

(1) A PERSON OWING A DEBT TO A STATE AGENCY THAT HAS NOT BEEN ADJUDGED SATISFIED BY COURT ORDER, SET ASIDE BY COURT ORDER, OR DISCHARGED IN BANKRUPTCY; OR

(2) A DEFENDANT IN ARREARS OF RESTITUTION PAYMENTS WHOSE ACCOUNT HAS BEEN REFERRED TO THE CENTRAL COLLECTION UNIT UNDER ARTICLE 27, § 810 OF THE CODE.

REVISOR'S NOTE: This subsection is new language derived without substantive change from former Art. 19, § 43(b). The defined term "debtor" is substituted for the former defined term "person" in this subsection and throughout this Part to avoid a definition that is contrary to the normally understood meaning of the term defined.

(E) STATE AGENCY.

"STATE AGENCY" MEANS ANY AGENCY, ASSOCIATION, BOARD, BUREAU, COLLEGE, COMMISSION, COMMITTEE, COUNCIL, FOUNDATION, FUND, DEPARTMENT, INSTITUTE, INSTITUTION, PUBLIC CORPORATION, SERVICE, TRUST, UNIVERSITY, THE MARYLAND HIGHER EDUCATION LOAN CORPORATION, OR OTHER UNIT OF STATE GOVERNMENT, INCLUDING ANY SUBUNIT OF THESE AGENCIES.

REVISOR'S NOTE: This subsection is new language derived without substantive change from former Art. 19, § 43(d).

Former Art. 19, § 43(c), which defined "refund", is deleted as unnecessary. The undefined term "income tax refund" is substituted throughout this Part for the former defined term "refund".

13-913. REFERRAL OF DEBT TO CENTRAL COLLECTION UNIT FOR WITHHOLDING.

(A) IN GENERAL.

(1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, FOR ANY DEBT NOT EXCEPTED BY LAW FROM THE CENTRAL COLLECTION UNIT'S RESPONSIBILITIES UNDER TITLE 3, SUBTITLE 3 OF THE STATE FINANCE AND PROCUREMENT ARTICLE OR OTHERWISE, THE CENTRAL COLLECTION UNIT MAY:

(I) CERTIFY TO THE COMPTROLLER THE EXISTENCE OF ANY DEBT THAT HAS BEEN REFERRED TO IT FOR COLLECTION BY A STATE AGENCY; AND

(II) REQUEST THE COMPTROLLER TO WITHHOLD THE SUM CERTIFIED FROM ANY INCOME TAX REFUND TO WHICH A DEBTOR IS ENTITLED.

(2) A DEBT MAY NOT BE WITHHELD IF THE STATE AGENCY OR THE CENTRAL COLLECTION UNIT HAS BEEN ADVISED BY THE ATTORNEY GENERAL THAT THE VALIDITY OF THE DEBT IS LEGITIMATELY IN DISPUTE OR AN ALTERNATE MEANS OF COLLECTION IS PENDING AND BELIEVED TO BE ADEQUATE.

(B) CLASSES OF DEBTS THAT MAY BE REFERRED.

(1) THE DEPARTMENT OF BUDGET AND MANAGEMENT SHALL ESTABLISH BY REGULATION THOSE CLASSES OR CATEGORIES OF DEBTS,