

HOUSE BILL 1490

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By: **Delegates Shetty, Acevero, Cullison, Hill, D. Jones, Kaufman, Lehman, Lewis, McCaskill, Palakovich Carr, Ruff, Smith, Solomon, and Woods**

Introduced and read first time: February 13, 2026

Assigned to: Appropriations

A BILL ENTITLED

1 AN ACT concerning

2 **Family Investment Program – Temporary Cash Assistance – Good Cause and**
3 **Adequate Reason Exceptions**

4 FOR the purpose of prohibiting the Department of Human Services from denying an
5 application or reducing or terminating temporary cash assistance from an individual
6 if the individual has good cause or an adequate reason for noncooperation with child
7 support under certain criteria; requiring the Secretary of Human Services to
8 establish certain criteria for determining good cause for noncooperation with child
9 support; requiring the Child Support Enforcement Agency to determine that there is
10 adequate reason for noncooperation with child support using certain criteria; and
11 generally relating to temporary cash assistance.

12 BY repealing and reenacting, without amendments,
13 Article – Human Services
14 Section 5–101(c) and 5–308(c)
15 Annotated Code of Maryland
16 (2019 Replacement Volume and 2025 Supplement)

17 BY adding to
18 Article – Human Services
19 Section 5–308(d) through (g)
20 Annotated Code of Maryland
21 (2019 Replacement Volume and 2025 Supplement)

22 BY repealing and reenacting, with amendments,
23 Article – Human Services
24 Section 5–308(d) and 5–312(e)
25 Annotated Code of Maryland
26 (2019 Replacement Volume and 2025 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

3 **Article – Human Services**

4 5–101.

5 (c) “Department” means the Department of Human Services.

6 5–308.

7 (c) (1) Assistance for an individual may not be reduced or terminated for
8 noncompliance with the work activity requirement if the individual has good cause under
9 the criteria established by the Secretary.

10 (2) The criteria shall provide that any of the following are sufficient to show
11 good cause:

12 (i) temporary illness or incapacity;

13 (ii) court–required appearances or temporary incarceration;

14 (iii) domestic violence;

15 (iv) a family crisis that threatens normal family functioning,
16 including:

17 1. experiencing homelessness whereby a family:

18 A. lacks a fixed, regular, and adequate nighttime residence,
19 or shares the housing of other persons due to the loss of housing, economic hardship, or a
20 similar reason;

21 B. lives in a motel, hotel, trailer park, or camping ground due
22 to a lack of alternative accommodations;

23 C. lives in an emergency shelter or transitional housing;

24 D. resides in a primary nighttime residence that is a public
25 or private place not designed for or ordinarily used as a regular sleeping accommodation
26 for human beings; or

27 E. lives in a car park, public space, vacant or abandoned
28 building, substandard housing, bus station, train station, or similar setting;

29 2. a housing crisis, including eviction, foreclosure, or other
30 loss of housing; or

1 (IV) COOPERATION RISKS DISCOURAGING THE NONCUSTODIAL
2 PARENT OR OTHER RELATIVES OF THE CHILD FROM MAINTAINING A RELATIONSHIP
3 WITH THE CHILD OR PROVIDING EMOTIONAL OR OTHER SUPPORT; OR

4 (V) COOPERATION IS OTHERWISE NOT IN THE CHILD'S BEST
5 INTEREST.

6 (3) (I) THE DEPARTMENT IS RESPONSIBLE FOR GRANTING GOOD
7 CAUSE TO AN INDIVIDUAL FOR NONCOOPERATION WITH CHILD SUPPORT.

8 (II) IN THE PROCESS OF GRANTING GOOD CAUSE, THE LOCAL
9 DEPARTMENT MAY NOT CONTACT THE NONCUSTODIAL PARENT FROM WHOM
10 SUPPORT WOULD BE SOUGHT.

11 (4) (I) AN INDIVIDUAL WHO CLAIMS GOOD CAUSE UNDER THIS
12 SUBTITLE IS NOT REQUIRED TO PRODUCE WRITTEN EVIDENCE.

