## **SENATE BILL 413**

 $\begin{array}{c} {\rm D4} \\ {\rm HB} \ 1330/12 - {\rm JUD} \\ \end{array}$  CF HB 443

By: Senators King, Benson, Colburn, Forehand, Jacobs, Kelley, Klausmeier, Madaleno, Manno, Montgomery, Peters, Robey, Shank, Stone, and Young

Introduced and read first time: January 28, 2013

Assigned to: Judicial Proceedings

## A BILL ENTITLED

1 AN ACT concerning

2

## Criminal History Records Checks - Informal Child Care Providers

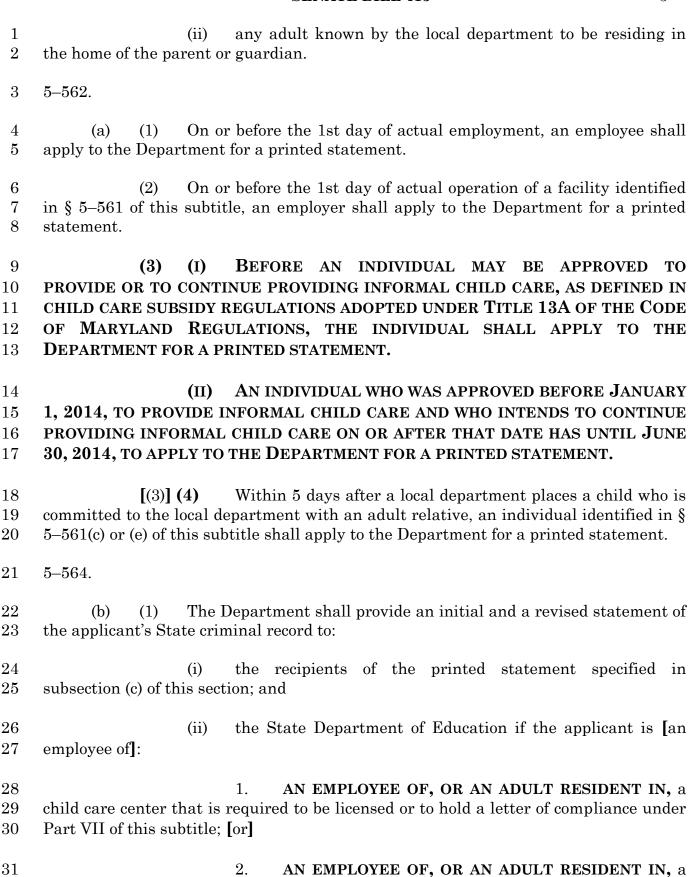
- 3 FOR the purpose of altering certain provisions of law relating to individuals required to obtain a criminal history records check; requiring an adult known to be 4 5 residing in an informal child care provider's home to obtain a criminal history 6 records check; requiring certain informal child care providers to obtain a 7 criminal history records check; requiring the Department of Public Safety and 8 Correctional Services to provide certain applicants' State criminal records to the 9 State Department of Education; providing for a delayed effective date; and 10 generally relating to criminal history records checks of individuals who care for or supervise children. 11
- 12 BY repealing and reenacting, with amendments,
- 13 Article Family Law
- 14 Section 5–561(c), 5–562(a), and 5–564(b)
- 15 Annotated Code of Maryland
- 16 (2012 Replacement Volume)
- 17 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
- 18 MARYLAND, That the Laws of Maryland read as follows:
- 19 Article Family Law
- 20 5-561.
- 21 (c) The following individuals shall obtain a criminal history records check 22 under this Part VI of this subtitle:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.



1 2	(1) an individual who is seeking to adopt a child through a child placement agency;
3 4	(2) an individual who is seeking to become a guardian through a local department;
5 6	(3) an individual whom the juvenile court appoints as a guardian of a child;
7 8	(4) an adult relative with whom a child, committed to a local department, is placed by the local department;
9	(5) any adult known by a local department OR THE STATE DEPARTMENT OF EDUCATION to be residing in:
11	(i) a family child care home or large family child care home required to be registered under this title;
13 14 15 16	(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;
17 18	[(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;
19 20	[(iii)] (IV) a foster care home or child care home required to be approved under this title;
21 22	[(iv)] (V) a home of an individual seeking to adopt a child through a child placement agency; or
23 24	[(v)] (VI) a home of an individual seeking to become a guardian through a local department; [and]
25 26 27 28	(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 REGULATIONS; AND
29	[(6)] (7) if requested by a local department:

30 (i) a parent or guardian of a child who is committed to the local department and is or has been placed in an out-of-home placement within the past year; and



family child care home or large family child care home that is required to be registered

32

33

under Part V of this subtitle: OR

1	3. AN INDIVIDUAL WHO PROVIDES OR AGREES TO
2	PROVIDE INFORMAL CHILD CARE OR AN ADULT WHO RESIDES IN A HOME WHERE
3	INFORMAL CHILD CARE IS BEING PROVIDED OR WILL BE PROVIDED TO A CHILI
4	WHO DOES NOT RESIDE THERE.

- 5 (2) The Department shall distribute the printed statement in accordance with federal law and regulations on dissemination of FBI identification records.
- 8 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect 9 January 1, 2014.