

court to make a specific finding as to whether or not the return of a child to the custody of the natural parent poses an unacceptable risk to the future safety of the child under certain circumstances; requiring the court to terminate a natural parent's right to a child under certain circumstances give paramount primary consideration to the safety and health of the child in making a certain determination; and generally relating to independent adoption without parental consent.

BY repealing and reenacting, with amendments,

Article - Family Law

Section 5-312

Annotated Code of Maryland

(1991 Replacement Volume and 1997 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;

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

(iii) has ~~been convicted of~~ ~~COMMITTED~~ child abuse ~~[of the child]~~  
OR ANOTHER CHILD OF THE NATURAL PARENT; or