

February 22, 2024

The Honorable Luke Clippinger, Chair
House Judiciary Committee
House Office Building, Room 101
Annapolis, Maryland 21401

**RE: TESTIMONY ON HB 1045 - FAMILY LAW - CHILD SUPPORT - MULTIFAMILY
ADJUSTMENT - POSITION: FAVORABLE**

Dear Chair Clippinger and members of the Judiciary Committee:

The Maryland Department of Human Services (DHS) thanks the Committee for the opportunity to provide favorable testimony for House Bill 1045 (HB 1045). 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 HB 1045.

House 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, HB 1045 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 HB 1045 would promote more equitable child support orders that do not negatively impact children living in the obligor's household.



We thank Delegate Crutchfield for sponsoring this legislation on behalf of the Maryland Child Support Guidelines Advisory Committee. We appreciate the opportunity to offer supportive testimony on HB 1045 to the Committee for consideration during your deliberations. We look forward to the decision of the Committee and welcome continued collaboration on HB 1045.

If you require additional information, please contact Rachel Sledge, Director of Government Affairs, at rachel.sledge@maryland.gov.

In service,

A handwritten signature in black ink, appearing to read 'Rafael López', written in a cursive style.

Rafael López
Secretary