

BY repealing and reenacting, with amendments,

Article - Family Law

Section 5-1006 and 5-1038.

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**

5-1006.

(A) A PROCEEDING TO ESTABLISH PATERNITY OF A CHILD UNDER THIS SUBTITLE MAY BE BEGUN AT ANY TIME BEFORE THE CHILD'S EIGHTEENTH BIRTHDAY.

[(a)](B) A paternity proceeding under this subtitle may be begun during pregnancy.

[(b)](C) A complaint under this subtitle is not barred because the child born out of wedlock was conceived or born outside this State.

5-1038.

~~[(a) (1) Except in the manner and to the extent that any order or decree of an equity court is subject to the revisory power of the court under any law, rule, or established principle of practice and procedure in equity AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, a declaration of paternity in an order is final.~~

(2) (I) A DECLARATION OF PATERNITY MAY BE MODIFIED OR SET ASIDE:

A. IN THE MANNER AND TO THE EXTENT THAT ANY ORDER OR DECREE OF AN EQUITY COURT IS SUBJECT TO THE REVISORY POWER OF THE COURT UNDER ANY LAW, RULE, OR ESTABLISHED PRINCIPLE OF PRACTICE AND PROCEDURE IN EQUITY; OR

B. IF A BLOOD OR GENETIC TEST DONE IN ACCORDANCE WITH § 5-1029 OF THIS SUBTITLE ESTABLISHES THE EXCLUSION OF THE INDIVIDUAL NAMED AS THE FATHER IN THE ORDER.

(II) NOTWITHSTANDING SUBPARAGRAPH (I) OF THIS PARAGRAPH, A DECLARATION OF PATERNITY MAY NOT BE MODIFIED OR SET ASIDE IF THE INDIVIDUAL NAMED IN THE ORDER ACKNOWLEDGED PATERNITY KNOWING HE WAS NOT THE FATHER.

(b) Except for a declaration of paternity, ~~NOTWITHSTANDING ANY OTHER LAW OR RULE,~~ the court may modify or set aside any order or part of an order under this subtitle as the court considers just and proper in light of the circumstances and in the best interests of the child.