

WILLIAM DONALD SCHAEFER, Governor

AN ACT concerning

Independent Adoption - Withholding of Consent  
by a Natural Parent

FOR the purpose of altering the application of certain provisions of law relating to an independent adoption in which a natural parent withholds consent to provide that those provisions apply only when the natural parent withholds consent in a certain manner; altering the period of time that an individual has exercised physical care, custody, or control of a child before a court may grant a decree of adoption without the consent of the child's natural parent under certain circumstances; altering the period of time that a child has been out of the custody of the natural parent before a court may grant a decree of adoption without the consent of the child's natural parent under certain circumstances; providing for the application and construction of this Act; and generally relating to independent adoptions in which a natural parent withholds consent.

BY repealing and reenacting, with amendments,

Article - Family Law  
Section 5-312  
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

5-312.

(a) (1) This section applies only to independent adoptions in which a natural parent AFFIRMATIVELY withholds consent BY FILING A NOTICE OF OBJECTION.

(2) This section does not permit a licensed or approved foster parent to petition a court for adoption of a child who was placed with the foster parent by a child placement agency unless the child placement agency consents.

(b) Without the consent of the child's natural parent, a court may grant a decree of adoption to a stepparent, relative, or other individual who has exercised physical care, custody, or control of a child for at least [1 year] 6 MONTHS, if by clear and convincing evidence the court finds that: