

HOUSE BILL 1490

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6lr2684

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

Committee Report: Favorable

House action: Adopted with floor amendments

Read second time: March 2, 2026

CHAPTER _____

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 Family Investment Program to determine that there is good
10 cause for noncooperation with child support using certain criteria; requiring the
11 Child Support ~~Enforcement Agency~~ Administration to determine that there is
12 adequate reason for noncooperation with child support using certain criteria; and
13 generally relating to temporary cash assistance.

14 BY repealing and reenacting, without amendments,
15 Article – Human Services
16 Section ~~5–101(e)~~ 5–101(c) and (e), 5–301(c), and 5–308(c)
17 Annotated Code of Maryland
18 (2019 Replacement Volume and 2025 Supplement)

19 BY adding to
20 Article – Human Services
21 Section 5–308(d) through (g)
22 Annotated Code of Maryland

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



(2019 Replacement Volume and 2025 Supplement)

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

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

Article – Human Services

5–101.

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

(e) “Local department” means:

(1) a local department of social services created or continued in a county under § 3–201 of this article; or

(2) in Montgomery County, the Montgomery County government.

5–301.

(c) “FIP” means the Family Investment Program.

5–308.

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

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

(i) temporary illness or incapacity;

(ii) court–required appearances or temporary incarceration;

(iii) domestic violence;

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

1. experiencing homelessness whereby a family:

- 1 A. lacks a fixed, regular, and adequate nighttime residence,
2 or shares the housing of other persons due to the loss of housing, economic hardship, or a
3 similar reason;
- 4 B. lives in a motel, hotel, trailer park, or camping ground due
5 to a lack of alternative accommodations;
- 6 C. lives in an emergency shelter or transitional housing;
- 7 D. resides in a primary nighttime residence that is a public
8 or private place not designed for or ordinarily used as a regular sleeping accommodation
9 for human beings; or
- 10 E. lives in a car park, public space, vacant or abandoned
11 building, substandard housing, bus station, train station, or similar setting;
- 12 2. a housing crisis, including eviction, foreclosure, or other
13 loss of housing; or
- 14 3. receiving a utility disconnection notice or having a utility
15 disconnected;
- 16 (v) a breakdown in transportation arrangements;
- 17 (vi) a breakdown in child care arrangements or lack of child care for
18 a child or children who are 12 years old or younger;
- 19 (vii) for a single parent caring for a child younger than 6 years old
20 who is unable to obtain child care:
- 21 1. the unavailability of appropriate child care within a
22 reasonable distance from the parent's home or work site;
- 23 2. the unavailability or unsuitability of informal child care
24 by a relative or others; or
- 25 3. the unavailability or unsuitability of appropriate and
26 affordable child care arrangements;
- 27 (viii) a lack of supportive services identified and agreed on by an
28 individual and a local department; or
- 29 (ix) the failure of a local department to offer or provide a reasonable
30 accommodation to an individual with a disability.

1 (D) (1) IN THIS SUBSECTION, "GOOD CAUSE" MEANS THAT
 2 CIRCUMSTANCES EXIST IN WHICH COOPERATION WITH CHILD SUPPORT MAY BE
 3 AGAINST THE BEST INTEREST OF THE CHILD.

4 (2) (I) THE FIP SHALL DETERMINE THAT AN INDIVIDUAL HAS
 5 GOOD CAUSE FOR NONCOOPERATION WITH CHILD SUPPORT IF CIRCUMSTANCES
 6 EXIST IN WHICH COOPERATION BY THE INDIVIDUAL WITH CHILD SUPPORT MAY BE
 7 AGAINST THE BEST INTEREST OF THE CHILD.

8 (II) ~~THE DEPARTMENT~~ FIP MAY NOT DENY AN APPLICATION OR
 9 REDUCE OR TERMINATE ASSISTANCE IF AN INDIVIDUAL HAS GOOD CAUSE FOR
 10 NONCOOPERATION WITH CHILD SUPPORT UNDER CRITERIA ESTABLISHED BY THE
 11 SECRETARY.

