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**By: Chairman, Judiciary Committee (Departmental - Human Resources) and Delegate O'Donnell**

Introduced and read first time: February 2, 1996

Assigned to: Judiciary

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A BILL ENTITLED

1 AN ACT concerning

2 **Kinship Care Program - Kinship Parent - Definition**

3 FOR the purpose of altering a certain exception to the license requirement for a child  
4 care home; altering the definition of kinship parent in the Kinship Care Program;  
5 and generally relating to child care and foster care.

6 BY repealing and reenacting, with amendments,  
7 Article - Family Law  
8 Section 5-508 and 5-534(a)  
9 Annotated Code of Maryland  
10 (1991 Replacement Volume and 1995 Supplement)

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

13 **Article - Family Law**

14 5-508.

15 (a) Except as otherwise provided in this section, a person shall be licensed by the  
16 Administration as a child care home before the person may exercise care, custody, or  
17 control of a minor child.

18 (b) This section does not apply:

19 (1) to a parent of the child;

20 (2) to an individual related to the child by blood or marriage within [4]  
21 FIVE degrees of consanguinity or affinity under the civil law rule;

22 (3) to a guardian of the child;

23 (4) to a person who exercises temporary care, custody, or control over the  
24 child at the request of a parent or guardian of the child and who is not required otherwise  
25 to be licensed;

26 (5) to an individual with whom the child is placed in foster care by:

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1 (i) a child placement agency that is licensed under § 5-507 of this  
2 subtitle;

3 (ii) a local department;

4 (iii) the Department of Juvenile Justice;

5 (iv) the Secretary of Health and Mental Hygiene; or

6 (v) a court of competent jurisdiction;

7 (6) to a person who has the care, custody, or control of the child through  
8 placement for adoption by a parent or grandparent of the child, if the requirements of §  
9 5-507(c) of this subtitle are met;

10 (7) to an institution that has a child care institution license under this  
11 subtitle or under Article 83C, § 2-124; or

12 (8) to an institution that is operated by an agency of this State or any  
13 political subdivision of this State.

14 5-534.

15 (a) In this section, "kinship parent" means an individual who is related by blood  
16 or marriage within [four] FIVE degrees of consanguinity or affinity under the civil law  
17 rule to a child who is in the care, custody, or guardianship of the local department and  
18 with whom the child is placed for temporary or long-term care other than adoption.

19 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
20 October 1, 1996.