

of a current or subsequent home address of the restitution obligor and the employer and work address of the restitution obligor.

(d) (1) Except as otherwise provided in this section, an earnings withholding order issued under this section shall:

(i) comply with the requirements of §§ 10-128(a) and 10-129(a) through (c) of the Family Law Article; and

(ii) set forth the obligations and responsibilities of an employer and a restitution obligor under an earnings withholding order and the consequences of violating this section.

(2) Each amount withheld in an earnings withholding order under this section is payable to the Division, [or] Department of Juvenile Services, OR CENTRAL COLLECTION UNIT.

(3) An earnings withholding order is binding on each present and future employer of the restitution obligor who is served with the order.

(e) (1) Subject to paragraphs (2) and (3) of this subsection, the payment amount under an earnings withholding order under this section is 20% of the earnings of a restitution obligor less other deductions required by law to be paid out of any funds earned under a work release plan.

(2) If the restitution obligation of the restitution obligor is overdue, the court may impose a payment exceeding the amount allowed in paragraph (1) of this subsection.

(3) (i) The amount of an earnings withholding order issued under this section may not exceed the limits of the federal Consumer Credit Protection Act.

(ii) The court shall reduce an amount of an earnings withholding order that exceeds the limits of the federal Consumer Credit Protection Act to the maximum allowed under the Act.

(f) (1) This subsection applies to a restitution obligor and the employer of a restitution obligor.

(2) A person who violates this section is subject to a fine not exceeding \$250.

(3) A fine collected under this section shall be distributed in the same way as costs are distributed under § 7-409 of the Courts Article.

(4) In addition to a fine imposed under this subsection, an employer is liable for damages for the failure to deduct the earnings of a restitution obligor or failure to make a timely payment as required in the earnings withholding order.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2005.

Approved May 26, 2005.