HOUSE BILL 883

Unofficial Copy O1 HB 499/00 - APP 2001 Regular Session 1lr1935 CF SB 760

By: Delegate Shriver

Introduced and read first time: February 9, 2001

Assigned to: Appropriations

A BILL ENTITLED

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1	$\Delta I I$	ΔCI	COHCCHIIII

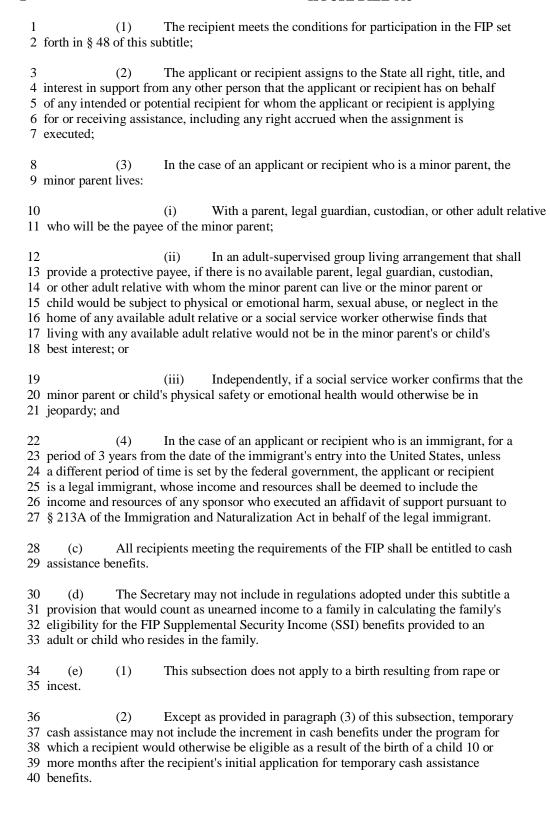
2 Child Support - Pass-Through to Public Assistance Recipients

- 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 2000 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 2000 Supplement)
- 21 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
- 22 MARYLAND, That the Laws of Maryland read as follows:

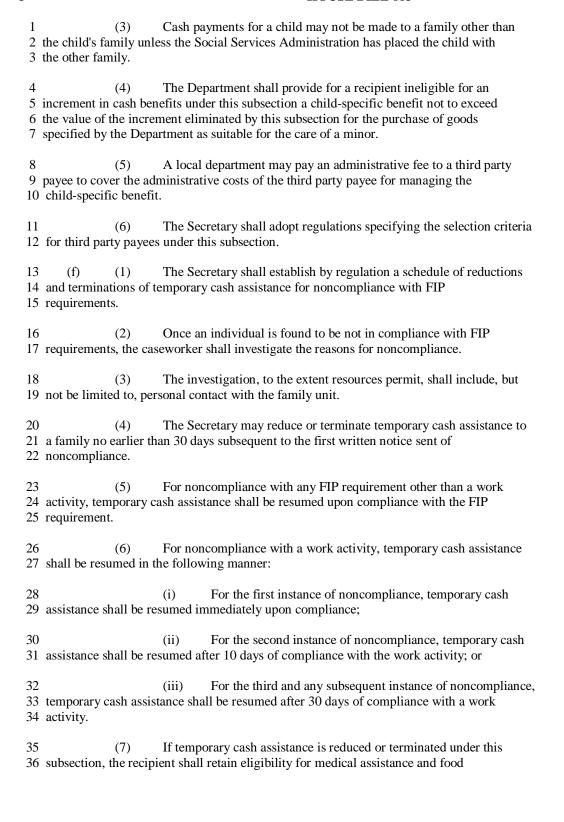
23 Article 88A - Department of Human Resources

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:



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	stamps, as lor requirements		recipient	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.		
6 7	(g) the recipient	(1) may rece		mination of temporary cash assistance under this section, itional assistance.		
10		instead t	, the FIP	seworker determines that the local department shall provide benefit that would have been paid to the recipient party payee on behalf of the recipient for a period of up		
				ent who has received transitional assistance may apply for shall be furnished with reasonable promptness to all		
15 16		(4) one or mo		d party payee shall provide transitional assistance to the following forms:		
17			(i)	Counseling;		
18			(ii)	Housing;		
19			(iii)	Child care;		
20			(iv)	Household supplies and equipment;		
21			(v)	Direct assistance other than a cash payment; and		
22 23		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.					
	(6) A local department may pay an administrative fee to a third party payee to cover the administrative costs of the third party payee for providing the services described in paragraph (4) of this subsection.					
30 31		(7) he furthe		on of the funds provided through transitional assistance may sectarian religious instruction.		
32 33	for third part	(8) ty payees		retary shall adopt regulations specifying the selection criteria is subsection.		
34 35	34 (h) Except as limited by federal requirements, temporary cash assistance shall 35 be determined with due regard to the available resources and necessary expenditures					

- 1 of the family and the conditions existing in each case and shall be sufficient, when
- 2 added to all other income and support available to the child, to provide the child with
- 3 a reasonable subsistence compatible with decency and health.
- 4 (I) THE SECRETARY MAY NOT INCLUDE IN REGULATIONS ADOPTED UNDER
- 5 THIS SUBTITLE A PROVISION THAT WOULD COUNT AS UNEARNED INCOME ANY
- 6 SUPPORT PAYMENTS DISBURSED TO THE FAMILY PURSUANT TO § 10-108.5 OF THE
- 7 FAMILY LAW ARTICLE.
- 8 Article Family Law
- 9 10-108.5.
- 10 (A) The Administration shall establish a State disbursement unit for collection
- 11 and disbursement of support payments in any case in which:
- 12 (1) an assignment is made under Article 88A, § 50(b)(2) of the Code;
- 13 (2) an obligee files an application and pays a fee for child support 14 services as required by the Administration; or
- 15 an employer is required to send payments to a support enforcement 16 agency.
- 17 (B) ANY SUPPORT PAYMENTS IN A CASE IN WHICH AN ASSIGNMENT IS MADE
- 18 UNDER ARTICLE 88A, § 50(B)(2) OF THE CODE SHALL, TO THE EXTENT PERMITTED BY
- 19 FEDERAL LAW, BE DISBURSED TO THE PARENT CUSTODIAN OR RELATIVE
- 20 CARETAKER OF THE CHILD FOR WHOM THE PAYMENT WAS MADE.
- 21 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
- 22 October 1, 2001.