13 (II) THE DEPARTMENT MAY NOT REQUIRE THIRD-PARTY
14 VERIFICATION TO PROVE GOOD CAUSE.

15 (III) AN ORAL OR WRITTEN STATEMENT BY THE INDIVIDUAL
16 SHALL BE SUFFICIENT TO PROVE GOOD CAUSE.

17 (IV) IF AN INDIVIDUAL NEEDS ASSISTANCE, THE DEPARTMENT
18 SHALL ASSIST THE INDIVIDUAL IN PREPARING A WRITTEN STATEMENT ON A
19 STANDARDIZED FORM CREATED BY THE SECRETARY.

20 (V) THE DEPARTMENT MAY NOT REQUIRE A WRITTEN
21 STATEMENT TO BE NOTARIZED OR BE IN ANY OTHER FORMAT THAT IMPOSES A COST
22 ON THE INDIVIDUAL.

23 (5) BEFORE REFERRING AN INDIVIDUAL TO THE CHILD SUPPORT
24 ENFORCEMENT AGENCY, THE DEPARTMENT SHALL:

25 (I) ADVISE ALL INDIVIDUALS ON THE AVAILABILITY OF CHILD
26 SUPPORT PASS-THROUGH AND DISREGARD;

27 (II) ADVISE ALL INDIVIDUALS OF THE RIGHT OF THE
28 INDIVIDUAL TO CLAIM GOOD CAUSE TO NOT COOPERATE WITH CHILD SUPPORT, THE
29 CRITERIA FOR GOOD CAUSE, AND THE TIME FRAME AND PROCESS FOR REQUESTING
30 GOOD CAUSE;

1 **(III) AT A MINIMUM, PROVIDE THE ADVICE REQUIRED UNDER**
2 **THIS PARAGRAPH:**

3 1. **IN WRITING ON THE APPLICATION FOR ASSISTANCE;**

4 2. **ORALLY DURING A PHONE INTERVIEW OR AN**
5 **IN-PERSON INTERVIEW;**

6 3. **IN ALL WRITTEN NOTICES ABOUT CHILD SUPPORT**
7 **COMPLIANCE OR NONCOMPLIANCE; AND**

8 4. **IN ALL ORAL COMMUNICATION ABOUT CHILD**
9 **SUPPORT COMPLIANCE OR NONCOMPLIANCE;**

10 **(IV) PROVIDE AN INDIVIDUAL WITH AN OPPORTUNITY TO CLAIM**
11 **GOOD CAUSE; AND**

12 **(V) ASK IF AN INDIVIDUAL NEEDS ASSISTANCE IN OBTAINING**
13 **GOOD CAUSE AND PROVIDE ASSISTANCE WHEN REQUESTED.**

14 **(E) (1) THE DEPARTMENT MAY NOT DENY AN APPLICATION OR**
15 **TERMINATE ASSISTANCE IF AN INDIVIDUAL HAS ADEQUATE REASON FOR**
16 **NONCOOPERATION WITH CHILD SUPPORT.**

17 **(2) THE DEPARTMENT SHALL CONSIDER AS SUFFICIENT**
18 **JUSTIFICATION FOR NONCOOPERATION WITH CHILD SUPPORT CIRCUMSTANCES**
19 **BEYOND AN INDIVIDUAL'S CONTROL, INCLUDING:**

20 **(I) DELIVERY OF MAIL FROM THE CHILD SUPPORT**
21 **ENFORCEMENT AGENCY TO AN INCORRECT ADDRESS;**

22 **(II) NATURAL DISASTER OR CIVIL DISORDER;**

23 **(III) CRITICAL ILLNESS;**

24 **(IV) A FAMILY CRISIS REQUIRING AN INDIVIDUAL'S FULL**
25 **ATTENTION; AND**

26 **(V) TRAVEL BY AN INDIVIDUAL AWAY FROM HOME, BOTH IN THE**
27 **PERIOD DURING WHICH THE DEPARTMENT MAILED NOTICES AND DURING WHICH**
28 **THE DEPARTMENT SCHEDULED APPOINTMENTS.**

