Unofficial Copy D4 2004 Regular Session 4lr1811 CF 4lr1835

By: **Senators Grosfeld, Giannetti, and Gladden** Introduced and read first time: January 29, 2004 Assigned to: Judicial Proceedings

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## A BILL ENTITLED

1	AN ACT concerning	
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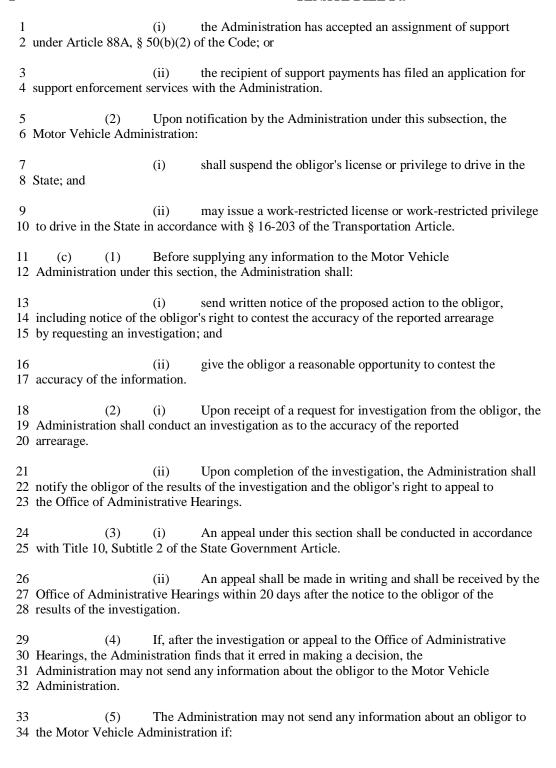
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- 3 FOR the purpose of prohibiting the Child Support Enforcement Administration from
- 4 sending to the Motor Vehicle Administration a notice that an obligor is a certain
- number of days out of compliance with a court order in making child support
- 6 payments under certain circumstances involving the incarceration of the obligor
- 7 at the time the arrearage began and accumulated; and generally relating to
- 8 child support arrearages.
- 9 BY repealing and reenacting, with amendments,
- 10 Article Family Law
- 11 Section 10-119
- 12 Annotated Code of Maryland
- 13 (1999 Replacement Volume and 2003 Supplement)
- 14 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
- 15 MARYLAND, That the Laws of Maryland read as follows:

## 16 Article - Family Law

- 17 10-119.
- 18 (a) (1) In this section the following words have the meanings indicated.
- 19 (2) "License" has the meaning stated in § 11-128 of the Transportation
- 20 Article.
- 21 "Motor Vehicle Administration" means the Motor Vehicle
- 22 Administration of the Department of Transportation.
- 23 (b) (1) Subject to the provisions of subsection (c) of this section, the
- 24 Administration shall notify the Motor Vehicle Administration of any obligor who is 60
- 25 days or more out of compliance with the most recent order of the court in making child
- 26 support payments if:

## **SENATE BILL 249**



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- 1 (i) 1. the Administration reaches an agreement with the obligor 2 regarding a scheduled payment of the obligor's child support arrearage or a court 3 issues an order for a scheduled payment of the child support arrearage; and 4 [(ii)] the obligor is complying with the agreement or court order; 5 (II)THE OBLIGOR IS INCARCERATED AND THE CHILD SUPPORT 6 ARREARAGE UNDER SUBSECTION (B)(1) OF THIS SECTION BEGAN AND 7 ACCUMULATED DURING THE PERIOD OF INCARCERATION; OR THE OBLIGOR WAS INCARCERATED WHEN THE CHILD 8 1. (III)9 SUPPORT ARREARAGE UNDER SUBSECTION (B)(1) OF THIS SECTION BEGAN AND 10 ACCUMULATED AND THE OBLIGOR SUBSEQUENTLY WAS RELEASED FROM 11 INCARCERATION; AND 12 2. WITHIN 180 DAYS AFTER BEING RELEASED FROM 13 INCARCERATION THE OBLIGOR REACHES AN AGREEMENT WITH THE 14 ADMINISTRATION REGARDING A SCHEDULED PAYMENT OF THE OBLIGOR'S CHILD 15 SUPPORT ARREARAGE OR A COURT ISSUES AN ORDER FOR A SCHEDULED PAYMENT 16 OF THE CHILD SUPPORT ARREARAGE AND THE OBLIGOR IS COMPLYING WITH THE 17 AGREEMENT OR COURT ORDER. 18 (d) If after information about an obligor is supplied to the Motor Vehicle 19 Administration the obligor's arrearage is paid in full or the obligor has demonstrated 20 good faith by paying the ordered amount of support for 6 consecutive months, the 21 Administration shall notify the Motor Vehicle Administration to reinstate the 22 obligor's license or privilege to drive. 23 The Secretary of Human Resources, in cooperation with the Secretary of 24 Transportation and the Office of Administrative Hearings, shall adopt regulations to 25 implement this section.
- 26 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect 27 October 1, 2004.