

HOUSE BILL 463

D4, O1

8lr0811

By: **Delegate Kach**

Introduced and read first time: January 30, 2008

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Child Support Enforcement Administration – Collection of Fees**

3 FOR the purpose of requiring the Child Support Enforcement Administration to assess
4 against and attempt to collect from an obligor certain application and collection
5 fees charged to an obligee; providing for certification and interception of certain
6 amounts; and generally relating to the assessment and collection of certain fees
7 for child support enforcement.

8 BY repealing and reenacting, with amendments,
9 Article – Family Law
10 Section 10–110 and 10–113(c) and (f)
11 Annotated Code of Maryland
12 (2006 Replacement Volume and 2007 Supplement)

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

15 **Article – Family Law**

16 10–110.

17 (a) [The] **SUBJECT TO SUBSECTION (B) OF THIS SECTION, THE**
18 Administration may:

19 (1) charge an initial application fee of not more than \$25 for support
20 services;

21 (2) deduct **A CHARGE** from the [child support payment] **PROCEEDS** to
22 defray the cost of providing support enforcement services under:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (i) the Income Tax Refund Intercept Program under this
2 subtitle; and

3 (ii) the Federal Treasury Offset Program;

4 (3) collect fees from the obligor to defray the costs of providing support
5 enforcement services; and

6 (4) deduct from child support payments an annual collection fee of \$25
7 for cases in which the family never received temporary cash assistance and has
8 received at least \$500 in child support payments during the federal fiscal year.

9 (b) **(1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS**
10 **SUBSECTION, THE ADMINISTRATION SHALL ASSESS AGAINST AND ATTEMPT TO**
11 **COLLECT FROM THE OBLIGOR ANY AMOUNTS CHARGED TO THE OBLIGEE OR**
12 **DEDUCTED FROM PAYMENTS TO THE OBLIGEE UNDER SUBSECTION (A) OF THIS**
13 **SECTION.**

14 **(2) THIS SUBSECTION DOES NOT APPLY TO ANY AMOUNTS**
15 **DEDUCTED TO DEFRAY THE COST OF PROVIDING SUPPORT ENFORCEMENT**
16 **SERVICES UNDER THE FEDERAL TREASURY OFFSET PROGRAM.**

17 (C) Except as provided in subsection (a) of this section, the Administration
18 may not:

19 (1) collect fees from the child support obligee; or

20 (2) deduct fees from the child support payment.

21 10–113.

22 (c) The certification shall include, if known:

23 (1) the full name of the obligor, and any other names known to be used
24 by the obligor;

25 (2) the address and the Social Security number of the obligor; and

26 (3) the amount of the arrearage **PLUS ANY AMOUNTS ASSESSED TO**
27 **COVER ANY APPLICATION OR COLLECTION FEES CHARGED BY THE**
28 **ADMINISTRATION.**

29 (f) The State Comptroller shall:

1 (1) withhold and pay to the Administration any income tax refund due
2 to the obligor, in an amount not more than the amount [of the arrearage] **CERTIFIED**
3 **BY THE ADMINISTRATION;**

4 (2) pay to the obligor any part of the income tax refund over the
5 amount [of the arrearage] **CERTIFIED BY THE ADMINISTRATION;** and

6 (3) notify the obligor of:

7 (i) the amount paid to the Administration; and

8 (ii) the rights of the obligor under subsection (g) of this section.

9 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
10 October 1, 2008.