1 **(3) THE CHILD SUPPORT ENFORCEMENT AGENCY SHALL**
2 **DETERMINE THAT THERE IS ADEQUATE REASON FOR AN INDIVIDUAL'S**
3 **NONCOOPERATION WITH CHILD SUPPORT USING THE CRITERIA UNDER PARAGRAPH**
4 **(2) OF THIS SUBSECTION.**

5 **(F) AN INDIVIDUAL MAY REQUEST AND RECEIVE A DETERMINATION THAT**
6 **THERE IS GOOD CAUSE OR ADEQUATE REASON FOR NONCOOPERATION WITH CHILD**
7 **SUPPORT AT ANY TIME DURING THE APPLICATION AND CERTIFICATION PERIOD.**

8 **(G) (1) (I) THE DEPARTMENT SHALL INFORM AN INDIVIDUAL WHO**
9 **DOES NOT PROVIDE THE REQUESTED INFORMATION RELATED TO CHILD SUPPORT**
10 **THAT THE INDIVIDUAL MAY ATTEST TO THE LACK OF INFORMATION.**

11 **(II) THE DEPARTMENT SHALL OFFER ASSISTANCE WITH**
12 **PREPARING THE ATTESTATION UNDER THIS SUBSECTION.**

13 **(2) THE DEPARTMENT SHALL CONSIDER AN INDIVIDUAL WHO**
14 **ATTESTS TO THE LACK OF INFORMATION TO BE IN COOPERATION WITH CHILD**
15 **SUPPORT.**

16 **[(d)] (H)** Subject to the State budget, a legal immigrant is entitled to assistance
17 under this subtitle if the immigrant:

18 (1) meets FIP eligibility requirements under this subtitle and any other
19 requirements imposed by the State; and

20 (2) (i) arrived in the United States before August 22, 1996; or

21 (ii) arrived in the United States on or after August 22, 1996 and is
22 not eligible for federally funded cash assistance.

23 5-312.

24 (e) (1) (i) The local department shall impose a 30% reduction of the portion
25 of a recipient's grant amount designated for the adult member or members, minor parent
26 or parents, or pregnant individual if an adult member, minor parent, or pregnant individual
27 is found to be in noncompliance, without good cause, with FIP work activity requirements.

28 (ii) The portion of the grant amount designated for the child or
29 children of the assistance unit may not be reduced or terminated based on noncompliance
30 by an adult member's or minor parent's noncompliance with FIP work activity
31 requirements.

1 (2) The local department shall impose a 25% reduction of the entire grant
2 amount if an adult member or minor parent is found to be in noncompliance without
3 adequate reason or good cause with child support requirements.

4 (3) (i) If a recipient is found to be in noncompliance with FIP
5 requirements, the local department shall provide a 30-day conciliation period for each
6 instance of noncompliance.

7 (ii) During the 30-day conciliation period, the case manager shall
8 advise the recipient of the noncompliance, and help the recipient to comply by:

9 1. investigating the reasons for noncompliance, including by
10 personally contacting the family of the recipient;

11 2. evaluating and preparing a written determination of
12 whether the recipient qualifies for an exemption or good cause under § 5-308(b) [or], (c),
13 **(D), OR (E)** of this subtitle;

14 3. sending the recipient a letter offering a conciliation
15 conference; and

16 4. assisting the recipient in identifying and resolving any
17 barriers to compliance.

18 (4) The Secretary may not reduce or terminate temporary cash assistance
19 to a family until 30 days after the day on which the first written notice of noncompliance
20 was sent to the recipient.

21 (5) For noncompliance with a FIP requirement, the full amount of
22 temporary cash assistance shall resume on compliance with the FIP requirement.

23 (6) If temporary cash assistance is reduced or terminated under this
24 subsection, a recipient shall retain eligibility for medical assistance and food stamps, as
25 long as the recipient meets the medical assistance and food stamp program requirements.

26 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
27 1, 2026.