

(PRE-FILED)

By: **Senator Stone**

Requested: November 15, 2005

Introduced and read first time: January 11, 2006

Assigned to: Judicial Proceedings

Committee Report: Favorable

Senate action: Adopted

Read second time: February 8, 2006

CHAPTER _____

1 AN ACT concerning

2 **Family Law - Earnings Withholding - Notice of Change of Address or**
3 **Employment**

4 FOR the purpose of altering the manner in which an obligor subject to an earnings
5 withholding order is required to give notice of a change of address or
6 employment; altering the manner in which a recipient of support is required to
7 give notice of a change of address; specifying the time period within which notice
8 must be given; altering the contents of a certain statement required to be
9 included in certain orders and notices; and generally relating to earnings
10 withholding.

11 BY repealing and reenacting, with amendments,
12 Article - Family Law
13 Section 10-121(c), 10-131(a), and 10-132
14 Annotated Code of Maryland
15 (2004 Replacement Volume and 2005 Supplement)

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

18 **Article - Family Law**

19 10-121.

20 (c) Any support order or modification of support order not subject to
21 immediate withholding under § 10-123 of this subtitle, that is passed on or after July

1 1, 1985, and any notice and statement issued under subsection (b)(2) of this section
2 shall include a statement that:

3 (1) if the obligor accumulates support payments arrears amounting to
4 more than 30 days of support, the obligor shall be subject to earnings withholding;

5 (2) SO LONG AS THE SUPPORT ORDER IS IN EFFECT, the obligor is
6 required to notify the court [within 10 days] of:

7 (I) any change of address WITHIN 10 DAYS AFTER MOVING TO A
8 NEW ADDRESS; or

9 (II) ANY CHANGE OF employment WITHIN 10 DAYS AFTER
10 RECEIVING THE FIRST EARNINGS FROM A NEW EMPLOYER [so long as the support
11 order is in effect]; and

12 (3) failure to comply with item (2) of this subsection will subject the
13 obligor to a penalty not to exceed \$250 and may result in the obligor's not receiving
14 notice of proceedings for earnings withholding.

15 10-131.

16 (a) If the address of a recipient changes, the recipient, within [a reasonable
17 time] 10 DAYS AFTER MOVING TO THE NEW ADDRESS, shall send the change of
18 address [by certified mail, return receipt requested] to:

19 (1) the court:

20 (I) BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED; OR

21 (II) BY FILING IN PERSON AT THE COURT AND OBTAINING PROOF
22 OF FILING;

23 (2) the obligor, at the obligor's last known address, BY FIRST-CLASS
24 MAIL; and

25 (3) (i) each employer who has been served with a copy of the earnings
26 withholding order, BY FIRST-CLASS MAIL; or

27 (ii) if the support enforcement agency receives the support
28 payments, the support enforcement agency:

29 1. BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED; OR

30 2. IF THE AGENCY'S WEBSITE ALLOWS PARENTS TO UPDATE
31 ADDRESS INFORMATION, BY ENTERING THE NEW ADDRESS ON-LINE.

32 10-132.

33 If the address or place of employment of the obligor changes, the obligor, within
34 10 days AFTER MOVING TO A NEW ADDRESS OR RECEIVING THE FIRST EARNINGS

1 FROM A NEW EMPLOYER, shall send the change of address or new place of
2 employment [by certified mail, return receipt requested,] to:

3 (1) the court:

4 (I) BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED; OR

5 (II) BY FILING IN PERSON AT THE COURT AND OBTAINING PROOF
6 OF FILING; and

7 (2) (I) IF THE RECIPIENT RECEIVES THE SUPPORT PAYMENTS, the
8 recipient, BY FIRST-CLASS MAIL; or

9 (II) if the support enforcement agency receives the support
10 payments, the support enforcement agency:

11 1. BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED; OR

12 2. IF THE AGENCY'S WEBSITE ALLOWS PARENTS TO UPDATE
13 ADDRESS AND EMPLOYMENT INFORMATION, BY ENTERING THE NEW ADDRESS OR
14 PLACE OF EMPLOYMENT ON-LINE.

15 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
16 October 1, 2006.