

HOUSE BILL 1266

D4

0lr3084

By: **Delegates McComas, Arian, Buckel, Chisholm, Ciliberti, Cox, Hornberger, Krebs, Malone, Shoemaker, and Szeliga**
Introduced and read first time: February 7, 2020
Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Child Support – Modification – Credit Toward Arrearage**

3 FOR the purpose of requiring that, if the court modifies a child support award on the basis
4 of the occurrence of a certain event, any overpayment made by a certain child support
5 obligor be credited to the arrears owed by the obligor; providing for the application
6 of this Act; and generally relating to child support.

7 BY repealing and reenacting, with amendments,

8 Article – Family Law

9 Section 12–104

10 Annotated Code of Maryland

11 (2019 Replacement Volume)

12 BY repealing and reenacting, without amendments,

13 Article – General Provisions

14 Section 1–401

15 Annotated Code of Maryland

16 (2019 Replacement Volume)

17 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

18 That the Laws of Maryland read as follows:

19 **Article – Family Law**

20 12–104.

21 (a) The court may modify a child support award subsequent to the filing of a
22 motion for modification and upon a showing of a material change of circumstance.

23 (b) The court may not retroactively modify a child support award prior to the date

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