12 ~~(2)~~ (3) THE CRITERIA ESTABLISHED BY THE SECRETARY SHALL
 13 PROVIDE THAT AN INDIVIDUAL HAS GOOD CAUSE FOR NONCOOPERATION IF THE
 14 INDIVIDUAL STATES THAT:

15 (I) COOPERATION RISKS PHYSICAL OR EMOTIONAL HARM TO
 16 OR RETALIATION AGAINST THE CHILD OR THE RELATIVE WITH WHOM THE CHILD
 17 RESIDES;

18 (II) THE CHILD FOR WHOM SUPPORT IS SOUGHT WAS
 19 CONCEIVED AS A RESULT OF INCEST OR RAPE;

20 (III) PROCEEDINGS FOR THE ADOPTION OF THE CHILD ARE
 21 PENDING OR UNDER CONSIDERATION; OR

22 (IV) COOPERATION RISKS DISCOURAGING ~~THE~~ A
 23 NONCUSTODIAL PARENT OR OTHER RELATIVES OF THE CHILD FROM MAINTAINING
 24 A RELATIONSHIP WITH THE CHILD OR PROVIDING EMOTIONAL OR OTHER SUPPORT;
 25 ~~OR~~

26 ~~(V) COOPERATION IS OTHERWISE NOT IN THE CHILD'S BEST~~
 27 ~~INTEREST.~~

28 ~~(3)~~ (4) (I) THE ~~DEPARTMENT~~ FIP IS RESPONSIBLE FOR
 29 GRANTING GOOD CAUSE TO AN INDIVIDUAL FOR NONCOOPERATION WITH CHILD
 30 SUPPORT.

31 (II) IN THE PROCESS OF GRANTING GOOD CAUSE, ~~THE~~ A FIP
 32 WORKER AT A LOCAL ~~DEPARTMENT~~ DEPARTMENT MAY NOT CONTACT THE
 33 NONCUSTODIAL PARENT FROM WHOM SUPPORT WOULD BE SOUGHT.

1 ~~(4)~~ (5) (I) AN INDIVIDUAL WHO CLAIMS GOOD CAUSE UNDER
2 THIS SUBTITLE IS NOT REQUIRED TO PRODUCE WRITTEN EVIDENCE.

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

5 (III) AN INDIVIDUAL MAY PROVIDE AN ORAL OR WRITTEN
6 STATEMENT BY THE INDIVIDUAL SHALL BE SUFFICIENT TO PROVE GOOD CAUSE.

7 (IV) IF AN INDIVIDUAL PROVIDES AN ORAL STATEMENT TO
8 PROVE GOOD CAUSE, A FIP WORKER AT A LOCAL DEPARTMENT SHALL DOCUMENT
9 THE ORAL STATEMENT.

10 (V) IF AN INDIVIDUAL NEEDS ASSISTANCE, ~~THE DEPARTMENT A~~
11 FIP WORKER AT A LOCAL DEPARTMENT SHALL ASSIST THE INDIVIDUAL IN
12 PREPARING A WRITTEN STATEMENT OR DOCUMENTING AN ORAL STATEMENT ON A
13 STANDARDIZED FORM CREATED BY THE SECRETARY DEPARTMENT.

14 ~~(V)~~ (VI) THE ~~DEPARTMENT~~ FIP MAY NOT REQUIRE A
15 WRITTEN STATEMENT TO BE NOTARIZED OR BE IN ANY OTHER FORMAT THAT
16 IMPOSES A COST ON THE INDIVIDUAL.

