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By: **Delegates McComas, Boteler, Boutin, Cryor, Glassman, Kach, and Sophocleus**

Introduced and read first time: February 13, 2004

Assigned to: Judiciary

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A BILL ENTITLED

1 AN ACT concerning

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

3 FOR the purpose of altering the age at which a child may give consent to be adopted,  
4 in cases in which the natural parents' rights have not been terminated in a  
5 judicial proceeding and in cases in which the natural parents' rights have been  
6 terminated in a judicial proceeding; and generally relating to a child's consent to  
7 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 2003 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, 2004.