

SENATE BILL 654

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SB 158/01 - JPR

2002 Regular Session  
2lr0268  
CF 2lr0269

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By: **Senators Ruben, Van Hollen, Forehand, Green, Jimeno, and Kelley**  
Introduced and read first time: February 1, 2002  
Assigned to: Judicial Proceedings

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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:

- 23 (1) THE CHILD FOR WHOM THE SUPPORT IS AWARDED DIES;
- 24 (2) THE CHILD FOR WHOM THE SUPPORT IS AWARDED MARRIES;
- 25 (3) THE CHILD FOR WHOM THE SUPPORT IS AWARDED IS EMANCIPATED;
- 26 OR

1           (4)     THE CHILD FOR WHOM THE SUPPORT IS AWARDED ATTAINS THE AGE  
2 OF MAJORITY.

3     (B)     (1)     (I)     THIS PARAGRAPH APPLIES TO CHILD SUPPORT ORDERS ISSUED  
4 BEFORE OCTOBER 1, 2002.

5                     (II)     IF THE CUSTODIAL PARENT FILES A REQUEST FOR  
6 CONTINUATION OF THE CHILD SUPPORT ORDER BEFORE THE CHILD ATTAINS THE  
7 AGE OF MAJORITY, THE COURT MAY ORDER THE CONTINUATION OF SUPPORT  
8 PAYMENTS FOR A CHILD WHO HAS ATTAINED THE AGE OF MAJORITY, IS ENROLLED  
9 AS A FULL-TIME STUDENT IN SECONDARY SCHOOL, AND CONTINUES TO RESIDE  
10 WITH THE CUSTODIAL PARENT.

11                    (III)     A CHILD SUPPORT ORDER CONTINUED BY THE COURT UNDER  
12 THIS PARAGRAPH SHALL CONTINUE IN EFFECT UNTIL THE FIRST OF THE  
13 FOLLOWING EVENTS OCCURS:

- 14                                 1.     THE CHILD DIES;
- 15                                 2.     THE CHILD MARRIES;
- 16                                 3.     THE CHILD IS EMANCIPATED;
- 17                                 4.     THE CHILD GRADUATES FROM OR IS NO LONGER  
18 ENROLLED IN SECONDARY SCHOOL; OR
- 19                                 5.     THE CHILD ATTAINS THE AGE OF 19 YEARS.

20           (2)     (I)     THIS PARAGRAPH APPLIES TO CHILD SUPPORT ORDERS ISSUED  
21 ON OR AFTER OCTOBER 1, 2002.

22                    (II)     A CHILD SUPPORT ORDER FOR A CHILD WHO HAS ATTAINED  
23 THE AGE OF MAJORITY, IS ENROLLED AS A FULL-TIME STUDENT IN SECONDARY  
24 SCHOOL, AND CONTINUES TO RESIDE WITH THE CUSTODIAL PARENT SHALL  
25 CONTINUE IN EFFECT UNTIL THE FIRST OF THE FOLLOWING EVENTS OCCURS:

- 26                                 1.     THE CHILD DIES;
- 27                                 2.     THE CHILD MARRIES;
- 28                                 3.     THE CHILD IS EMANCIPATED;
- 29                                 4.     THE CHILD GRADUATES FROM OR IS NO LONGER  
30 ENROLLED IN SECONDARY SCHOOL; OR
- 31                                 5.     THE CHILD ATTAINS THE AGE OF 19 YEARS.

32     SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
33 October 1, 2002.