

(I) COMPLY WITH THE REQUIREMENTS OF § 10-126(A) OF THE FAMILY LAW ARTICLE; AND

(II) SET FORTH THE OBLIGATIONS AND RESPONSIBILITIES OF AN EMPLOYER AND A DEFENDANT UNDER AN EARNINGS WITHHOLDING ORDER AND THE CONSEQUENCES OF VIOLATING A PROVISION OF THIS SECTION.

(4) EACH AMOUNT WITHHELD IN AN EARNINGS WITHHOLDING ORDER UNDER THIS SECTION SHALL BE PAYABLE TO THE DIVISION.

(5) THE PROVISIONS OF § 10-127(A) THROUGH (C) OF THE FAMILY LAW ARTICLE SHALL APPLY TO AN EARNINGS WITHHOLDING ORDER UNDER THIS SECTION.

(6) (I) SUBJECT TO THE PROVISIONS OF PARAGRAPHS (II) AND (III) OF THIS SUBSECTION, THE PAYMENT AMOUNT UNDER AN EARNINGS WITHHOLDING ORDER UNDER THIS SECTION SHALL BE 20 PERCENT OF THE EARNINGS OF A DEFENDANT AS DETERMINED UNDER § 637 OF THIS ARTICLE.

(II) IF THE RESTITUTION OBLIGATION OF THE DEFENDANT IS CONSIDERED TO BE DELINQUENT, THE COURT MAY IMPOSE A PAYMENT AMOUNT IN EXCESS OF THE AMOUNT ALLOWED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH.

(III) ANY AMOUNT OF AN EARNINGS WITHHOLDING ORDER ISSUED UNDER THIS SECTION MAY NOT EXCEED THE REQUIREMENTS OF THE FEDERAL CONSUMER CREDIT PROTECTION ACT.

(IV) IF A COURT DETERMINES THAT THE AMOUNT OF AN EARNINGS WITHHOLDING ORDER ISSUED UNDER THIS SECTION EXCEEDS THE REQUIREMENTS OF THE FEDERAL CONSUMER CREDIT PROTECTION ACT, THE COURT SHALL ALTER THE AMOUNT OF THE ORDER TO THE MAXIMUM ALLOWED UNDER THE FEDERAL CONSUMER CREDIT PROTECTION ACT.

(7) (I) A DEFENDANT OR EMPLOYER OF A DEFENDANT WHO VIOLATES THE PROVISIONS OF THIS SECTION IS SUBJECT TO A FINE NOT TO EXCEED \$250.

(II) A FINE COLLECTED UNDER THIS SECTION SHALL BE DISTRIBUTED IN THE SAME MANNER AS THE DISTRIBUTION OF COSTS UNDER ARTICLE 26A, § 17 OF THE CODE.

(III) IN ADDITION TO ANY FINE IMPOSED UNDER THIS PARAGRAPH, AN EMPLOYER IS LIABLE FOR DAMAGES FOR THE FAILURE OF THE EMPLOYER TO DEDUCT THE EARNINGS OF A DEFENDANT OR FAILURE TO MAKE A TIMELY PAYMENT AS REQUIRED IN THE ORDER.

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(a) The earnings of prisoners shall be collected by the [Division of Parole and Probation] DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES. From these earnings the [Division or the] Department shall pay the following:

(1) The cost of providing food, lodging and clothing by the place of incarceration to the State or the County;