D4, O4 9lr1784 CF 9lr1795

By: Senators Zucker, Feldman, Carozza, Guzzone, Peters, and Serafini

Introduced and read first time: February 4, 2019

Assigned to: Judicial Proceedings

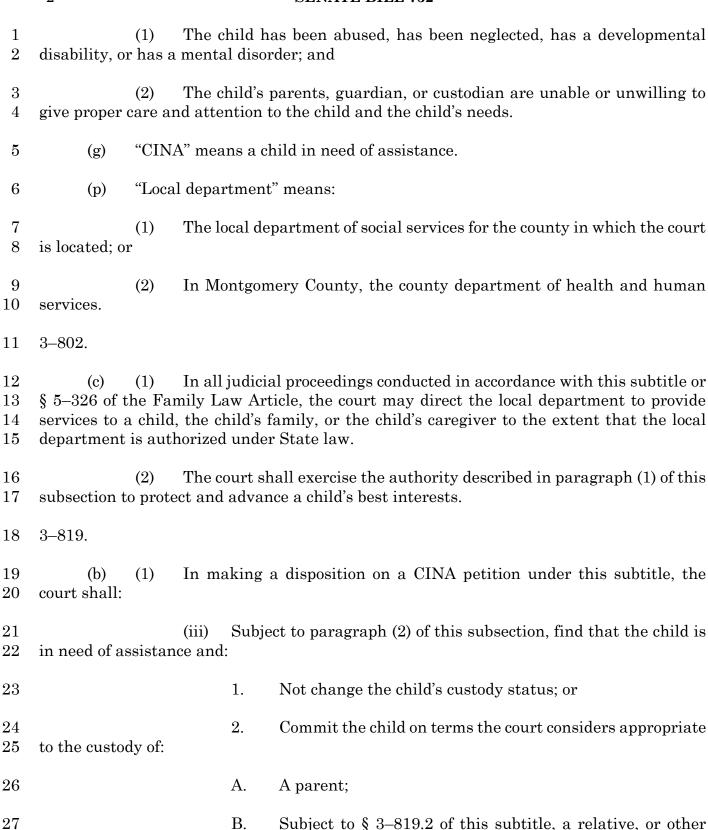
A BILL ENTITLED

1	AN ACT concerning
2 3	Child in Need of Assistance – Guardianship by Local Department – ABLE Accounts
4 5 6 7 8	FOR the purpose of authorizing a local department of social services that has been granted certain guardianship over a child in need of assistance to have control over the property of the child for the purpose of establishing a certain ABLE account on behalf of the child; and generally relating to children in need of assistance and the establishment of ABLE accounts.
9 10 11 12 13	BY repealing and reenacting, without amendments, Article – Courts and Judicial Proceedings Section 3–801(f), (g), and (p), 3–802(c), and 3–819(b)(1)(iii) and (c)(1) Annotated Code of Maryland (2013 Replacement Volume and 2018 Supplement)
14 15 16 17 18	BY repealing and reenacting, with amendments, Article – Courts and Judicial Proceedings Section 3–819(g) Annotated Code of Maryland (2013 Replacement Volume and 2018 Supplement)
19 20	SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:
21	Article - Courts and Judicial Proceedings
22	3–801.
23 24	(f) "Child in need of assistance" means a child who requires court intervention because:



individual; or

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C. A local department, the Maryland Department of Health, or both, including designation of the type of facility where the child is to be placed.

- 1 In addition to any action under subsection (b)(1)(iii) of this section, the court (c) 2 may: 3 (1) (i) Place a child under the protective supervision of the local department on terms the court considers appropriate; 4 5 Grant limited guardianship to the department or an individual 6 or both for specific purposes including medical and educational purposes or for other 7 appropriate services if a parent is unavailable, unwilling, or unable to consent to services 8 that are in the best interest of the child; or Order the child and the child's parent, guardian, or custodian to 9 (iii) 10 participate in rehabilitative services that are in the best interest of the child and family; 11 A guardian appointed under this section has no control over the property of (g) 12 the child unless [the]: 13 **(1)** THE court expressly grants that authority; OR 14 **(2)** THE LOCAL DEPARTMENT IS THE GUARDIAN AND EXERCISES THE CONTROL TO ESTABLISH AN ABLE ACCOUNT ON BEHALF OF THE CHILD IN 15
- SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect 18 October 1, 2019.

ACCORDANCE WITH TITLE 18, SUBTITLE 19C OF THE EDUCATION ARTICLE.

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