

Department of Legislative Services  
Maryland General Assembly  
2011 Session

FISCAL AND POLICY NOTE

House Bill 424  
Judiciary

(Delegate Dumais)

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Child Support - Age of Majority - Orders Issued Prior to 2002

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This bill alters Chapter 180 of 2002 to establish that the legislative change making a person age 18 who is enrolled in secondary school a minor who has the right to receive child support and maintenance from both parents applies retroactively to a child support order issued before October 1, 2002, the effective date of Chapter 180. The bill does not revive a parent's obligation to support a child who attained the age of 18 before the bill's effective date.

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Fiscal Summary

**State Effect:** Minimal increase in special fund revenues to the extent that the bill increases the amount of child support collected from Temporary Cash Assistance (TCA) recipients. Expenditures are not affected.

**Local Effect:** None.

**Small Business Effect:** None.

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Analysis

**Current Law:** Chapter 180 of 2002 altered the definition of "minor" to establish that a person who is 18 years old and enrolled in secondary school is considered a minor and has the right to receive support and maintenance from both parents until the person dies, marries, is emancipated, graduates from or is no longer enrolled in secondary school, or reaches age 19, whichever occurs first. The law is considered to be a material change of circumstances for purposes of modifying a child support order issued before the October 1, 2002 effective date.

**State Revenues:** TCA recipients must assign their support rights to the State and federal governments as partial reimbursement for payments made on behalf of the child of the obligor. As a result, TCA child support collections are distributed 50% to the State and 50% to the federal government. Because the bill requires the continuation of child support for additional children who attain age 18 and are in secondary school, special fund revenues may increase to the extent that the amount of child support collected on behalf of TCA recipients increases. Any such increase cannot be quantified due to the unavailability of data, but is not expected to be significant.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Department of Human Resources, Comptroller's Office, Judiciary (Administrative Office of the Courts), Department of Legislative Services

**Fiscal Note History:** First Reader - February 22, 2011  
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