
By: **Delegate Dumais**

Introduced and read first time: January 27, 2006

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Family Law - Child Support - Deviation from Child Support Guidelines**

3 FOR the purpose of establishing certain factors that a court is required to consider
4 when determining whether the application of the child support guidelines would
5 be unjust or inappropriate in a particular case; and generally relating to the
6 child support guidelines.

7 BY repealing and reenacting, with amendments,
8 Article - Family Law
9 Section 12-202(a)
10 Annotated Code of Maryland
11 (2004 Replacement Volume and 2005 Supplement)

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

14 **Article - Family Law**

15 12-202.

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

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

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

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

26 1. the terms of any existing separation or property
27 settlement agreement or court order, including any provisions for payment of

