

Department of Legislative Services
Maryland General Assembly
2003 Session

FISCAL AND POLICY NOTE

House Bill 1077
Judiciary

(Delegate McComas, *et al.*)

Family Law - Adoption - Child's Age for Consent

This bill raises the minimum age of a child who must consent to an adoption from 10 to 14.

Fiscal Summary

State Effect: This bill would not directly affect governmental finances.

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law: Unless a judicial proceeding terminates the natural parents' rights, an individual may not be adopted without the consent of the natural mother and father and the individual, if the person is at least ten years old. If a judicial proceeding terminated the natural parents' rights, an individual may not be adopted without the consent of the executive head of the child placement agency that was awarded guardianship of the child and the child, if the child is at least ten years old.

Background: Parental rights may only be terminated by court order. When both parents voluntarily consent to guardianship for their child, both parents are required to sign a written consent form. A consent to guardianship is valid only if it contains written notice of the: (1) birth parent's right to withdraw consent; (2) search rights of birth parents and adoptees; and (3) birth parent's right to file a disclosure veto.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Department of Human Resources, Department of Health and Mental Hygiene, Department of Legislative Services

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