

(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) PENALTY.

(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.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 27, § 811.

In subsections (a)(2)(iii) and (e)(2) of this section, the word "overdue" which modifies restitution, is substituted for the former reference to "delinquent" restitution to avoid confusion with meanings applicable in juvenile law, e.g., "delinquent act".

In subsection (a)(2)(ii) of this section, the defined term "child respondent" is added for clarity. See General Revisor's Note to title.

In subsection (c)(2) of this section, the phrase "[o]n entry of the order" is added to clarify when the clerk of the court must serve and mail copies of the earnings withholding order to specified persons.

In subsection (c)(2)(ii) of this section, the phrase "place of commitment" of the child respondent is added for accuracy.

In subsection (e)(3)(i) of this section, the reference to "limits" of the federal Consumer Protection Act is substituted for the former reference to the "requirements" of this Act to conform to the terminology of FL § 10-131.

Former Art. 27, § 806(a), which stated that if restitution or reparation is not immediately and fully made the court must order execution against