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By: **Delegate Dumais**

Introduced and read first time: February 3, 2005

Assigned to: Judiciary

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A BILL ENTITLED

1 AN ACT concerning

2 **Family Law - Use of Guidelines - Child Support**

3 FOR the purpose of establishing certain factors a court must consider when  
4 determining whether the application of the child support guidelines would be  
5 unjust; and generally relating to the use of the child support guidelines.

6 BY repealing and reenacting, with amendments,  
7 Article - Family Law  
8 Section 12-202(a)  
9 Annotated Code of Maryland  
10 (2004 Replacement Volume)

11 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
12 MARYLAND, That the Laws of Maryland read as follows:

13 **Article - Family Law**

14 12-202.

15 (a) (1) Subject to the provisions of paragraph (2) of this subsection, in any  
16 proceeding to establish or modify child support, whether pendente lite or permanent,  
17 the court shall use the child support guidelines set forth in this subtitle.

18 (2) (i) There is a rebuttable presumption that the amount of child  
19 support which would result from the application of the child support guidelines set  
20 forth in this subtitle is the correct amount of child support to be awarded.

21 (ii) The presumption may be rebutted by evidence that the  
22 application of the guidelines would be unjust or inappropriate in a particular case.

23 (iii) In determining whether the application of the guidelines would  
24 be unjust or inappropriate in a particular case, the court may consider:

25 1. the terms of any existing separation or property  
26 settlement agreement or court order, including any provisions for payment of  
27 mortgages or marital debts, payment of college education expenses, the terms of any

