

a child living in a home which fails to provide a stable moral environment, and specifying conditions the existence of which shall prima facie establish the lack of such environment.

SECTION 1. *Be it enacted by the General Assembly of Maryland, That Section 52(f) of Article 26 of the Annotated Code of Maryland (1957 Edition), title "Courts," subtitle "Juvenile Causes," be and it is hereby repealed and re-enacted, with amendments, to read as follows:*

52.

(f) "Neglected child" means a child (1) who is without proper guardianship; (2) whose parent, guardian or person with whom the child lives, by reason of cruelty, mental incapacity, immorality or depravity, is unfit to care properly for such a child; (3) who is under unlawful or improper care, supervision, custody or restraint, by any person, corporation, agency, association, institution or other organization or who is unlawfully kept out of school; (4) whose parent, guardian or custodian neglects or refuses, when able to do so, to provide necessary medical, surgical, institutional or hospital care for such child; [or] (5) who is in such condition of want or suffering, or is under such improper guardianship or control, or is engaged in such occupation as to injure or endanger the morals or health of himself or others; or (6) who is living in a home which fails to provide a stable moral environment. *The absence of such stable moral environment is prima facie established if* IN DETERMINING WHETHER SUCH STABLE MORAL ENVIRONMENT EXISTS, THE COURT SHALL CONSIDER, AMONG OTHER THINGS, WHETHER *the parent, guardian, or person with whom the child lives*

*(i) is unable to provide such environment by reasons of immaturity, or emotional, mental or physical disability;*

*(ii) is engaging in promiscuous conduct inside or outside the home;*

*(iii) is co-habiting with a person to whom he or she is not married;*

*(iv) is pregnant with an illegitimate child; or*

*(v) has, within a period of twelve months preceding the filing of the petition alleging the child to be neglected, either been pregnant with or given birth to another child to whose putative father she was not legally married at the time of conception, or has not thereafter married.*

SEC. 3. AND BE IT FURTHER ENACTED, THAT SECTION 285 OF THE CODE OF PUBLIC LOCAL LAWS OF ALLEGANY COUNTY (1955 EDITION, BEING ARTICLE 1 OF THE CODE OF PUBLIC LOCAL LAWS OF MARYLAND), TITLE "ALLEGANY COUNTY," SUBTITLE "JUVENILE COURT," BE AND IT IS HEREBY REPEALED AND RE-ENACTED, WITH AMENDMENTS, TO READ AS FOLLOWS:

285.

WHEN USED IN THIS SUBTITLE:

1. "CHILD" MEANS A PERSON UNDER THE AGE OF EIGHTEEN WHO IS SUBJECT TO THE JURISDICTION OF THE COURT.