

SENATE BILL 220

D4

4lr0875

By: **Senator Shank**

Introduced and read first time: January 16, 2014

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Family Law – Child Support – Modification**

3 FOR the purpose of prohibiting a court from retroactively increasing a child support
4 award prior to the date of the order awarding the increase under certain
5 circumstances; and generally relating to modification of child support awards.

6 BY repealing and reenacting, with amendments,
7 Article – Family Law
8 Section 12–104
9 Annotated Code of Maryland
10 (2012 Replacement Volume and 2013 Supplement)

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

13 **Article – Family Law**

14 12–104.

15 (a) The court may modify a child support award subsequent to the filing of a
16 motion for modification and upon a showing of a material change of circumstance.

17 (b) **(1)** The court may not retroactively modify a child support award prior
18 to the date of the filing of the motion for modification.

19 **(2) IF THE OBLIGOR IS NOT IN ARREARS IN MAKING CHILD**
20 **SUPPORT PAYMENTS, THE COURT MAY NOT RETROACTIVELY INCREASE A CHILD**
21 **SUPPORT AWARD PRIOR TO THE DATE OF THE ORDER AWARDING THE**
22 **INCREASE.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 October 1, 2014.