

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

An Act To Eliminate the Child Support Collecting Fee Charged to a Person Who Has Never Received Assistance under a State Program

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 19-A MRSA §2103, sub-§3-A, as amended by PL 2011, c. 477, Pt. L, §2, is further amended to read:

3-A. Service fee. In the case of an individual who has never received assistance under a state program and for whom the State has collected at least \$500 in child support, the State shall impose an annual \$25 fee for each child support enforcement case that is:

- A. Retained by the State from child support collected on behalf of the individual after the collected support exceeds \$500;
- B. Paid by the individual applying for services;
- C. Recovered from the noncustodial parent; or
- D. Paid by the State out of its own funds. The annual fee may not be considered as an administrative cost of the State for operation of child support enforcement services and must be considered income to the program under which the individual has received child support enforcement services.

The nonfederal share of the annual fee collected pursuant to this subsection must be deposited as General Fund undedicated revenue.

The fee required under this subsection may not be imposed under paragraphs A and B on an individual who did not receive assistance under a state program for which the individual was eligible.

SUMMARY

This bill provides that the State may not impose a fee for collection of child support on an individual who never received assistance under a state program if the individual would have been eligible for such assistance.