

SENATE BILL 81

E3

6lr0111

(PRE-FILED)

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

Requested: October 20, 2015

Introduced and read first time: January 13, 2016

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Juvenile Law – Continuum of Care – Repeal of Termination Date**

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

7 BY repealing and reenacting, without amendments,

8 Article – Courts and Judicial Proceedings

9 Section 3–8A–19(l)

10 Annotated Code of Maryland

11 (2013 Replacement Volume and 2015 Supplement)

12 BY repealing and reenacting, with amendments,

13 Chapter 198 of the Acts of the General Assembly of 2012, as amended by Chapter
14 135 of the Acts of the General Assembly of 2014

15 Section 3

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

18 **Article – Courts and Judicial Proceedings**

19 3–8A–19.

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

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

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

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

8 (i) The court;

9 (ii) The counsel for the child;

10 (iii) The State's Attorney; and

11 (iv) The parent or guardian of the child.

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

14 **Chapter 198 of the Acts of 2012, as amended by Chapter 135 of the Acts of 2014**

15 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect June
16 1, 2012. [It shall remain effective for a period of 4 years and 1 month and, at the end of
17 June 30, 2016, with no further action required by the General Assembly, this Act shall be
18 abrogated and of no further force and effect.]

19 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June
20 1, 2016.