

In subsection (a) of this section, "in a case in which an assignment has been made under Article 88A, § 48(2) of the Code", is new language added for clarity. Chapter 778, Acts of 1976 created the "Division of Support Enforcement" and mandated its purpose as the implementation of "a program to recover child support payments from absent parents of children who receive aid to families with dependent children". Former Article 88A, § 59(b)(3) was part of that statute, and was not substantively amended by the comprehensive amendments of Ch. 885, Acts of 1978, which broadened the scope of support enforcement by the Administration. While the scope of former Article 88A, § 59(b)(3) was clear in 1976, it became vague in 1978. The Administration continues to interpret this provision as applying only to cases in which an assignment has been made, and this revision reflects that administrative interpretation.

Also in subsection (a) of this section, "arrearage" is substituted for the former phrase "delinquent account or debt", for consistency.

Defined terms: "Administration" § 10-101  
"Support" §§ 1-101 and 10-101

10-113. SAME -- INCOME TAX REFUND INTERCEPT.

(A) POWER OF ADMINISTRATION.

EACH YEAR, THE ADMINISTRATION MAY CERTIFY TO THE STATE COMPTROLLER ANY OBLIGOR WHO IS MORE THAN 60 DAYS IN ARREARS OF CHILD SUPPORT PAYMENTS UNDER THE MOST RECENT COURT ORDER, IF:

- (1) THE ADMINISTRATION HAS ACCEPTED AN ASSIGNMENT OF CHILD SUPPORT UNDER ARTICLE 88A, § 48(2) OF THE CODE; OR
- (2) THE RECIPIENT OF CHILD SUPPORT PAYMENTS HAS FILED AN APPLICATION FOR SUPPORT ENFORCEMENT SERVICES WITH THE ADMINISTRATION.

(B) DUTY OF ADMINISTRATION.

THE ADMINISTRATION SHALL NOTIFY THE OBLIGOR THAT:

- (1) A CERTIFICATION HAS BEEN MADE BY THE ADMINISTRATION; AND
- (2) THE OBLIGOR MAY ASK THE ADMINISTRATION TO INVESTIGATE THE ARREARAGE.

(C) CERTIFICATION.

THE CERTIFICATION SHALL INCLUDE, IF KNOWN: