
By: **Delegates McComas, Boteler, Frank, and Sophocleus**
Introduced and read first time: February 21, 2003
Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Family Law - Adoption - Child's Age for Consent**

3 FOR the purpose of altering the age of a child, for purposes of giving consent to be
4 adopted, in cases in which the natural parents' rights have not been terminated
5 in a judicial proceeding and in cases in which the natural parents' rights have
6 been terminated in a judicial proceeding; and generally relating to a child's
7 consent to adoption.

8 BY repealing and reenacting, with amendments,
9 Article - Family Law
10 Section 5-311(a) and (b)
11 Annotated Code of Maryland
12 (1999 Replacement Volume and 2002 Supplement)

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 5-311.

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

- 19 (1) the natural mother;
- 20 (2) the natural father; and
- 21 (3) the individual, if the individual is at least [10] 14 years old.

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

- 24 (i) the executive head of the child placement agency that has been
25 awarded guardianship of the individual; and

1 (ii) the individual, if the individual is at least [10] 14 years old.

2 (2) The executive head of the child placement agency may not withhold
3 consent for the sole reason that the race or religion of the prospective adoptive
4 parents is different from that of the individual to be adopted or of the birth parents,
5 where to do so would be contrary to the best interests of the child.

6 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
7 October 1, 2003.