unjust or inappropriate application of the guidelines 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: The net effect of the bill on child support collections from noncustodial parents cannot be reliably estimated at this time, but is expected to be minimal. 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 as special funds and 50% to the federal government.

Additional Information

Prior Introductions: A similar bill, SB 709, was introduced in the 1999 session, but was withdrawn after a hearing.

Cross File: None.

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

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