

Preamble

In June 1983, in Pickett v. Brown, 462 U.S. 1, the Supreme Court of the United States held that a Tennessee 2 year statute of limitations in paternity cases was unconstitutional. In August 1983, the Maryland Court of Appeals, in Frick v. Maldonado, 296 Md. 304, noted that the Maryland act is similar to the Tennessee act, and therefore held the Maryland provision unconstitutional.

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article - Family Law

5-1006.

(a) [A paternity proceeding under this subtitle shall be begun within 2 years after the last to occur of the following events:

(1) the child's birth;

(2) the mother's 18th birthday, if the mother was a minor when the child was born; or

(3) when the alleged father:

(i) acknowledged the paternity of the child in writing; or

(ii) made payment or otherwise provided for the support of the child.

(b)] A paternity proceeding under this subtitle may be begun during pregnancy.

[(c)] (B) A complaint under this subtitle is not barred because the child born out of wedlock was conceived or born outside this State.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1985.

Approved May 21, 1985.
