

Department of Legislative Services
Maryland General Assembly
2019 Session

FISCAL AND POLICY NOTE
First Reader

House Bill 1213

(Delegate Ciliberti, *et al.*)

Judiciary

Family Law - Guardianship and Adoption - Age of Consent and Revocation of Consent

This bill reduces, from 30 days to 20 days, the timeframe during which a person may revoke consent to a guardianship or an adoption. It also raises, from age 10 to age 14, the age at which a minor's consent is required for adoption and at which a minor may revoke consent.

Fiscal Summary

State Effect: The bill is procedural/technical in nature and is not anticipated to materially affect the finances or operations of the Judiciary or the Department of Human Services.

Local Effect: The bill is procedural/technical in nature and is not anticipated to materially affect the finances or operations of the circuit courts.

Small Business Effect: None.

Analysis

Bill Summary/Current Law: Statutory provisions set forth a process by which a court may enter an order for a child's adoption or guardianship. The process may include guardianships and adoptions through a local department of social services or a private child placement agency, as well as independent adoptions (those handled by other than a child placement agency). Statutory language includes provisions regarding a person's right to revoke consent to guardianship or adoption, which is generally 30 days after the required consent is signed or the relevant petition is filed, as specified. The bill reduces the applicable time period to 20 days.

Statutory provisions also require in such cases for a child who is at least age 10 to consent to the adoption and authorize a child at least age 10 to revoke consent, as specified. The bill increases the applicable age to 14.

Additional Information

Prior Introductions: HB 1425 of 2018 received an unfavorable report from the House Judiciary Committee.

Cross File: None.

Information Source(s): Judiciary (Administrative Office of the Courts); Department of Legislative Services

Fiscal Note History: First Reader - February 19, 2019
mm/kdm

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