

CONTRARY TO THE CONSTITUTION OF ANY PARTICIPATING STATE OR OF THE UNITED STATES OR THE APPLICABILITY THEREOF TO ANY GOVERNMENT, AGENCY, PERSON, OR CIRCUMSTANCE IS HELD INVALID, THE VALIDITY OF THE REMAINDER OF THIS COMPACT AND THE APPLICABILITY THEREOF TO ANY GOVERNMENT, AGENCY, PERSON, OR CIRCUMSTANCES SHALL NOT BE AFFECTED THEREBY. IF THIS COMPACT SHALL BE HELD CONTRARY TO THE CONSTITUTION OF ANY STATE PARTICIPATING THEREIN, THE COMPACT SHALL REMAIN IN FULL FORCE AND EFFECT AS TO THE REMAINING STATES AND IN FULL FORCE AND EFFECT AS TO THE STATE AFFECTED AS TO ALL SEVERABLE MATTERS.

REVISOR'S NOTE: This section formerly was Art. 83C, § 3-103.

In Articles IV(a), V(a), VI, VII(c), and X of this section, gender neutral terms are substituted for the former references to "his", "he", and "him" because SG § 2-1238 requires the use of words that are neutral as to gender to the extent practicable. See General Revisor's Note to subtitle.

The only other changes are in style.

9-304. ADDITIONAL ARTICLE TO COMPACT.

ARTICLE XVI — ADDITIONAL ARTICLE

THAT THIS ARTICLE SHALL PROVIDE ADDITIONAL REMEDIES, AND SHALL BE BINDING ONLY AS AMONG AND BETWEEN THOSE PARTY STATES WHICH SPECIFICALLY EXECUTE THE SAME.

FOR THE PURPOSES OF THIS ARTICLE, "CHILD," AS USED HEREIN, MEANS ANY MINOR WITHIN THE JURISDICTIONAL AGE LIMITS OF ANY COURT IN THE HOME STATE, AND IN THIS STATE MEANS ANY PERSON UNDER EIGHTEEN YEARS OF AGE.

WHEN ANY CHILD IS BROUGHT BEFORE A COURT OF A STATE OF WHICH SUCH CHILD IS NOT A RESIDENT, AND SUCH STATE IS WILLING TO PERMIT SUCH CHILD'S RETURN TO THE HOME STATE OF SUCH CHILD, SUCH HOME STATE, UPON BEING SO ADVISED BY THE STATE IN WHICH SUCH PROCEEDING IS PENDING, SHALL IMMEDIATELY INSTITUTE PROCEEDINGS TO DETERMINE THE RESIDENCE AND JURISDICTIONAL FACTS AS TO SUCH CHILD IN SUCH HOME STATE, AND UPON FINDING THAT SUCH CHILD IS IN FACT A RESIDENT OF SAID STATE AND SUBJECT TO THE JURISDICTION OF THE COURT THEREOF, SHALL WITHIN FIVE DAYS AUTHORIZE THE RETURN OF SUCH CHILD TO THE HOME STATE, AND TO THE PARENTS OR CUSTODIAL AGENCY LEGALLY AUTHORIZED TO ACCEPT SUCH CUSTODY IN SUCH HOME STATE, AND AT THE EXPENSE OF SUCH HOME STATE, TO BE PAID FROM SUCH FUNDS AS SUCH HOME STATE MAY PROCURE, DESIGNATE, OR PROVIDE, PROMPT ACTION BEING OF THE ESSENCE.

REVISOR'S NOTE: This section formerly was Art. 83C, § 3-104.

No changes are made.