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TESTIMONY IN OPPOSITION TO HOUSE BILL 1242

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The House of Ruth is a non-profit organization providing shelter, counseling and legal services to victims of domestic violence throughout the State of Maryland. House Bill 1242 prohibits the State from infringing on a parent's fundamental right to direct the upbringing, education, care, and welfare of the parent's child unless the State can demonstrate by clear and convincing evidence certain factors. **We urge the House Judiciary Committee to issue an unfavorable report on House Bill 1242.**

HB 1242 would establish that a parent has a fundamental right to direct the upbringing, education, care, and welfare of her/his child and would prohibit the State from infringing on that right unless the State proves that (1) it is necessary to achieve a compelling state interest; (2) it is narrowly tailored; and (3) it is the least restrictive means to achieve the compelling State interest. HB 1242 changes Maryland's focus on the best interest of the child to what is in the parent's best interest. When State or local governments consider laws that affect the welfare of children, they should do so based on the best interests of the child, not the rights of the parents. HB 1242 would elevate the rights of parents over those of children and curtail the State's ability to enact laws to protect children.

HB 1242 presumes that all parents act in the best interest of their children. Sadly, this is simply not the case. The State must be able to enact laws that first and foremost consider the best interest of children, not the rights of the parents.

The House of Ruth urges the House Judiciary Committee to issue an unfavorable report on House Bill 1242.