HOUSE BILL 443

D4 3lr2695 HB 1330/12 – JUD CF SB 413 By: Delegate Dumais Introduced and read first time: January 28, 2013 Assigned to: Judiciary Committee Report: Favorable House action: Adopted Read second time: March 18, 2013 CHAPTER AN ACT concerning Criminal History Records Checks - Informal Child Care Providers FOR the purpose of altering certain provisions of law relating to individuals required

- to obtain a criminal history records check; requiring an adult known to be residing in an informal child care provider's home to obtain a criminal history records check; requiring certain informal child care providers to obtain a criminal history records check; requiring the Department of Public Safety and Correctional Services to provide certain applicants' State criminal records to the State Department of Education; providing for a delayed effective date; and generally relating to criminal history records checks of individuals who care for or supervise children.
- 12 BY repealing and reenacting, with amendments,
- 13 Article – Family Law
- Section 5–561(c), 5–562(a), and 5–564(b) 14
- 15 Annotated Code of Maryland
- 16 (2012 Replacement Volume)
- SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF 17 MARYLAND, That the Laws of Maryland read as follows: 18
- 19 Article - Family Law

20 5-561.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

Strike out indicates matter stricken from the bill by amendment or deleted from the law by amendment.



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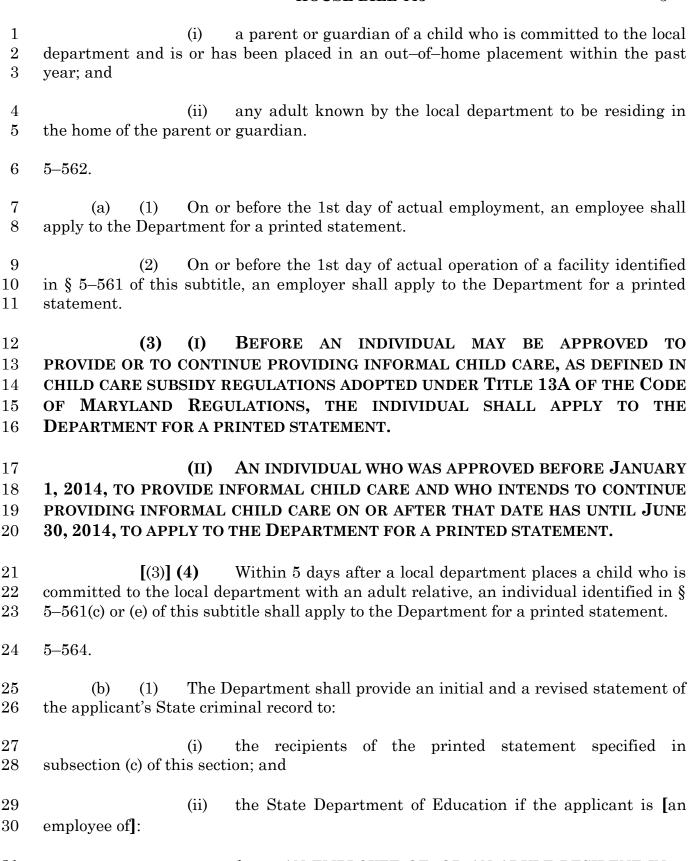
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REGULATIONS; AND

| 1 2 | (c) The following individuals shall obtain a criminal history records check under this Part VI of this subtitle: |
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| 3 4 | (1) an individual who is seeking to adopt a child through a child placement agency; |
| 5 6 | (2) an individual who is seeking to become a guardian through a local department; |
| 7 8 | (3) an individual whom the juvenile court appoints as a guardian of a child; |
| 9 10 | (4) an adult relative with whom a child, committed to a local department, is placed by the local department; |
| 11 12 | (5) any adult known by a local department OR THE STATE DEPARTMENT OF EDUCATION to be residing in: |
| 13 14 | (i) a family child care home or large family child care home required to be registered under this title; |
| 15 16 17 18 | (II) A HOME WHERE INFORMAL CHILD CARE, AS DEFINED IN CHILD CARE SUBSIDY REGULATIONS ADOPTED UNDER TITLE 13A OF THE CODE OF MARYLAND REGULATIONS, IS BEING PROVIDED OR WILL BE PROVIDED TO A CHILD WHO DOES NOT RESIDE THERE; |
| 19 20 | [(ii)] (III) a home of an adult relative of a child with whom the child, committed to a local department, is placed by the local department; |
| 21 22 | [(iii)] (IV) a foster care home or child care home required to be approved under this title; |
| 23 24 | [(iv)] (V) a home of an individual seeking to adopt a child through a child placement agency; or |
| 25 26 | [(v)] (VI) a home of an individual seeking to become a guardian through a local department; [and] |
| 27 | (6) AN INDIVIDUAL WHO AGREES TO PROVIDE, OR TO CONTINUE |

PROVIDING, INFORMAL CHILD CARE, AS DEFINED IN CHILD CARE SUBSIDY REGULATIONS, ADOPTED UNDER TITLE 13A OF THE CODE OF MARYLAND

[(6)] (7) if requested by a local department:



31 1. AN EMPLOYEE OF, OR AN ADULT RESIDENT IN, a 32 child care center that is required to be licensed or to hold a letter of compliance under 33 Part VII of this subtitle; [or]

| 1 2 3 | 2. AN EMPLOYEE OF, OR AN ADULT RESIDENT IN, a family child care home or large family child care home that is required to be registered under Part V of this subtitle; OR |
|------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 4 5 6 7 | 3. AN INDIVIDUAL WHO PROVIDES OR AGREES TO PROVIDE INFORMAL CHILD CARE OR AN ADULT WHO RESIDES IN A HOME WHERE INFORMAL CHILD CARE IS BEING PROVIDED OR WILL BE PROVIDED TO A CHILD WHO DOES NOT RESIDE THERE. |
| 8 9 10 | (2) The Department shall distribute the printed statement in accordance with federal law and regulations on dissemination of FBI identification records. |
| 11 12 | SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect January 1, 2014. |
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| | Approved: |
| | Governor. |
| | Speaker of the House of Delegates. |
| | President of the Senate. |