

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL NO. 74

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike “repealing a certain definition;”; in line 4, strike “adoption,” and substitute “joint”; in line 5, after the semicolon insert “authorizing a court to award joint guardianship, custody, or other long-term placement under certain circumstances; providing that if joint guardianship is awarded to a caregiver, the child placement agency shall retain guardianship with the right to consent to adoption or long-term care short of adoption;”; in line 7, after the semicolon insert “defining a certain term;”; strike in their entirety lines 9 through 13, inclusive; after line 29 insert:

“BY adding to

Article - Family Law

Section 5-301(g) and 5-317(g)

Annotated Code of Maryland

(1991 Replacement Volume and 1995 Supplement)”;

in line 21, after “Section” insert “5-301(e) and”; in line 26, strike “5-301(f)” and substitute “5-301(g)”; and in line 27, strike “5-301(e) through (h)” and substitute “5-301(h) through (j)”.

AMENDMENT NO. 2

On page 2, in line 2, after “That” insert “Section(s) 5-301(g) through (I), respectively, of Article - Family Law of the Annotated Code of Maryland be renumbered to be Section(s) 5-301(h) through (j), respectively.”

SECTION 2. AND BE IT FURTHER ENACTED, That”;

in lines 5 and 6, in each instance, strike the bracket; and after line 6 insert:

(Over)

“(G) (1) “JOINT GUARDIANSHIP” MEANS LIMITED GUARDIANSHIP GRANTED TO A CAREGIVER UNDER § 5-317 OF THIS SUBTITLE.

(2) “JOINT GUARDIANSHIP” MAY INCLUDE THE AUTHORITY TO CONSENT TO MEDICAL CARE AND MAKE EDUCATIONAL AND OTHER DECISIONS FOR THE CHILD.

(3) “JOINT GUARDIANSHIP” DOES NOT INCLUDE THE AUTHORITY TO CONSENT TO ADOPTION OR LONG-TERM CARE SHORT OF ADOPTION.”;

and strike in their entirety lines 33 through 35, inclusive.

AMENDMENT NO. 3

On page 2, in line 16, strike “ADOPTION,” and substitute “JOINT”; strike beginning with “AND” in line 17 down through “DETERMINE” in line 18 and substitute “DETERMINES”; and after line 18 insert:

“(G) (1) AFTER ANY INVESTIGATION AND HEARING THE COURT CONSIDERS NECESSARY, THE COURT MAY GRANT A DECREE AWARDED JOINT GUARDIANSHIP, CUSTODY, OR OTHER LONG-TERM PLACEMENT THAT THE COURT DETERMINES TO BE IN THE CHILD’S BEST INTEREST.

(2) IF JOINT GUARDIANSHIP IS AWARDED TO A CAREGIVER, THE CHILD PLACEMENT AGENCY SHALL RETAIN GUARDIANSHIP WITH THE RIGHT TO CONSENT TO ADOPTION OR LONG-TERM CARE SHORT OF ADOPTION.”.