

AN ACT concerning

Enforcement of Support Orders - Paternity Defense

FOR the purpose of allowing the court, in a proceeding under the Maryland Uniform Reciprocal Enforcement of Support Act, to adjudicate the issue of paternity in certain circumstances or to adjourn a hearing until after the issue of paternity is adjudicated; and providing for the applicability of this Act and to adjourn a hearing in certain circumstances until after the issue of paternity is adjudicated.

BY repealing and reenacting, with amendments,

Article - Family Law
Section 10-319
Annotated Code of Maryland
(1984 Volume and 1986 Supplement)

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

Article - Family Law

10-319.

(A) If the obligee is absent from the responding state and the obligor presents evidence that constitutes a defense, the court shall continue the case for further hearing and the submission of evidence by both parties.

(B) IF THE OBLIGOR IS ALLEGED TO BE THE FATHER OF THE CHILD FOR WHOM SUPPORT IS SOUGHT AND THE OBLIGOR ASSERTS AS A DEFENSE THAT HE IS NOT THE FATHER OF THE CHILD, THE COURT MAY:

(1) ADJUDICATE THE ISSUE OF PATERNITY, IF BOTH PARTIES ARE PRESENT AT THE HEARING; OR

(2) ADJOURN THE HEARING UNTIL THE ISSUE OF PATERNITY IS ADJUDICATED, IF BOTH PARTIES ARE PRESENT AT THE HEARING OR THE PROOF REQUIRED INDICATES THAT THE PRESENCE OF ANY ABSENT PARTY IS NOT NECESSARY; OR

(3) ADJOURN THE HEARING UNTIL THE ISSUE OF PATERNITY IS ADJUDICATED.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed only prospectively and may not be applied on