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Testimony of Karen Rohrbaugh, Assistant Attorney General In Support of Senate Bill 1006

Good afternoon Chairman Smith, Vice Chair Waldstreicher, and members of the Committee. My name is Karen Rohrbaugh, and I am an Assistant Attorney General and the Deputy Counsel for Litigation for the Department of Human Services, as well as the former supervising attorney for child support. Thank you for the opportunity to testify in support of Senate Bill 1006 today and to voice the Office of the Attorney General's support for this bill.

Current Maryland law (§ 12-104.1 of the Family Law Article) allows the Child Support Administration to administratively suspend an individual's child support obligation when that individual is incarcerated for 18 months or more, is not on work release, and has insufficient resources to make payments while incarcerated. The General Assembly enacted that legislation in 2012, recognizing that the incarcerated individual would otherwise face a significant past-due financial obligation upon release that would subject him or her to various child support enforcement remedies, including driver's license suspension, professional license suspension, credit bureau reporting, passport denial, and possibly even incarceration, all of which could be an impediment to the individual's ability to obtain employment and a means of lawfully supporting his or her child.

The federal government recently reached the same conclusion, amending 45 C.F.R. § 303.8 to require states to have procedures in place to help an incarcerated individual obtain an adjustment of his or her child support obligation when that individual is incarcerated for more than 180 days. This bill simply replaces the 18-month timeframe in existing law with the new federal timeframe, ensuring that Maryland remains eligible for its substantial federal funding for the child support program and preventing additional burdens on Maryland's courts while complying with the new federal requirement.

For these reasons, the Office of the Attorney General requests that the Committee favorably report Senate Bill 1006. Thank you for your consideration, and I am happy to answer any questions you may have.