

(ii) has repeatedly failed to contribute to the physical care and support of the child although financially able to do so; [or]

(iii) has been convicted of child abuse of the child; OR

(IV) HAS BEEN:

1. CONVICTED OF A CRIME OF VIOLENCE, AS DEFINED IN ARTICLE 27, § 643B OF THE CODE, AGAINST THE OTHER NATURAL PARENT OF THE CHILD ~~OR AN INDIVIDUAL WHO IS SEEKING TO ADOPT THE CHILD UNDER THIS SUBSECTION;~~ AND

2. SENTENCED TO IMPRISONMENT FOR A TERM OF A TERM OF IMPRISONMENT FOR AT LEAST 10 YEARS AND, IF ANY PORTION OF THE SENTENCE IS SUSPENDED, THE UNSUSPENDED PORTION OF WHICH IS AT LEAST 10 YEARS.

(c) In determining whether it is in the best interest of the child to terminate a natural parent's rights as to the child under this section, the court shall request:

(1) an investigation by an appropriate agency; and

(2) a report of the investigation that includes summaries of:

(i) the child's feelings toward and emotional ties with the child's natural parents, the child's siblings, the petitioner, and any other individual who may significantly affect the child's best interest;

(ii) the child's adjustment to home, school, and community; and

(iii) if the natural parent is absent, an evaluation of the petitioner's attempts to locate the absent natural parent.

(d) A court may not grant a decree of adoption under this section solely because a natural parent:

(1) does not have legal custody of the child by reason of divorce or legal separation; or

(2) has been deprived of custody of the child by the act of the other natural parent.

(e) After the adoption, if it is in the child's best interest, the adoptive parent and a nonconsenting natural parent may agree to visitation privileges between the child and the natural parent or siblings.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 1995.

Approved May 25, 1995.