

HOUSE BILL 1144

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6lr2531

By: **Delegate Crutchfield**

Introduced and read first time: February 11, 2026

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Child Support – Adjusted Actual Income – Definition**

3 FOR the purpose of altering the definition of “adjusted actual income” under the State child
4 support guidelines; and generally relating to child support.

5 BY repealing and reenacting, without amendments,
6 Article – Family Law
7 Section 12–201(a) and (p) and 12–204(a)
8 Annotated Code of Maryland
9 (2019 Replacement Volume and 2025 Supplement)

10 BY repealing and reenacting, with amendments,
11 Article – Family Law
12 Section 12–201(c)
13 Annotated Code of Maryland
14 (2019 Replacement Volume and 2025 Supplement)

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

Article – Family Law

18 12–201.

19 (a) In this subtitle the following words have the meanings indicated.

20 (c) (1) “Adjusted actual income” means actual income minus:

21 (i) preexisting reasonable child support obligations actually paid;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (ii) except as provided in § 12–204(a)(2) of this subtitle, alimony or
2 maintenance obligations actually paid; and

3 (iii) an allowance for support for each child living in a parent’s home
4 to whom the parent owes a legal duty of support if the child is considered to be spending
5 more than [92 overnights] **25% OF THE CHILD’S OVERNIGHTS (AT LEAST 92**
6 **OVERNIGHTS)** in the parent’s home in a year and not subject to the support order.

7 (2) For purposes of determining the amount of the allowance under
8 paragraph (1)(iii) of this subsection:

9 (i) the basic child support obligation for each additional child in the
10 parent’s home shall be determined in accordance with § 12–204 of this subtitle, using only
11 the actual income of the parent entitled to the deduction; and

12 (ii) the amount determined under item (i) of this paragraph shall be
13 multiplied by 75%.

14 (3) The court shall decline to award an allowance under paragraph (1) of
15 this subsection if the court finds, after considering the evidence and the best interest of the
16 child for whom support is being determined, that the application of an allowance would be
17 unjust or inappropriate.

18 (p) “Shared physical custody adjustment” means the adjustment made to a
19 theoretical adjusted basic child support obligation in a shared physical custody case when
20 a parent keeps the child or children overnight for more than 25% (at least 92 overnights),
21 but less than 30% (not more than 109 overnights), of the year.

22 12–204.

23 (a) (1) The basic child support obligation shall be determined in accordance
24 with the schedule of basic child support obligations in subsection (e) of this section. The
25 basic child support obligation shall be divided between the parents in proportion to their
26 adjusted actual incomes.

27 (2) (i) If one or both parents have made a request for alimony or
28 maintenance in the proceeding in which a child support award is sought, the court shall
29 decide the issue and amount of alimony or maintenance before determining the child
30 support obligation under these guidelines.

31 (ii) If the court awards alimony or maintenance, the amount of
32 alimony or maintenance awarded shall be considered actual income for the recipient of the
33 alimony or maintenance and shall be subtracted from the income of the payor of the alimony
34 or maintenance under § 12–201(c)(1)(ii) of this subtitle before the court determines the
35 amount of a child support award.

1 (3) The amount of the allowance for the support of additional children
2 living in a parent's home described in § 12-201(c)(1)(iii) of this subtitle shall be subtracted
3 from the parent's actual income before the court determines the amount of a child support
4 award.

5 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
6 October 1, 2026.