
By: Delegates Goldwater, Pitkin, Eckardt, Grosfeld, Petzold, Nathan-Pulliam, Walkup, Kirk, Frush, Barve, and Kopp

Introduced and read first time: January 18, 1996

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Family Law - Support and Maintenance**

3 FOR the purpose of providing that an unmarried person who has attained the age of 18
4 and who is enrolled in secondary school has a right to receive certain support and
5 maintenance from both of the person's parents until the first to occur of certain
6 events.

7 BY repealing and reenacting, with amendments,
8 Article - Family Law
9 Section 5-203
10 Annotated Code of Maryland
11 (1991 Replacement Volume and 1995 Supplement)
12 (As enacted by Chapter 491 of the Acts of the General Assembly of 1995)

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

15 **Article - Family Law**

16 5-203.

17 (a) (1) The parents are the joint natural guardians of their minor child.

18 (2) A parent is the sole natural guardian of the minor child if the other
19 parent:

20 (i) dies;

21 (ii) abandons the family; or

22 (iii) is incapable of acting as a parent.

23 (b) The parents of a minor child:

24 (1) are jointly and severally responsible for the child's support, care,
25 nurture, welfare, and education; and

26 (2) have the same powers and duties in relation to the child.

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1 (c) If one or both parents of an unemancipated minor child is a minor, the
2 parents of that minor parent are jointly and severally responsible for any child support for
3 a grandchild that is a recipient of Aid to Families with Dependent Children to the extent
4 that the minor parent has insufficient financial resources to fulfill the child support
5 responsibility of the minor parent.

6 (d) (1) If the parents live apart, a court may award custody of a minor child to
7 either parent or joint custody to both parents.

8 (2) Neither parent is presumed to have any right to custody that is superior
9 to the right of the other parent.

10 (E) AN UNMARRIED PERSON WHO HAS ATTAINED THE AGE OF 18 YEARS AND
11 WHO IS ENROLLED IN SECONDARY SCHOOL HAS THE RIGHT TO RECEIVE SUPPORT
12 AND MAINTENANCE FROM BOTH OF THE PERSON'S PARENTS UNTIL THE FIRST TO
13 OCCUR OF THE FOLLOWING EVENTS:

14 (1) THE PERSON MARRIES;

15 (2) THE PERSON GRADUATES FROM OR IS NO LONGER ENROLLED IN
16 SECONDARY SCHOOL; OR

17 (3) THE PERSON ATTAINS THE AGE OF 19 YEARS.

18 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
19 October 1, 1996.