

Department of Legislative Services
 Maryland General Assembly
 2026 Session

FISCAL AND POLICY NOTE
 First Reader

House Bill 384 (Delegate Taveras, *et al.*)
 Judiciary

Child Support - Capacity of Minors to Initiate and Defend an Action

This bill authorizes a minor who is the parent of a child to initiate or defend an action for child support, whether *pendente lite* or permanently.

Fiscal Summary

State Effect: General and federal fund expenditures for the Department of Human Services (DHS) increase by \$1.2 million in FY 2027 only for one-time programming costs, as discussed below. Federal fund matching revenues increase accordingly.

(in dollars)	FY 2027	FY 2028	FY 2029	FY 2030	FY 2031
FF Revenue	\$797,100	\$0	\$0	\$0	\$0
GF Expenditure	\$377,600	\$0	\$0	\$0	\$0
FF Expenditure	\$797,100	\$0	\$0	\$0	\$0
Net Effect	(\$377,600)	\$0	\$0	\$0	\$0

Note: () = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate increase; (-) = indeterminate decrease

Local Effect: The bill does not materially affect local government operations or finances.

Small Business Effect: None.

Analysis

Current Law: Statute does not specifically prohibit (or authorize) the filing of an action for child support by a minor.

Pursuant to Maryland Rule 2-202, an individual under disability to sue may sue by a guardian or other like fiduciary or, if none, by next of friend, subject to any order of court

for the protection of the individual under disability. When a minor is in the sole custody of one of the minor's parents, that parent has the exclusive right to sue on behalf of the minor for a period of one year following the accrual of the cause of action. If the custodial parent fails to institute suit within the one-year period, any person interested in the minor must have the right to institute suit on behalf of the minor as next friend upon first mailing notice to the last known address of the custodial parent. In a suit against an individual under disability, the guardian or other like fiduciary (if any) must defend the action. If there is no such guardian or fiduciary, the court must appoint an attorney to represent and defend the individual.

State Expenditures: State expenditures for DHS increase by an estimated \$1,174,680 in fiscal 2027 only for one-time programming updates. These expenditures are anticipated to be supported by \$377,618 general funds/\$797,062 federal funds, with federal fund matching revenues also increasing by \$797,062.

According to DHS, updates to the Child Support Management System (CSMS) and the Eligibility and Enrollment System are needed in order to (1) enable minors to apply for child support through CSMS; (2) limit potential enforcement actions at the discretion of CSA for minor parents who are not compliant with child support orders; and (3) appropriately calculate a minor parent's income, based upon household receipt of Temporary Cash Assistance (TCA) and/or Supplemental Nutrition Assistance Program (SNAP).

Additional Comments: According to DHS, it is unclear whether a *minor* custodial parent may receive government checks in the minor's name and/or be subject to enforcement consequences by CSA. Under current practice, DHS advises that an adult assisting a minor parent in the initiation or defense of a child support action is responsible for the payment and subject to potential consequences when noncompliant. Assisting parents are ordered to be responsible by the court until the minor is at least age 18.

Further, DHS advises that if a minor parent lives in a household already receiving TCA or SNAP benefits, the reported household income from child support would increase, potentially reducing or disqualifying the household from continuing to receive such benefits. (Any potential impact associated with the reduction of or disqualification for benefits has not been accounted for in this analysis.)

Additional Information

Recent Prior Introductions: Similar legislation has been introduced within the last three years. See HB 120 of 2025.

Designated Cross File: None.

Information Source(s): Judiciary (Administrative Office of the Courts); Department of Human Services; Department of Legislative Services

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jg/jkb

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