

HOUSE BILL 923

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6lr3510

By: **Delegate Moreno**

Introduced and read first time: February 5, 2026

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Family Law – Equity Courts – Care and Custody of Children**
3 **(Uniform Nondiscrimination in Treatment and Evidence (UNITE) Act)**

4 FOR the purpose of stating a certain intent of the General Assembly regarding matters
5 involving the care and custody of children; requiring an equity court to apply the
6 same standards and procedures in a proceeding for custody or guardianship of an
7 immigrant child that are applied in a proceeding for custody or guardianship of a
8 child who is a United States citizen; and generally relating to equity courts and the
9 care and custody of children.

10 BY repealing and reenacting, without amendments,
11 Article – Family Law
12 Section 1–201
13 Annotated Code of Maryland
14 (2019 Replacement Volume and 2025 Supplement)

15 BY adding to
16 Article – Family Law
17 Section 1–201.1
18 Annotated Code of Maryland
19 (2019 Replacement Volume and 2025 Supplement)

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

22 **Article – Family Law**

23 1–201.

24 (a) For the purposes of subsection (b)(10) of this section, “child” means an
25 unmarried individual under the age of 21 years.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(b) An equity court has jurisdiction over:

2 (1) adoption of a child, except for a child who is under the jurisdiction of
3 any juvenile court and who previously has been adjudicated to be a child in need of
4 assistance;

5 (2) alimony;

6 (3) annulment of a marriage;

7 (4) divorce;

(5) custody or guardianship of a child except for a child who is under the jurisdiction of any juvenile court and who previously has been adjudicated to be a child in need of assistance;

11 (6) visitation of a child;

12 (7) legitimation of a child;

13 (8) paternity;

14 (9) support of a child;

15 (10) custody or guardianship of an immigrant child pursuant to a motion for
16 Special Immigrant Juvenile factual findings requesting a determination that the child was
17 abused, neglected, or abandoned before the age of 18 years for purposes of § 101(a)(27)(J)
18 of the federal Immigration and Nationality Act; and

19 (11) a petition for authorization for a minor to marry.

20 (c) In exercising its jurisdiction over the custody, guardianship, visitation, or
21 support of a child, an equity court may:

22 (1) direct who shall have the custody or guardianship of a child, pendente
23 lite or permanently;

24 (2) determine who shall have visitation rights to a child;

25 (3) decide who shall be charged with the support of the child, pendente lite
26 or permanently;

27 (4) from time to time, set aside or modify its decree or order concerning the
28 child; or

(5) issue an injunction to protect a party to the action from physical harm or harassment.

3 (d) This section does not take away or impair the jurisdiction of a juvenile court
4 or a criminal court with respect to the custody, guardianship, visitation, and support of a
5 child.

6 1-201.1.

7 (A) IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT IN ALL MATTERS
8 INVOLVING THE CARE AND CUSTODY OF CHILDREN, EQUITY COURTS SHALL
9 PROTECT AGAINST DISCRIMINATORY PRACTICES, IMPLICIT BIAS, AND PROCEDURAL
10 DISPARITIES THAT COULD HARM A CHILD'S STABILITY OR LONG-TERM WELFARE,
11 INCLUDING, FOR IMMIGRANT CHILDREN, THE ABILITY TO SEEK SPECIAL
12 IMMIGRANT JUVENILE STATUS, AS DESCRIBED IN § 1-201(B) OF THIS SUBTITLE.

13 (B) AN EQUITY COURT SHALL APPLY THE SAME STANDARDS, INCLUDING
14 EVIDENTIARY STANDARDS, AND PROCEDURES, INCLUDING THE USE OF THE SAME
15 DOCUMENTS, IN A PROCEEDING FOR CUSTODY OR GUARDIANSHIP OF AN IMMIGRANT
16 CHILD THAT ARE APPLIED IN A PROCEEDING FOR CUSTODY OR GUARDIANSHIP OF A
17 CHILD WHO IS A UNITED STATES CITIZEN.

18 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
19 October 1, 2026.