17 ~~(5)~~ (6) ~~BEFORE REFERRING AN INDIVIDUAL TO THE CHILD~~
18 SUPPORT ENFORCEMENT AGENCY DURING THE APPLICATION AND CERTIFICATION
19 PROCESS FOR ASSISTANCE, THE DEPARTMENT FIP SHALL:

20 (I) ~~ADVISE~~ NOTIFY ALL INDIVIDUALS ON THE AVAILABILITY OF
21 CHILD SUPPORT PASS-THROUGH AND DISREGARD;

22 (II) ~~ADVISE~~ NOTIFY ALL INDIVIDUALS OF THE RIGHT OF THE
23 INDIVIDUAL TO CLAIM GOOD CAUSE TO NOT COOPERATE WITH CHILD SUPPORT, THE
24 CRITERIA FOR GOOD CAUSE, AND THE TIME FRAME AND PROCESS FOR REQUESTING
25 GOOD CAUSE;

26 (III) NOTIFY ALL INDIVIDUALS THAT A FIP WORKER CAN
27 PROVIDE THE INDIVIDUAL WITH ASSISTANCE IN REQUESTING GOOD CAUSE;

28 (IV) AT A MINIMUM, PROVIDE THE ~~ADVISE~~ NOTICE REQUIRED
29 UNDER THIS PARAGRAPH:

30 1. IN WRITING ON THE APPLICATION FOR ASSISTANCE;

1 2. ORALLY DURING A PHONE INTERVIEW OR AN
2 IN-PERSON INTERVIEW; AND

3 3. IN ALL WRITTEN FIP NOTICES ABOUT CHILD
4 SUPPORT COMPLIANCE OR NONCOMPLIANCE; ~~AND~~

5 ~~4. IN ALL ORAL COMMUNICATION ABOUT CHILD~~
6 ~~SUPPORT COMPLIANCE OR NONCOMPLIANCE;~~

7 (v) PROVIDE AN INDIVIDUAL WITH ASSISTANCE IN REQUESTING
8 GOOD CAUSE; AND

9 ~~(iv)~~ (vi) PROVIDE AN INDIVIDUAL WITH AN OPPORTUNITY TO
10 CLAIM GOOD CAUSE; ~~AND~~

11 ~~(v) ASK IF AN INDIVIDUAL NEEDS ASSISTANCE IN OBTAINING~~
12 ~~GOOD CAUSE AND PROVIDE ASSISTANCE WHEN REQUESTED.~~

13 (e) (1) THE ~~DEPARTMENT~~ FIP MAY NOT DENY AN APPLICATION OR
14 TERMINATE ASSISTANCE IF THE CHILD SUPPORT ADMINISTRATION DETERMINES
15 THAT AN INDIVIDUAL HAS ADEQUATE REASON FOR NONCOOPERATION WITH CHILD
16 SUPPORT.

17 (2) ~~THE DEPARTMENT SHALL CONSIDER AS SUFFICIENT~~
18 ~~JUSTIFICATION FOR NONCOOPERATION WITH CHILD SUPPORT CIRCUMSTANCES~~
19 ~~BEYOND AN INDIVIDUAL'S CONTROL, INCLUDING~~ CIRCUMSTANCES BEYOND THE
20 CONTROL OF AN INDIVIDUAL THAT ARE ADEQUATE REASONS FOR
21 NONCOOPERATION WITH CHILD SUPPORT INCLUDE:

22 (i) DELIVERY OF MAIL FROM THE CHILD SUPPORT
23 ~~ENFORCEMENT AGENCY~~ ADMINISTRATION TO AN INCORRECT ADDRESS;

24 (ii) NATURAL DISASTER OR CIVIL DISORDER;

25 (iii) CRITICAL ILLNESS;

26 (iv) A FAMILY CRISIS REQUIRING AN INDIVIDUAL'S FULL
27 ATTENTION; AND

28 (v) TRAVEL BY AN INDIVIDUAL AWAY FROM HOME, BOTH IN THE
29 PERIOD DURING WHICH THE DEPARTMENT MAILED NOTICES AND DURING WHICH
30 THE DEPARTMENT SCHEDULED APPOINTMENTS.

1 **(3) THE CHILD SUPPORT ~~ENFORCEMENT AGENCY~~ ADMINISTRATION**
2 **SHALL 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 October 1, 2026.