

IF THE PARENTS OF A MINOR CHILD LIVE APART, THE DOMICILE OF THE CHILD IS THE SAME AS THAT OF:

(1) THE PARENT TO WHOM CUSTODY IS AWARDED; OR

(2) IF CUSTODY HAS NOT BEEN AWARDED, THE PARENT WITH WHOM THE CHILD LIVES.

(C) DOMICILE OF MINOR CHILD NOT LIVING WITH PARENT.

IF A MINOR CHILD DOES NOT LIVE WITH EITHER PARENT, THE DOMICILE OF THE CHILD IS THE SAME AS THAT OF THE PERSON WHO ACTS IN THE CAPACITY OF A PARENT.

REVISOR'S NOTE: This section is new language derived without substantive change from former Article 72A, § 1A.

In subsection (a)(2) of this section, the introductory reference to the parents living together and the child living with them is new language added for clarity.

In subsection (b)(1) and (2) of this section, "legal", which formerly modified "custody", is deleted as unnecessary in light of the term "awarded".

In subsection (c) of this section, the former phrase "or guardian" is deleted as included in "person who acts in the capacity of a parent".

The Commission to Revise the Annotated Code calls the attention of the General Assembly to subsection (c) of this section. The rule established by subsection (c) of this section, as revised and as it formerly appeared in Article 72A, § 1A(3), applies whether the child's parents live together or apart.

5-205. RIGHT TO SERVICES AND EARNINGS OF MINOR CHILD.

ONE PARENT, TO THE EXCLUSION OF THE OTHER PARENT, IS ENTITLED TO THE SERVICES AND EARNINGS OF A MINOR CHILD IF:

(1) THAT PARENT HAS BEEN AWARDED CUSTODY OF THE CHILD; OR

(2) THE OTHER PARENT HAS ABANDONED THE CHILD OR IS DEAD.

REVISOR'S NOTE: This section is new language derived without substantive change from former Article 72A, § 2.

The term "minor child" is substituted for the former phrase "child under eighteen years of age", for