

HOUSE BILL 65

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HB 312/00 - JUD

2001 Regular Session
11r0595

(PRE-FILED)

By: **Delegate Carlson**
Requested: October 2, 2000
Introduced and read first time: January 10, 2001
Assigned to: Judiciary

Committee Report: Favorable with amendments
House action: Adopted
Read second time: March 13, 2001

CHAPTER _____

1 AN ACT concerning

2 **Family Law - Child Support - Secondary Education**

3 FOR the purpose of establishing that a child support order shall terminate when the
4 first of certain events occurs, except under certain circumstances; establishing
5 that a child support order for a child who has attained the age of majority and is
6 enrolled in secondary school shall continue in effect under certain circumstances
7 until the first of certain events occurs; providing for the application of this Act;
8 establishing that this Act may not be considered to be a material change of
9 circumstances for purposes of modifying certain child support orders; and
10 generally relating to child support.

11 BY adding to
12 Article - Family Law
13 Section 12-101.1
14 Annotated Code of Maryland
15 (1999 Replacement Volume and 2000 Supplement)

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

18 **Article - Family Law**

19 12-101.1.

20 (A) EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, A CHILD
21 SUPPORT ORDER SHALL TERMINATE WHEN THE FIRST OF THE FOLLOWING EVENTS
22 OCCURS:

- 1 (1) THE CHILD RECEIVING THE SUPPORT DIES;
- 2 (2) THE CHILD RECEIVING THE SUPPORT MARRIES; ~~OR~~
- 3 (3) THE CHILD RECEIVING THE SUPPORT ATTAINS THE AGE OF
4 MAJORITY; OR
- 5 (4) THE CHILD RECEIVING THE SUPPORT IS EMANCIPATED.

6 (B) (1) A CHILD SUPPORT ORDER FOR A CHILD WHO HAS ATTAINED THE AGE
7 OF MAJORITY AND IS ENROLLED AS A FULL-TIME STUDENT IN SECONDARY SCHOOL
8 SHALL CONTINUE IN EFFECT ~~UNTIL~~ IF BOTH PARENTS ASSUME THE DUTY OF
9 SUPPORT OF THE CHILD IN ACCORDANCE WITH THIS TITLE.

10 (2) A CHILD SUPPORT ORDER THAT CONTINUES IN EFFECT IN
11 ACCORDANCE WITH THIS SUBSECTION SHALL TERMINATE WHEN THE FIRST OF THE
12 FOLLOWING EVENTS OCCURS:

- 13 (+) (I) THE CHILD DIES;
- 14 (+) (II) THE CHILD MARRIES;
- 15 (+) (III) THE CHILD GRADUATES FROM OR IS NO LONGER ENROLLED IN
16 SECONDARY SCHOOL; ~~OR~~
- 17 (+) (IV) THE CHILD ATTAINS THE AGE OF 19 YEARS; OR
- 18 (IV) THE CHILD IS EMANCIPATED.

19 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall apply only
20 to cases filed on or after the effective date of this Act.

21 SECTION 3. AND BE IT FURTHER ENACTED, That this Act may not be
22 considered to be a material change of circumstances for purposes of modifying a child
23 support order issued before the effective date of this Act.

24 SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect
25 October 1, 2001.