

SENATE BILL 600

D4

0lr2752
CF 0lr1197

By: **Senators Raskin, Forehand, Madaleno, Pinsky, and Pugh**

Introduced and read first time: February 5, 2010

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Family Law – De Facto Parents**

3 FOR the purpose of requiring a court to determine that an individual is a de facto
4 parent under certain circumstances; establishing that an individual who is
5 judicially determined to be a de facto parent has the duties and obligations of a
6 parent; and generally relating to de facto parents.

7 BY adding to

8 Article – Family Law

9 Section 5–207

10 Annotated Code of Maryland

11 (2006 Replacement Volume and 2009 Supplement)

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

14 **Article – Family Law**

15 **5–207.**

16 **(A) THIS SECTION GOVERNS THE JUDICIAL DETERMINATION OF DE**
17 **FACTO PARENTAGE.**

18 **(B) A COURT SHALL DETERMINE THAT AN INDIVIDUAL IS A DE FACTO**
19 **PARENT IF:**

20 **(1) THE INDIVIDUAL REQUESTS JUDICIAL DETERMINATION OF DE**
21 **FACTO PARENTAGE; AND**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(2) THE COURT FINDS BY CLEAR AND CONVINCING EVIDENCE**
2 **THAT:**

3 **(I) EACH PARENT OF THE MINOR CHILD CONSENTED TO,**
4 **SUPPORTED, AND FOSTERED THE ESTABLISHMENT OF A PARENT-LIKE**
5 **RELATIONSHIP BETWEEN THE MINOR CHILD AND THE INDIVIDUAL;**

6 **(II) THE INDIVIDUAL HAS EXERCISED PARENT-LIKE**
7 **RESPONSIBILITY FOR THE MINOR CHILD; AND**

8 **(III) THE INDIVIDUAL HAS ACTED IN A PARENT-LIKE ROLE**
9 **FOR A LENGTH OF TIME SUFFICIENT TO HAVE ESTABLISHED A BONDED AND**
10 **DEPENDENT RELATIONSHIP WITH THE MINOR CHILD THAT IS PARENTAL IN**
11 **NATURE.**

12 **(C) AN INDIVIDUAL WHO IS JUDICIALLY DETERMINED TO BE A DE**
13 **FACTO PARENT UNDER THIS SECTION SHALL HAVE ALL THE DUTIES AND**
14 **OBLIGATIONS OF A PARENT DESCRIBED IN § 5-203(B) OF THIS SUBTITLE.**

15 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
16 October 1, 2010.