

AN ACT concerning

Maryland Home Improvement Guaranty Commission Fund – Tax Refund Intercept

FOR the purpose of ~~requiring the State Comptroller to withhold and pay to the Home Improvement Guaranty Fund a certain amount of an income tax refund due to any licensed home improvement contractor who is in arrears for at least 1 year with reimbursement payments to the Fund; establishing certification, notice, and investigation procedures for the Home Improvement Commission; giving licensed home improvement contractors who dispute the existence or amount of an arrearage the right of appeal; requiring the Commission to pay to a licensed contractor any excess amount withheld; and generally relating to the Fund~~ clarifying the order in which the Comptroller shall honor tax refund interception requests; authorizing the Maryland Home Improvement Commission to refer to the Central Collection Unit in the Department of Budget and Fiscal Planning for collection of debts owed to the Commission by certain contractors under the provisions of the Maryland Tax Refund Intercept Program; and generally relating to the Maryland Home Improvement Commission.

BY repealing and reenacting, with amendments,

Article 19 – Comptroller

Section 44 and 46

Annotated Code of Maryland

(1987 Replacement Volume and 1989 Supplement)

BY adding to

Article 56 – Licenses

Section 257F(e)

Annotated Code of Maryland

(1988 Replacement Volume and 1989 Supplement)

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

Article 19 – Comptroller

44.

(a) For any debt not excepted by law from the unit's responsibilities under Title 3, Subtitle 3 of the State Finance and Procurement Article or otherwise, the unit may certify to the Comptroller the existence of any debt which has been referred to it for collection by a State agency pursuant to subsection (b) and request the Comptroller to withhold any refund to which a person is entitled by the sum certified. However, a debt may not be withheld if the State agency or the unit has been advised by the Attorney General that the validity of the debt