HOUSE BILL 243

D4 5lr1170 HB 214/24 – JUD (PRE-FILED) By: Delegate Boyce Requested: October 10, 2024 Introduced and read first time: January 8, 2025 Assigned to: Judiciary Committee Report: Favorable House action: Adopted Read second time: February 18, 2025 CHAPTER AN ACT concerning Family Law - Adoption of an Adult FOR the purpose of limiting the requirement that a petitioner's spouse join in the petition for adoption to apply only when the prospective adoptee is a minor; authorizing a petitioner's spouse to join in the petition for adoption if the prospective adoptee is an adult; establishing that certain provisions of law requiring the issuance and service of a show-cause order on a prospective adoptee's parents do not apply if the prospective adoptee is an adult; authorizing a court to order, for good cause shown, certain investigations before ruling on certain adoption petitions involving a prospective adoptee who is an adult; establishing that parental consent to an adoption is not required if the prospective adoptee is an adult; and generally relating to the adoption of an adult. BY repealing and reenacting, with amendments, Article – Family Law Section 5–3B–13, 5–3B–15, 5–3B–16, and 5–3B–20 Annotated Code of Maryland (2019 Replacement Volume and 2024 Supplement) SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

Article - Family Law

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

That the Laws of Maryland read as follows:

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15 16

17

18

19

20

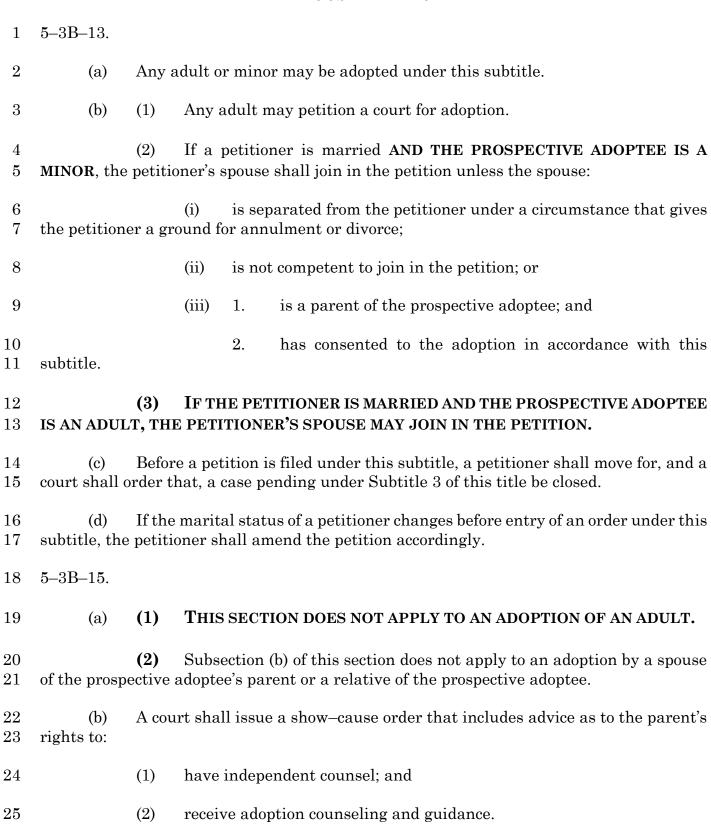
Strike out indicates matter stricken from the bill by amendment or deleted from the law by amendment.



26

27

shall serve the order:



