

HOUSE BILL 677

D4

6lr1321

By: **Delegates Hill, Angel, Atterbeary, Barkley, Cullison, Dumais, Ebersole, Kaiser, Kelly, Morales, Morhaim, Sample–Hughes, Turner, and Valderrama**

Introduced and read first time: February 4, 2016

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 provide
4 that an individual who has attained the age of 18 years and who is enrolled for a
5 certain number of credits in an institution of postsecondary education has a right to
6 support and maintenance until the first of certain events occurs; defining a certain
7 term; 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 – General Provisions
12 Section 1–401
13 Annotated Code of Maryland
14 (2014 Volume and 2015 Supplement)

15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
16 That the Laws of Maryland read as follows:

17 **Article – General Provisions**

18 1–401.

19 (a) (1) The age of majority is 18 years.

20 (2) Except as provided in subsection (b) of this section or as otherwise
21 specifically provided by statute, an individual at least 18 years old is an adult for all
22 purposes and has the same legal capacity, rights, powers, privileges, duties, liabilities, and
23 responsibilities that an individual at least 21 years old had before July 1, 1973.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (b) **(1)** IN THIS SUBSECTION, “INSTITUTION OF POSTSECONDARY
2 EDUCATION” MEANS A SCHOOL OR OTHER INSTITUTION THAT OFFERS AN
3 EDUCATIONAL OR VOCATIONAL TRAINING PROGRAM FOR INDIVIDUALS WHO ARE AT
4 LEAST 16 YEARS OLD AND WHO HAVE GRADUATED FROM OR LEFT ELEMENTARY OR
5 SECONDARY SCHOOL.

6 **(2)** An individual who has attained the age of 18 years and who is enrolled
7 in secondary school **OR ENROLLED FOR AT LEAST 12 HOURS OF CREDIT IN AN**
8 **INSTITUTION OF POSTSECONDARY EDUCATION** has the right to receive support and
9 maintenance from both of the individual’s parents until the first to occur of the following
10 events:

11 **[(1)] (I)** the individual dies;

12 **[(2)] (II)** the individual marries;

13 **[(3)] (III)** the individual is emancipated;

14 **[(4)] (IV)** the individual graduates from or is no longer enrolled in
15 secondary school **OR ENROLLED FOR AT LEAST 12 HOURS OF CREDIT IN AN**
16 **INSTITUTION OF POSTSECONDARY EDUCATION**; or

17 **[(5)] (V)** the individual attains the age of **[19] 22** years.

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

21 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
22 October 1, 2016.