

(2) ANY REPORT PREPARED FOR THE COURT.

(B) MARRIAGE.

IN RULING ON AN ADOPTION PETITION UNDER THIS SUBTITLE, A COURT MAY NOT DENY THE PETITION SOLELY BECAUSE THE PETITIONER IS SINGLE OR UNMARRIED.

COMMITTEE NOTE: Subsection (a) of this section is new and added to state expressly that a court may consider relevant factors not limited solely to religious background covered under former FL § 5-316(2) and to require consideration of a report. See, e.g., revised § 5-3B-16.

Subsection (b) of this section is derived without substantive change from former FL § 5-309(b).

In subsection (b) of this section, the reference to being "unmarried" is substituted for the former reference to "not hav[ing] a spouse".

Defined term: "Prospective adoptee" § 5-3B-01

5-3B-20.

A court may enter an order for adoption only if:

(1) (i) 1. each of the prospective adoptee's living parents consents:

[1.] A. in writing; or

[2.] B. by failure to timely file notice of objection after being served with a show cause order in accordance with this subtitle; [and]

2. AN ADMINISTRATIVE, EXECUTIVE, OR JUDICIAL BODY OF A STATE OR OTHER JURISDICTION HAS GRANTED A GOVERNMENTAL UNIT OR PERSON OTHER THAN A PARENT THE POWER TO CONSENT TO ADOPTION, AND THE UNIT OR PERSON CONSENTS; OR

3. PARENTAL RIGHTS HAVE BEEN TERMINATED IN COMPLIANCE WITH THE LAWS OF A STATE OR OTHER JURISDICTION, AS DESCRIBED IN § 5-3B-04 OF THIS SUBTITLE; AND

(ii) if the prospective adoptee is at least 10 years old, the prospective adoptee consents; or

(2) in accordance with [§ 5-3B-21] § 5-3B-22 of this subtitle, the court orders adoption without consent otherwise required under this section.

COMMITTEE NOTE: This section is renumbered to reflect the addition of proposed § 5-3B-19 and the renumbered provisions are amended to add a specific reference to provisions governing out-of-state orders and to update a cross-reference.

Defined terms: "Parent" § 5-3B-01  
"Person" § 1-101