

to conform to the language used throughout this title.

In subsection (a)(2) of this section, the statement that the other "parent is the sole natural guardian" is substituted for the former clause "the guardianship devolves upon the other parent", for clarity.

In subsection (a)(2)(iii) of this section, the phrase "as a parent" is new language added for clarity.

In subsection (c)(1) of this section, the term "custody" is substituted for the former term "guardianship", for clarity and to reflect practice.

In subsection (c)(2) of this section, the term "presumed" is new language added to clarify that a parent's right to the custody of a child may be superior to the other parent's right, on the basis of evidence presented to a court, or on the basis of an agreement between the parties, subject to the approval of the court. Therefore, the equality of the parents' rights is a presumption that may be rebutted by testimony, by an agreement between the parties, or by court action.

Also in subsection (c)(2) of this section, the former clause "in any custody proceeding, neither parent shall be given preference solely because of his or her sex" is deleted as unnecessary in light of the Maryland Equal Rights Amendment.

The Commission to Revise the Annotated Code notes, for consideration by the General Assembly, that the language of subsection (a)(2)(ii) of this section may not reflect the intended scope of the subsection accurately. The General Assembly may wish to substitute the abandonment of "the minor child" for abandonment of "the family" as an event that terminates a parent's natural guardianship of the child.

Defined term: "Support" § 1-101

5-204. DOMICILE OF MINOR CHILD.

(A) IN GENERAL.

(1) IF A MINOR CHILD HAS ONLY 1 PARENT, THE DOMICILE OF THE CHILD IS THE SAME AS THAT OF THE PARENT.

(2) IF THE PARENTS OF A MINOR CHILD LIVE TOGETHER, AND THE CHILD LIVES WITH THEM, THE DOMICILE OF THE CHILD IS THE SAME AS THAT OF THE PARENTS.

(B) DOMICILE OF MINOR CHILD IF PARENTS LIVE APART.