

HOUSE BILL 986

D4
HB 1272/11 – HRU

2lr0357

By: **Delegates Alston, Arora, Bobo, Braveboy, Burns, Carter, Davis, DeBoy, Dumais, Eckardt, Frush, Gaines, Glenn, Guzzone, Harrison, Holmes, Howard, Ivey, James, Kaiser, A. Kelly, McDermott, A. Miller, Nathan–Pulliam, Oaks, Pena–Melnyk, Proctor, B. Robinson, Ross, Smigiel, V. Turner, Valentino–Smith, Vaughn, and Wilson**

Introduced and read first time: February 10, 2012

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Family Law – Child Support – Age of Majority – Postsecondary Education**

3 FOR the purpose of altering certain provisions of law defining the age of majority to
4 provide that a person who has attained the age of 18 years and who is enrolled
5 in an institution of postsecondary education has a right to support and
6 maintenance until the first of certain events occurs; defining a certain term;
7 establishing that this Act shall be considered a material change in
8 circumstances for purposes of modifying a child support order issued before the
9 effective date of this Act; and generally relating to child support.

10 BY repealing and reenacting, with amendments,
11 Article 1 – Rules of Interpretation
12 Section 24
13 Annotated Code of Maryland
14 (2011 Replacement Volume)

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

17 **Article 1 – Rules of Interpretation**

18 24.

19 (a) (1) Except as provided in paragraph (2) of this subsection or as
20 otherwise specifically provided by statute, a person eighteen years of age or more is an
21 adult for all purposes whatsoever and has the same legal capacity, rights, powers,
22 privileges, duties, liabilities, and responsibilities as prior to July 1, 1973, persons had

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 at twenty-one years of age, and the “age of majority” is hereby declared to be eighteen
2 years.

3 (2) (I) IN THIS PARAGRAPH, “INSTITUTION OF
4 POSTSECONDARY EDUCATION” MEANS A SCHOOL OR OTHER INSTITUTION THAT
5 OFFERS AN EDUCATIONAL OR VOCATIONAL TRAINING PROGRAM FOR
6 INDIVIDUALS WHO ARE AT LEAST 16 YEARS OLD AND WHO HAVE GRADUATED
7 FROM OR LEFT ELEMENTARY OR SECONDARY SCHOOL.

8 (II) A person who has attained the age of 18 years and who is
9 enrolled in secondary school OR ENROLLED IN AN INSTITUTION OF
10 POSTSECONDARY EDUCATION has the right to receive support and maintenance
11 from both of the person’s parents until the first to occur of the following events:

12 [(i)] 1. The person dies;

13 [(ii)] 2. The person marries;

14 [(iii)] 3. The person is emancipated;

15 [(iv)] 4. The person graduates from or is no longer enrolled in
16 secondary school OR ENROLLED IN AN INSTITUTION OF POSTSECONDARY
17 EDUCATION; or

18 [(v)] 5. The person attains the age of [19] 21 years.

19 (b) (1) The terms “adult”, “of full age”, or “of legal age” refer to persons
20 who have attained the age of eighteen years.

21 (2) Except as provided in subsection (a)(2) of this section, the term
22 “minor”, as it pertains to legal age and capacity, refers to persons who have not
23 attained the age of eighteen years.

24 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be
25 considered to be a material change of circumstances for purposes of modifying a child
26 support order issued before the effective date of this Act.

27 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
28 October 1, 2012.