

Chapter 152

(Senate Bill 31)

AN ACT concerning

**Family Law – Child Abuse and Neglect – Expungement of Reports and Records – Time Period**

FOR the purpose of ~~requiring a local department of social services to maintain certain reports of suspected abuse or neglect and all assessments and investigative findings for certain periods of time;~~ altering the time period ~~after~~ *within* which a local department *of social services* is required to expunge certain reports and records of suspected child abuse and neglect; authorizing a local department to immediately expunge certain reports and records of suspected child abuse and neglect under certain circumstances; and generally relating to reports of child abuse and neglect.

BY repealing and reenacting, with amendments,  
Article – Family Law  
Section 5–707  
Annotated Code of Maryland  
(2012 Replacement Volume and 2015 Supplement)

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

**Article – Family Law**

5–707.

(a) Subject to federal and State law, the Administration shall provide by regulation adopted in accordance with Title 10, Subtitle 1 of the State Government Article:

- (1) procedures for protecting the confidentiality of reports and records made in accordance with this subtitle;
- (2) conditions under which information may be released;
- (3) conditions for determining in cases whether abuse, neglect, or sexual abuse is indicated, ruled out, or unsubstantiated; and
- (4) procedures for the appeal processes provided in this subtitle.

(b) (1) ~~{The} UNLESS AN INVESTIGATION UNDER § 5-706 OF THIS SUBTITLE FINDS THAT THE REPORT IS INDICATED OR THE LOCAL DEPARTMENT HAS RECEIVED ADDITIONAL REPORTS, THE~~ local department shall ~~{expunge}~~ **MAINTAIN** a

report of suspected abuse or neglect and all assessments and investigative findings ~~FOR AT LEAST 5 YEARS AFTER THE DATE OF REFERRAL IF:~~

[(1)] (I) ~~within 5 years after the date of referral if~~ the investigation under § 5-706 of this subtitle concludes that the report is unsubstantiated, and no further reports of abuse or neglect are received during the 5 years; ~~and~~ ~~OR~~

[(2)] (II) [within 120 days after the date of referral if] SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, WITHIN 2 YEARS AFTER THE DATE OF REFERRAL IF the report is ruled out, and no further reports of abuse or neglect are received during the [120 days] ~~5 YEARS~~ 2 YEARS.

~~(2) THE LOCAL DEPARTMENT SHALL EXPUNGE A REPORT OF SUSPECTED ABUSE OR NEGLECT AND ALL ASSESSMENTS AND INVESTIGATIVE FINDINGS AFTER THE EXPIRATION OF THE PERIOD ESTABLISHED UNDER PARAGRAPH (1) OF THIS SUBSECTION~~ IF A REPORT IS RULED OUT, THE LOCAL DEPARTMENT MAY, ON GOOD CAUSE SHOWN, IMMEDIATELY EXPUNGE THE REPORT AND ALL ASSESSMENTS AND INVESTIGATIVE FINDINGS.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2016.

Approved by the Governor, April 26, 2016.