

# SENATE BILL 116

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4lr0083

(PRE-FILED)

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By: **Chair, Judicial Proceedings Committee (By Request – Departmental – Juvenile Services)**

Requested: November 8, 2013

Introduced and read first time: January 8, 2014

Assigned to: Judicial Proceedings

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## A BILL ENTITLED

AN ACT concerning

### **Juvenile Law – Committed Facilities – Repeal of Termination**

FOR the purpose of repealing the termination of certain provisions of law authorizing the Department of Juvenile Services to transfer a child committed to residential placement from a certain facility to another facility under certain circumstances; and generally relating to juvenile law.

BY repealing and reenacting, without amendments,  
Article – Courts and Judicial Proceedings  
Section 3–8A–19(l)  
Annotated Code of Maryland  
(2013 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,  
Chapter 198 of the Acts of the General Assembly of 2012  
Section 3

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

### **Article – Courts and Judicial Proceedings**

3–8A–19.

(l) (1) When necessary to appropriately administer the commitment of the child, the Department of Juvenile Services, on approval of the Director of Behavioral Health, may transfer a child committed for residential placement from one facility to another facility that is operated, licensed, or contracted by the Department.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(2) A facility to which a child is transferred under paragraph (1) of this subsection shall be:

(i) Consistent with the type of facility designated by the court under subsection (d)(1)(ii) of this section; or

(ii) More secure than the type of facility designated by the court under subsection (d)(1)(ii) of this section.

(3) Prior to transfer, the Department shall notify:

(i) The court;

(ii) The counsel for the child;

(iii) The State's Attorney; and

(iv) The parent or guardian of the child.

(4) The court may conduct a hearing at any time for the purpose of reviewing the commitment order and the transfer of a child under this subsection.

### **Chapter 198 of the Acts of 2012**

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect June 1, 2012. [It shall remain effective for a period of 2 years and 1 month and, at the end of June 30, 2014, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.]

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June 1, 2014.