
By: **Delegate Holmes**

Introduced and read first time: January 19, 2005

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Family Law - Child Support - Age of Majority - Postsecondary Education**

3 FOR the purpose of altering certain provisions of law defining the age of majority to
4 provide that a person who has attained the age of 18 years and who is enrolled
5 full time in an institution of postsecondary education has a right to support and
6 maintenance until the first of certain events occurs; defining a certain term;
7 establishing that this Act shall be considered a material change in
8 circumstances for purposes of modifying a child support order issued before the
9 effective date of this Act; and generally relating to child support.

10 BY repealing and reenacting, with amendments,

11 Article 1 - Rules of Interpretation

12 Section 24

13 Annotated Code of Maryland

14 (2001 Replacement Volume and 2004 Supplement)

15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF

16 MARYLAND, That the Laws of Maryland read as follows:

17 **Article 1 - Rules of Interpretation**

18 24.

19 (a) (1) Except as provided in paragraph (2) of this subsection or as otherwise
20 specifically provided by statute, a person eighteen years of age or more is an adult for
21 all purposes whatsoever and has the same legal capacity, rights, powers, privileges,
22 duties, liabilities, and responsibilities as prior to July 1, 1973, persons had at
23 twenty-one years of age, and the "age of majority" is hereby declared to be eighteen
24 years.

25 (2) (I) IN THIS PARAGRAPH, "INSTITUTION OF POSTSECONDARY
26 EDUCATION" MEANS A SCHOOL OR OTHER INSTITUTION THAT OFFERS AN
27 EDUCATIONAL OR VOCATIONAL TRAINING PROGRAM FOR INDIVIDUALS WHO ARE AT
28 LEAST 16 YEARS OLD AND WHO HAVE GRADUATED FROM OR LEFT ELEMENTARY OR
29 SECONDARY SCHOOL.

1 (II) A person who has attained the age of 18 years and who is
2 enrolled in secondary school OR ENROLLED FULL TIME IN AN INSTITUTION OF
3 POSTSECONDARY EDUCATION has the right to receive support and maintenance from
4 both of the person's parents until the first to occur of the following events:

5 [(i)] 1. The person dies;

6 [(ii)] 2. The person marries;

7 [(iii)] 3. The person is emancipated;

8 [(iv)] 4. The person graduates from or is no longer enrolled in
9 secondary school OR ENROLLED FULL TIME IN AN INSTITUTION OF POSTSECONDARY
10 EDUCATION; or

11 [(v)] 5. The person attains the age of [19] 21 years.

12 (b) (1) The terms "adult", "of full age", or "of legal age" refer to persons who
13 have attained the age of eighteen years.

14 (2) Except as provided in subsection (a)(2) of this section, the term
15 "minor", as it pertains to legal age and capacity, refers to persons who have not
16 attained the age of eighteen years.

17 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be
18 considered to be a material change of circumstances for purposes of modifying a child
19 support order issued before the effective date of this Act.

20 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
21 October 1, 2005.