

(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.

5. "FEEBLE-MINDED CHILD" MEANS A CHILD WHO BY REASON OF CONDITIONS EXISTING FROM THE TIME OF HIS BIRTH HAS A LEVEL OF INTELLIGENCE SUFFICIENTLY LOW THAT HE IS UNABLE TO COMPETE WITH HIS FELLOWS ON EQUAL TERMS OR TO MANAGE HIS AFFAIRS WITH ORDINARY PRUDENCE.

SEC. 2. *And be it further enacted*, That Section 240(e) of the Charter and Public Local Laws of Baltimore City (1949 Edition, being Article 4 of the Code of Public Local Laws of Maryland), title "Baltimore City," subtitle "Juvenile Causes," be and it is hereby repealed and re-enacted, with amendments to read as follows:

240.

(e) "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 4. *And be it further enacted*, That this Act shall take effect June 1, 1963.

Approved April 30, 1963.