

# HOUSE BILL 6

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HB 383/14 – JUD

EMERGENCY BILL  
(PRE-FILED)

5lr0662

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By: **Delegate Glenn**

Requested: November 20, 2014

Introduced and read first time: January 14, 2015

Assigned to: Judiciary

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## A BILL ENTITLED

1 AN ACT concerning

2 **Family Law – Unattended Child Under the Age of 3 Years**

3 FOR the purpose of prohibiting a person who is charged with the care of a child under a  
4 certain age from allowing the child to be locked or confined under certain  
5 circumstances unless the person charged provides a reliable person of at least a  
6 certain age to remain with the child to protect the child; making this Act an  
7 emergency measure; and generally relating to unattended children.

8 BY repealing and reenacting, with amendments,

9 Article – Family Law

10 Section 5–801

11 Annotated Code of Maryland

12 (2012 Replacement Volume and 2014 Supplement)

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

14 That the Laws of Maryland read as follows:

15 **Article – Family Law**

16 5–801.

17 (a) **(1)** [A] **SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION**, A person  
18 who is charged with the care of a child under the age of 8 years may not allow the child to  
19 be locked or confined in a dwelling, building, enclosure, or motor vehicle while the person  
20 charged is absent and the dwelling, building, enclosure, or motor vehicle is out of the sight  
21 of the person charged unless the person charged provides a reliable person at least 13 years  
22 old to remain with the child to protect the child.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1           **(2) A PERSON WHO IS CHARGED WITH THE CARE OF A CHILD UNDER**  
2 **THE AGE OF 3 YEARS MAY NOT ALLOW THE CHILD TO BE LOCKED OR CONFINED IN A**  
3 **DWELLING, A BUILDING, AN ENCLOSURE, OR A MOTOR VEHICLE WHILE THE PERSON**  
4 **CHARGED IS ABSENT AND THE DWELLING, BUILDING, ENCLOSURE, OR MOTOR**  
5 **VEHICLE IS OUT OF THE SIGHT OF THE PERSON CHARGED UNLESS THE PERSON**  
6 **CHARGED PROVIDES A RELIABLE PERSON AT LEAST 15 YEARS OLD TO REMAIN WITH**  
7 **THE CHILD TO PROTECT THE CHILD.**

8           (b) A person who violates this section is guilty of a misdemeanor and on conviction  
9 is subject to a fine not exceeding \$500 or imprisonment not exceeding 30 days, or both.

10           SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency  
11 measure, is necessary for the immediate preservation of the public health or safety, has  
12 been passed by a ye and nay vote supported by three-fifths of all the members elected to  
13 each of the two Houses of the General Assembly, and shall take effect from the date it is  
14 enacted.