

BY repealing and reenacting, with amendments,

Article - Family Law

Section 10-123, ~~10-124, and 12-102(d)(1)~~ 10-128(a), and 10-129(a)

Annotated Code of Maryland

(1999 Replacement Volume and 2002 Supplement)

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

Article - Family Law

10-123.

(a) Except as otherwise provided for in this section and notwithstanding any other provision of this Part III, a court shall immediately authorize service of an earnings withholding order when:

- (1) (i) a support order or modification of support order is passed on or after April 9, 1991;
- (ii) a case is being enforced by a support enforcement agency; and
- (iii) the recipient or support enforcement agency requests service of an earnings withholding order; or

(2) the Department of Health and Mental Hygiene requests service of an earnings withholding order for court ordered medical support.

(b) Except as provided in subsection (d) of this section, for all child support orders that are initially issued in the State on or after January 1, 1994, regardless of whether child support payments are in arrears, a court shall immediately authorize service of an earnings withholding order on the effective date of the order.

(c) ~~[(1)] Except as provided in [paragraph (2)] SUBSECTION (D) of this [subsection] SECTION, when WHEN a court orders immediate service of an earnings withholding order on or after July 1, 1994, the court shall order payments[:~~

- (i) in a case in which the Administration is providing support services,] through the State disbursement unit[; or
- (ii) directly to the obligee's bank account.

(2) A party may request and the court may order that an employer send payments directly to the obligee].

(d) A court may not authorize the immediate service of an earnings withholding order if:

- (1) any party demonstrates, and the court finds, that there is good cause to not require immediate earnings withholding; or
- (2) the court approves of the terms of a written agreement of the parties providing for an alternative method of payment.