

In subsection (a)(1) of this section, the reference to the parents being "separated or divorced" is new language added for clarity.

See also §§ 1-201 and 9-101 of this article.

9-303. CONFLICT AS TO LAWFUL CUSTODIAN.

(A) SCOPE OF SECTION.

THIS SECTION APPLIES IF THERE IS A CONFLICT BETWEEN A CUSTODY ORDER OF A COURT OF THIS STATE AND A CUSTODY ORDER OF A COURT OF ANOTHER STATE.

(B) ORDER OF COURT OF THIS STATE PREVAILS.

EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, A CUSTODY ORDER OF A COURT OF THIS STATE PREVAILS OVER A CUSTODY ORDER OF A COURT OF ANOTHER STATE.

(C) EXCEPTION.

A CUSTODY ORDER OF A COURT OF ANOTHER STATE PREVAILS OVER A CUSTODY ORDER OF A COURT OF THIS STATE IF THE COURT IN THE OTHER STATE PASSED ITS CUSTODY ORDER:

(1) AFTER THE CUSTODY ORDER WAS PASSED BY A COURT OF THIS STATE; AND

(2) IN PROCEEDINGS IN WHICH THE LAWFUL CUSTODIAN UNDER THE CUSTODY ORDER OF A COURT OF THIS STATE:

(I) CONSENTED TO THE CUSTODY ORDER PASSED BY THE COURT OF THE OTHER STATE; OR

(II) WAS PARTICIPATED PERSONALLY AS A PARTY.

REVISOR'S NOTE: This section is new language derived without substantive change from the last sentence of former Article 27, § 2A(a).

In subsection (a) of this section, the word "is" is substituted for the former phrase "appears to be", for clarity.

Defined terms: "Lawful custodian" § 9-301
"State" § 1-101

9-304. PROHIBITED ACTS -- IN THIS STATE.

IF A CHILD IS UNDER THE AGE OF 12 YEARS, A RELATIVE WHO KNOWS THAT ANOTHER PERSON IS THE LAWFUL CUSTODIAN OF THE CHILD MAY NOT: