

HOUSE BILL 1248

D4

7lr3158

By: **Delegate Malone**

Introduced and read first time: February 10, 2017

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Child Support Guidelines – Presumption of Full-Time Work at Minimum Wage**
3 **Rate**

4 FOR the purpose of establishing a rebuttable presumption under the child support
5 guidelines that a parent is able to work a certain number of hours per week at a
6 certain minimum wage rate; and generally relating to the child support guidelines.

7 BY repealing and reenacting, with amendments,
8 Article – Family Law
9 Section 12–204(b)
10 Annotated Code of Maryland
11 (2012 Replacement Volume and 2016 Supplement)

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

Article – Family Law

14 12–204.

16 (b) (1) Except as provided in paragraph (2) of this subsection, if a parent is
17 voluntarily impoverished, child support may be calculated based on a determination of
18 potential income.

19 (2) A determination of potential income may not be made for a parent who:

20 (i) is unable to work because of a physical or mental disability; or

21 (ii) is caring for a child under the age of 2 years for whom the parents
22 are jointly and severally responsible.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(3) THERE IS A REBUTTABLE PRESUMPTION THAT A PARENT IS ABLE**
2 **TO WORK 40 HOURS PER WEEK AT THE MINIMUM WAGE RATE REQUIRED UNDER §**
3 **3-413 OF THE LABOR AND EMPLOYMENT ARTICLE.**

4 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
5 October 1, 2017.