

subheading" is substituted for the former erroneous cross-reference to "§ 640A(c)(2)".

There are no other changes.

[ 640C.] 812. EARNINGS WITHHOLDING ORDERS.

(a) If a court issues an order of restitution under [ § 640 of this article ] § 807 OF THIS SUBHEADING, the court may issue an immediate and continuing earnings withholding order in an amount sufficient to pay the restitution:

- (1) At sentencing;
- (2) When the defendant is placed on work release or probation; or
- (3) When the payment of restitution is delinquent.

(b) Subject to federal law, the order of priority of execution of an earnings withholding order shall be as follows:

- Article;
- (1) An earnings withholding order issued under § 10-126 of the Family Law
  - (2) An earnings withholding order issued under this section; and
  - (3) Any other lien or legal process.

(c) (1) If a court orders an earnings withholding order under this section:

(i) The clerk of the court immediately shall:

1. Serve a copy of the earnings withholding order on any current or subsequent employers of the defendant, if known; and

2. Mail a copy of the earnings withholding order to the defendant at the last known address or place of incarceration of the defendant, if known;

(ii) A defendant immediately shall notify the court and the Division of:

1. Any objection to an earnings withholding order; and

2. The current address of the residence of the defendant, the name of the employer, and the work address of the defendant, or any change of employer, residence, or work address of the defendant;

(iii) An employer who is served with an earnings withholding order under this section immediately shall notify the court and the Division of the following information:

1. Any justification for an employer's inability to comply with the earnings withholding order;

2. The address of the residence of the defendant on the termination of employment;