

FOR the purpose of altering the elements of the misdemeanor crime of child abduction; providing for a new felony crime of child abduction and for penalties for the felony crime; ~~providing a certain condition precedent to the issuance of a warrant for the felony crime of child abduction;~~ and generally relating to child abduction.

BY repealing and reenacting, with amendments,

Article 27 - Crimes and Punishments
 Section 2A
 Annotated Code of Maryland
 (1976 Replacement Volume and 1981 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That section(s) of the Annotated Code of Maryland read(s) as follows:

Article 27 - Crimes and Punishments

2A.

(a) As used in this section, "lawful custodian" means a person authorized, either alone or together with another person or persons, to have custody and exercise control over a child less than 12 years of age at the time and place of an act to which any provision of this section is, or may be alleged to be, applicable. The term shall include any person so authorized:

(1) By an order of a court of competent jurisdiction of this State.

(2) By an order of a court of competent jurisdiction of another state, territory, or the District of Columbia. However, when there has been a designation of a lawful custodian by an order of a court of this State and there appears to be a conflict between that order and a custody order issued by the court of another state or jurisdiction qualifying some other person as the custodian of the child, the "lawful custodian" is the person appointed by order of a court of this State unless the order of the other state or jurisdiction:

(i) Is later in date than the order of a court of this State; and

(ii) Was issued in proceedings in which the person appointed by a custody order of a court of this State either consented to the custody order entered by the court of the other state or jurisdiction, or participated therein personally as a party.