

SHANEKA HENSON
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The Maryland House of Delegates
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THE MARYLAND HOUSE OF DELEGATES
ANNAPOLIS, MARYLAND 21401

**House Bill 0234 – Child Support – Suspension of Payments and Arrears for Incarcerated Obligor –
Modifications**

Supplement to Testimony of – Delegate Shaneka Henson

January 31, 2020

Chairman Delegate Luke Clippinger
Vice-Chairwoman Delegate Vanessa Atterbeary
Judiciary Committee
House Office Building, Room 101
Annapolis, Maryland 21401

Members of the House Judiciary Committee:

At the request of Vice-Chairwoman Atterbeary, I respectfully submit testimony to supplement the testimony provided January 30, 2020 in support of House Bill 234 to address the impact of HB 234 on federal fund appropriations. HB 234, Amendments No.1 and No. 2 attached to my Jan. 30, 2020 testimony – as well as the amendment suggested by Delegate Curtis Anderson – bring Family Law Article § 12–104.1 into compliance with the federal law that reduces the incarceration control period for child support arrears abatement to 180 days, and prohibits states from barring child support modification actions during obligor incarceration. *See*, 45 CFR 302.56(c)(3).

Aligning Maryland's code with 45 CFR 302.56(c)(3) is required by 42 U.S.C. §654(20) to ensure Maryland's eligibility for federal incentive and contribution funding. Federal funds administered by Maryland's Family Investment Administration – Temporary Assistance for Needy Families (TANF) program (Title IV-A of the Social Security Act), Medicaid coverage (Title XIX of the Social Security Act) and, Supplemental Nutrition Assistance Program (SNAP) are contingent on the State's compliance with its Title IV-D Child Support Enforcement Plan, as required by 42 U.S.C. §654(20). Passage of HB 234 brings Family Law Article § 12–104.1 into compliance with the federal law.

In Budget Bill – Fiscal Year 2021, HB 150, pages 75 – 79 in the Department of Human Services Budget. The Federal Fund Appropriations to the Child Support Administration that would be jeopardized by failure to pass HB 234 is \$30,064,248.00. The total Federal Fund Appropriations to the Department of Human Services at risk of suspension for failure to comply with 42 U.S.C. §654(20), in FY21 is \$1,735,580,669.00.

Thank you for your consideration.

Sincerely,

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

Shaneka Henson
Delegate, Legislative District 30A