

HOUSE BILL 963

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HB 65/01 - JUD

2002 Regular Session
2lr0269
CF 2lr0268

By: **Delegates Carlson, W. Baker, Barkley, Barve, Benson, Bobo, Bohanan, Bronrott, Cadden, Conroy, Cryor, DeCarlo, Dypski, Edwards, Franchot, Frush, Goldwater, Gordon, Grosfeld, Healey, Hecht, Heller, Hixson, Howard, Hubers, Hurson, A. Jones, V. Jones, Kagan, Kirk, Klausmeier, Klima, Krysiak, La Vay, Love, Mandel, Marriott, McKee, Menes, Mohorovic, Morhaim, Nathan-Pulliam, Paige, Parrott, Patterson, Pendergrass, Petzold, Phillips, Riley, Rosso, Rudolph, Shriver, Snodgrass, Sophocleus, Swain, Turner, Valderrama, and Zirkin**

Introduced and read first time: February 8, 2002

Assigned to: Judiciary

A BILL ENTITLED

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; authorizing
5 the court to order the continuation of certain child support orders under certain
6 circumstances; establishing that a child support order issued on or after a
7 certain date for a child who has attained the age of majority, is enrolled in
8 secondary school, and continues to reside with the custodial parent shall
9 continue in effect until the first of certain events occurs; and generally relating
10 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 2001 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 OR BY
21 AGREEMENT OF THE PARTIES, A CHILD SUPPORT ORDER SHALL TERMINATE WHEN
22 THE FIRST OF THE FOLLOWING EVENTS OCCURS:

- 1 (1) THE CHILD FOR WHOM THE SUPPORT IS AWARDED DIES;
- 2 (2) THE CHILD FOR WHOM THE SUPPORT IS AWARDED MARRIES;
- 3 (3) THE CHILD FOR WHOM THE SUPPORT IS AWARDED IS EMANCIPATED;
- 4 OR
- 5 (4) THE CHILD FOR WHOM THE SUPPORT IS AWARDED ATTAINS THE AGE
- 6 OF MAJORITY.

7 (B) (1) (I) THIS PARAGRAPH APPLIES TO CHILD SUPPORT ORDERS ISSUED

8 BEFORE OCTOBER 1, 2002.

9 (II) IF THE CUSTODIAL PARENT FILES A REQUEST FOR

10 CONTINUATION OF THE CHILD SUPPORT ORDER BEFORE THE CHILD ATTAINS THE

11 AGE OF MAJORITY, THE COURT MAY ORDER THE CONTINUATION OF SUPPORT

12 PAYMENTS FOR A CHILD WHO HAS ATTAINED THE AGE OF MAJORITY, IS ENROLLED

13 AS A FULL-TIME STUDENT IN SECONDARY SCHOOL, AND CONTINUES TO RESIDE

14 WITH THE CUSTODIAL PARENT.

15 (III) A CHILD SUPPORT ORDER CONTINUED BY THE COURT UNDER

16 THIS PARAGRAPH SHALL CONTINUE IN EFFECT UNTIL THE FIRST OF THE

17 FOLLOWING EVENTS OCCURS:

- 18 1. THE CHILD DIES;
- 19 2. THE CHILD MARRIES;
- 20 3. THE CHILD IS EMANCIPATED;
- 21 4. THE CHILD GRADUATES FROM OR IS NO LONGER
- 22 ENROLLED IN SECONDARY SCHOOL; OR
- 23 5. THE CHILD ATTAINS THE AGE OF 19 YEARS.

24 (2) (I) THIS PARAGRAPH APPLIES TO CHILD SUPPORT ORDERS ISSUED

25 ON OR AFTER OCTOBER 1, 2002.

26 (II) A CHILD SUPPORT ORDER FOR A CHILD WHO HAS ATTAINED

27 THE AGE OF MAJORITY, IS ENROLLED AS A FULL-TIME STUDENT IN SECONDARY

28 SCHOOL, AND CONTINUES TO RESIDE WITH THE CUSTODIAL PARENT SHALL

29 CONTINUE IN EFFECT UNTIL THE FIRST OF THE FOLLOWING EVENTS OCCURS:

- 30 1. THE CHILD DIES;
- 31 2. THE CHILD MARRIES;
- 32 3. THE CHILD IS EMANCIPATED;
- 33 4. THE CHILD GRADUATES FROM OR IS NO LONGER
- 34 ENROLLED IN SECONDARY SCHOOL; OR

