

WILLIAM DONALD SCHAEFER, Governor

5-317.

(a) A petition for a decree of adoption may be preceded by a petition for guardianship of the child.

(b) Only the executive head of a child placement agency OR THE ATTORNEY FOR THE CHILD ON BEHALF OF THE CHILD may file a petition for the agency to be granted guardianship.

(c) Except as provided in §§ 5-313 and 5-313.1 of this subtitle, the court may grant a decree awarding guardianship only:

(1) after any investigation and hearing the court considers necessary; and

(2) with the consent of each living natural parent of the child.

(d) In a proceeding for guardianship, consent may be revoked at any time before a final decree of guardianship.

(e) A decree of guardianship:

(1) terminates the natural parents' rights, duties, and obligations toward the child;

(2) subject to § 5-319 of this subtitle, eliminates the need to give notice to the natural parents of the filing of a petition for adoption of the child; and

(3) eliminates the need for a further consent by the natural parents to an adoption of the child.

~~SECTION--2--AND-BE-IT-FURTHER-ENACTED, That this Act shall be construed--only--prospectively--and--may--not--be--applied--or interpreted--to--have--any--effect--upon--or--application--to--any guardianship--from--which--a--final--decree--was--entered--before--July--17, 1987--nor--to--any--guardianship--proceeding--pending--as--of--July--17, 1987--However, the amendment by this Act of provisions of law in effect--prior--to--the--effective--date--of--this--Act--may--not--be construed--to--preclude--the--application--of--those--provisions--of--law to--any--guardianship--for--which--a--final--decree--was--entered--before July--17, 1987, nor--to--any--guardianship--proceeding--pending--as--of the--effective--date--of--this--Act.~~

SECTION -3-- 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1987.