On issuance of a show–cause order as to a prospective adoptee, a petitioner

- 1 (1) on each of the prospective adoptee's living parents who has not 2 consented to the adoption; and
- 3 (2) if the prospective adoptee is at least 10 years old and has not consented 4 to the adoption, on the prospective adoptee.
- 5 (d) Service under this section shall be by:
- 6 (1) personal service; or
- 7 (2) certified mail, restricted delivery, return receipt requested.
- 8 (e) Service under this section shall be attempted at the parent's last address 9 known to the petitioner.
- 10 (f) (1) If a court is satisfied, by affidavit or testimony, that, after reasonable efforts in good faith, a petitioner could not identify a parent or could not effect service on a parent, the court shall order service through notice by publication as to that parent.
- 13 (2) Notice under this subsection shall consist of substantially the following 14 statement:
 - To: (Father's name) To: (Mother's name) To: Unknown parent "You are hereby notified that an adoption case has been filed in the circuit court for (county name), case no. (number). All persons who believe themselves to be parents of a (male or female) child born on (date of birth) in (city, state) to (mother's and father's names and dates of birth) shall file a written response. A copy of the show—cause order may be obtained from the clerk's office at (address) and (telephone number). If you do not file a written objection by (deadline), you will have agreed to the permanent loss of your parental rights to this child."
- 22 (3) Service under this subsection shall be by:
- 23 (i) publication at least once in one or more newspapers in general 24 circulation in the county where the petition is filed or, if different, where the parent's last 25 address known to the petitioner is located; and
- 26 (ii) posting for at least 30 days on a website of the Department.
- 27 (4) The Department may charge a petitioner a reasonable fee to cover the 28 cost of posting.
- 29 5–3B–16.

15 16

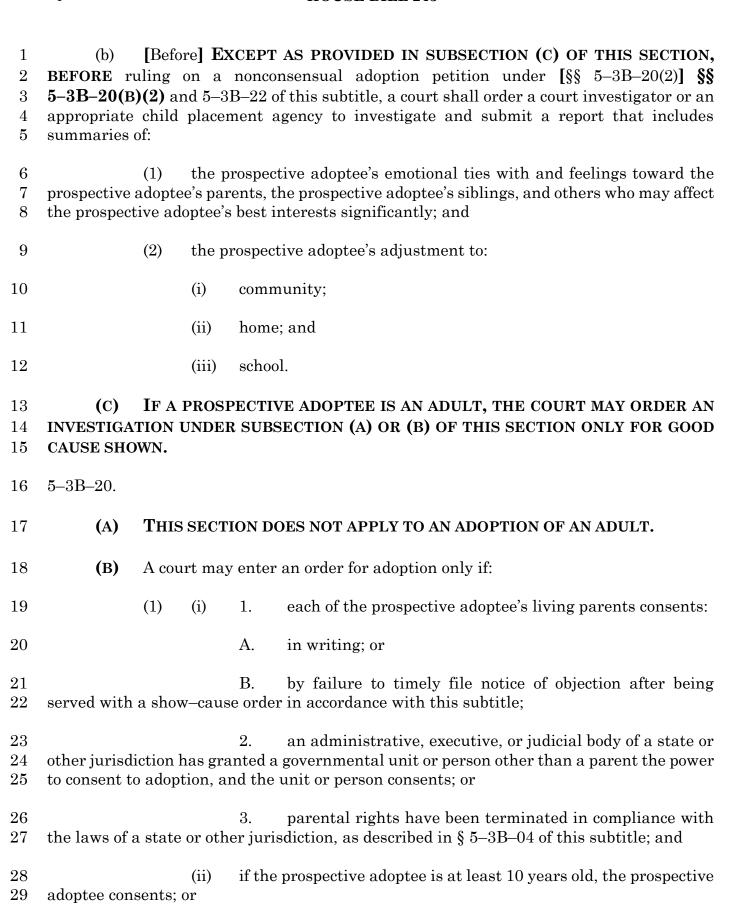
17

18 19

20

21

30 (a) Except as provided in § 5–3B–27 of this subtitle AND SUBJECT TO SUBSECTION (C) OF THIS SECTION, before ruling on a consensual adoption petition under 32 [§ 5–3B–20(1)] § 5–3B–20(B)(1) of this subtitle, a court may order a court investigator or 33 child placement agency to conduct any investigation that the court considers necessary.



in accordance with \S 5–3B–22 of this subtitle, the court orders adoption

(2)

without consent of	oth	erwise	req	uir	ed under thi	s section.						
SECTION October 1, 2025.	2.	AND	BE	IT	FURTHER	ENACTED,	That	this	Act	shall	take	effect
Approved:												
									G	overn	or.	
						Speaker of	the H	ouse	of D	elegat	es.	
]	Presid	ent o	$f th \epsilon$	Sena	te.	