

CHAPTER 609

(House Bill 715)

AN ACT concerning

Family Law – Adoption – Termination of Parental Rights

FOR the purpose of authorizing a court to terminate the parental rights under certain circumstances of a natural parent convicted of certain crimes of violence against ~~certain persons~~ the other natural parent of the child and sentenced to a certain term of imprisonment; and generally relating to termination of parental rights in certain independent adoptions.

BY repealing and reenacting, with amendments,

Article – Family Law

Section 5-312

Annotated Code of Maryland

(1991 Replacement Volume and 1994 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 6 months, if by clear and convincing evidence the court finds that:

(1) it is in the best interest of the child to terminate the natural parent's rights as to the child;

(2) the child has been out of the custody of the natural parent for at least 1 year;

(3) the child has developed significant feelings toward and emotional ties with the petitioner; and

(4) the natural parent:

(i) has not maintained meaningful contact with the child during the time the petitioner has had custody despite the opportunity to do so;