

Senate Bill No. 274

AN ACT concerning

Adoption and Guardianship – Revocation of Consent

FOR the purpose of altering the time period within which an individual or agency may revoke consent to an adoption; altering the time period within which a natural parent may revoke consent to a guardianship; and generally relating to the revocation of consent before a final decree of adoption or guardianship is entered.

BY repealing and reenacting, with amendments,

Article – Family Law

Section 5-311 and 5-317

Annotated Code of Maryland

(1984 Volume and 1991 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Family Law

5-311.

(a) Unless the natural parents' rights have been terminated by a judicial proceeding, an individual may not be adopted without the consent of:

- (1) the natural mother;
- (2) the natural father; and
- (3) the individual, if the individual is at least 10 years old.

(b) (1) If the natural parents' rights have been terminated by a judicial proceeding, an individual may not be adopted without the consent of:

- (i) the executive head of the child placement agency that has been awarded guardianship of the individual; and
- (ii) the individual, if the individual is at least 10 years old.

(2) The executive head of the child placement agency may not withhold consent for the sole reason that the race or religion of the prospective adoptive parents is different from that of the individual to be adopted or of the birth parents, where to do so would be contrary to the best interests of the child.

(c) (1) Except as provided in paragraph (2) of this subsection, within [90] 30 calendar days after the required consent to an adoption is filed under this section, or any time before a final decree of adoption is entered, whichever occurs first, the individual or agency executing the consent may revoke the consent.