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By: **Delegates Kelley, Holmes, Parker, V. Turner, and Vallario**

Introduced and read first time: January 18, 2006

Assigned to: Judiciary

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A BILL ENTITLED

1 AN ACT concerning

2 **Family Law - Child Support - Termination of Support Obligation**

3 FOR the purpose of establishing that a child support obligation required under a child  
4 support order automatically terminates without the necessity of a modification  
5 of the order under certain circumstances; requiring that a child support  
6 obligation for the support of multiple children be automatically reduced to a  
7 certain amount except under certain circumstances; requiring a court to specify  
8 in a child support order for the support of multiple children the amount of  
9 support required under the child support guidelines per child; providing for the  
10 application of this Act; and generally relating to child support.

11 BY repealing and reenacting, without amendments,  
12 Article - Family Law  
13 Section 12-104  
14 Annotated Code of Maryland  
15 (2004 Replacement Volume and 2005 Supplement)

16 BY adding to  
17 Article - Family Law  
18 Section 12-104.1 and 12-204.1  
19 Annotated Code of Maryland  
20 (2004 Replacement Volume and 2005 Supplement)

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

23 **Article - Family Law**

24 12-104.

25 (a) The court may modify a child support award subsequent to the filing of a  
26 motion for modification and upon a showing of a material change of circumstance.

27 (b) The court may not retroactively modify a child support award prior to the  
28 date of the filing of the motion for modification.

1 12-104.1.

2 (A) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, A  
3 CHILD SUPPORT OBLIGATION REQUIRED UNDER A CHILD SUPPORT ORDER  
4 AUTOMATICALLY TERMINATES FOR ANY CHILD SUBJECT TO THE ORDER WITHOUT  
5 THE NECESSITY OF A MODIFICATION OF THE ORDER UNDER § 12-104 OF THIS  
6 SUBTITLE WHEN THE FIRST OF THE FOLLOWING EVENTS OCCURS:

7 (I) THE CHILD DIES;

8 (II) THE CHILD MARRIES; OR

9 (III) THE CHILD ATTAINS THE AGE OF 18 YEARS.

10 (2) A CHILD SUPPORT OBLIGATION REQUIRED UNDER A CHILD SUPPORT  
11 ORDER AUTOMATICALLY TERMINATES FOR ANY CHILD SUBJECT TO THE ORDER WHO  
12 HAS ATTAINED THE AGE OF 18 YEARS AND WHO IS ENROLLED IN SECONDARY  
13 SCHOOL WITHOUT THE NECESSITY OF A MODIFICATION OF THE ORDER UNDER §  
14 12-104 OF THIS SUBTITLE WHEN THE FIRST OF THE FOLLOWING EVENTS OCCURS:

15 (I) THE CHILD DIES;

16 (II) THE CHILD MARRIES; OR

17 (III) THE CHILD ATTAINS THE AGE OF 19 YEARS.

18 (B) UNLESS OTHERWISE SPECIFIED IN THE CHILD SUPPORT ORDER, A CHILD  
19 SUPPORT OBLIGATION FOR THE SUPPORT OF MULTIPLE CHILDREN SHALL BE  
20 AUTOMATICALLY REDUCED TO THE AMOUNT SPECIFIED BY THE COURT UNDER §  
21 12-204.1 OF THIS TITLE FOR THE SUPPORT OF THE REMAINING NUMBER OF  
22 CHILDREN.

23 12-204.1.

24 FOR EACH CHILD SUPPORT ORDER FOR THE SUPPORT OF MULTIPLE CHILDREN,  
25 THE COURT SHALL SPECIFY IN THE ORDER THE AMOUNT OF SUPPORT REQUIRED  
26 PER CHILD UNDER THE CHILD SUPPORT GUIDELINES.

27 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be  
28 construed to apply only prospectively and may not be applied or interpreted to have  
29 any effect on or application to any child support order issued before the effective date  
30 of this Act.

31 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
32 October 1, 2006.