

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

Article - Family Law

10-126.

(a) On receipt of a copy of an earnings withholding order an employer shall, beginning with the next pay period after receipt of the order:

(1) deduct the amount of the withholding from the obligor's earnings on a regular basis; and

(2) send the deducted net amount directly to the support enforcement agency or the recipient, as specified in the order, WITHIN 10 DAYS AFTER THE DAY ON WHICH THE EARNINGS ARE PAID TO THE OBLIGOR.

(b) An employer may deduct and retain from the obligor's wages an additional \$2 for each deduction made under the order.

(c) An employer may not use the withholding as a basis for:

(1) reprisal against the obligor;

(2) dismissal of the obligor from employment; or

(3) refusal to hire or to promote the obligor.

(d) (1) Subject to the provisions of § 10-128 of this subtitle:

~~-(1)-~~ (I) the recipient or the support enforcement agency may bring a civil action against an employer who willfully violates subsection (a) of this section; and

~~-(2)-~~ (II) an employer is liable for damages under this subsection in an amount equal to ~~TWICE~~ the amount of any withholding that the employer failed to deduct from the obligor's earnings OR FAILED TO SEND WITHIN THE TIME REQUIRED UNDER SUBSECTION (A) OF THIS SECTION.

(2) THE EMPLOYER'S LIABILITY UNDER THIS SUBSECTION SHALL BE IN ADDITION TO ANY AMOUNTS PAID DIRECTLY OR INDIRECTLY BY THE OBLIGOR.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1989.

Approved May 25, 1989.
