

HOUSE BILL 501

D4

1lr1538

By: **Delegates Kach, Lafferty, and Olszewski**

Introduced and read first time: February 7, 2011

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Family Law – Child Support Collection Fee**

3 FOR the purpose of increasing the amount of child support payments that a family is
4 required to receive before the Child Support Enforcement Administration is
5 authorized to deduct a certain collection fee; and generally relating to child
6 support.

7 BY repealing and reenacting, with amendments,
8 Article – Family Law
9 Section 10–110
10 Annotated Code of Maryland
11 (2006 Replacement Volume and 2010 Supplement)

12 BY repealing and reenacting, without amendments,
13 Chapter 483 of the Acts of the General Assembly of 2007, as amended by
14 Chapter 162 of the Acts of the General Assembly of 2008
15 Section 2

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 10–110.

20 (a) The Administration may:

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(2) deduct from the child support payment to defray the cost of providing support enforcement services under:

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

(ii) the Federal Treasury Offset Program;

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

(4) deduct from child support payments an annual collection fee of \$25 for cases in which the family never received temporary cash assistance and has received at least ~~[\$3,500]~~ **\$12,000** in child support payments during the federal fiscal year.

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

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

(2) deduct fees from the child support payment.

Chapter 483 of the Acts of 2007, as amended by Chapter 162 of the Acts of 2008

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2007. If the requirement enacted by the Deficit Reduction Act of 2005 (P.L. 109–171, § 7310) that the State impose an annual fee of \$25 for each case in which child support collection services are furnished to an individual who has never received Temporary Cash Assistance and for whom the State has collected at least \$500 is repealed, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect as of the effective date of the repeal of the federal requirement. If the federal requirement is repealed, the Secretary of Human Resources shall notify the Department of Legislative Services within 10 days after the enactment of the repeal.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2011.