
By: Delegates Healey, Hixson, R. Baker, E. Burns, Menes, McIntosh, Bonsack, Stocksdale, Kopp, Valderrama, and Perry

Introduced and read first time: January 31, 1996

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Adoption - Revocation of Consent**

3 FOR the purpose of reducing the amount of time in which an individual or agency
4 executing consent to an adoption may revoke the individual's or agency's consent;
5 providing for the application of this Act; and generally relating to the revocation of
6 consent to adoption by an individual or agency.

7 BY repealing and reenacting, with amendments,
8 Article - Family Law
9 Section 5-311
10 Annotated Code of Maryland
11 (1991 Replacement Volume and 1995 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 5-311.

16 (a) Unless the natural parents' rights have been terminated by a judicial
17 proceeding, an individual may not be adopted without the consent of:

- 18 (1) the natural mother;
- 19 (2) the natural father; and
- 20 (3) the individual, if the individual is at least 10 years old.

21 (b) (1) If the natural parents' rights have been terminated by a judicial
22 proceeding, an individual may not be adopted without the consent of:

- 23 (i) the executive head of the child placement agency that has been
24 awarded guardianship of the individual; and
- 25 (ii) the individual, if the individual is at least 10 years old.

26 (2) The executive head of the child placement agency may not withhold
27 consent for the sole reason that the race or religion of the prospective adoptive parents is

HOUSE BILL 550

2

1 different from that of the individual to be adopted or of the birth parents, where to do so
2 would be contrary to the best interests of the child.

3 (c) (1) Except as provided in paragraph (2) of this subsection, within [30] 7
4 calendar days after the required consent to an adoption is signed, the individual or agency
5 executing the consent may revoke the consent.

6 (2) An individual to be adopted may revoke the individual's consent at any
7 time before a final decree of adoption or an interlocutory decree of adoption is entered.

8 (3) Except as provided in paragraphs (1) and (2) of this subsection, the
9 required consent to an adoption filed under this section may not be revoked at any time
10 by the individual or agency executing the consent.

11 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed
12 only prospectively and may not be applied or interpreted to have any effect on or
13 application to any adoption proceeding begun before the effective date of this Act.

14 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
15 October 1, 1996.