

February 29, 2024

The Honorable William C. Smith, Jr., Chair  
Senate Judicial Proceedings Committee  
Miller Senate Office Building  
Annapolis, Maryland 21401

**RE: TESTIMONY ON SB1011 - FAMILY LAW - CHILD SUPPORT - MULTIFAMILY  
ADJUSTMENT - POSITION: FAVORABLE WITH AMENDMENTS**

Dear Chair Smith and Members of the Judicial Proceedings Committee:

The Maryland Department of Human Services (DHS) thanks the Committee for the opportunity to provide favorable testimony for Senate Bill 1011 (SB1011). With offices in every one of Maryland's jurisdictions, we empower Marylanders to reach their full potential by helping with economic assistance, preventative and supportive services, and protecting children and adults. The Child Support Administration (CSA) within DHS implements the child support program which is affected by SB1011.

Senate Bill 1045 is the result of research and input from the Maryland Child Support Guidelines Advisory Committee, coordinated and chaired by DHS. The legislation revises the calculation of a child support obligation to include considering children living in a household who are not subject to a current child support action, but for whom the noncustodial parent still owes a legal duty of support. In addition, SB1011 allows courts the discretion to deviate from the guidelines for any financial consideration that the court finds is in the best interests of the child.

Frequently one or both parents owe a duty of support to other children living in the home who are not subject to the current child support action. Currently, Maryland law only authorizes a court to consider the presence of other children as a "possible ground" for deviating from the child support guidelines. The proposed legislation amends the definition of "adjusted actual income" in Family Law Article § 12-201(c) to establish an allowance for each additional child living in a parent's home to whom the parent owes a legal duty of support, but who are not subject to the support order.

The allowance is calculated by applying the child support guidelines in Family Law § 12-204, using the income of the parent entitled to the deduction, for each additional child in the parent's home. The allowance is multiplied by 75 percent and is deducted from the noncustodial parent's actual income before the court determines the amount of the child support order. The 75 percent multiplier produces an even ratio, or equal treatment between the child or children subject to the order and the other children living in the household who are not subject to the order.



Passing SB1011 would promote more equitable child support orders that do not negatively impact children living in the obligor's household.

We recommend amendment language to align the bill with the corresponding cross-file, House Bill 1045. On page 3, lines 16-17 we recommend the following:

(III) AN ALLOWANCE FOR SUPPORT FOR EACH CHILD LIVING IN A PARENT'S HOME TO WHOM THE PARENT OWES A LEGAL DUTY OF SUPPORT IF THE CHILD IS CONSIDERED TO BE ~~LIVING IN THE PARENT'S HOME FOR~~ **SPENDING** MORE THAN 92 ~~DAYS OF THE~~ **OVERNIGHTS IN THE PARENT'S HOME IN A YEAR** AND NOT SUBJECT TO THE SUPPORT ORDER.

We appreciate the opportunity to offer supportive testimony on SB1011 to the Committee for consideration during your deliberations. We look forward to the decision of the Committee and welcome continued collaboration on SB1011.

If you require additional information, please contact Rachel Sledge, Director of Government Affairs, at [rachel.sledge@maryland.gov](mailto:rachel.sledge@maryland.gov).

In service,



Rafael López  
Secretary