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**By: Delegate Dembrow**

Introduced and read first time: February 2, 1996

Assigned to: Judiciary

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A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Background Investigations - Adoption**

3 FOR the purpose of allowing the Department of Human Resources to waive the  
4 requirement that certain individuals seeking to adopt a child submit fingerprints as  
5 part of the application for a criminal background investigation; requiring the  
6 criminal background investigation to be completed within 7 days after the  
7 submission of the application for investigation; and generally relating to criminal  
8 background investigations of certain individuals seeking to adopt a child.

9 BY repealing and reenacting, with amendments,  
10 Article - Family Law  
11 Section 5-562(c)  
12 Annotated Code of Maryland  
13 (1991 Replacement Volume and 1995 Supplement)

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

16 **Article - Family Law**

17 5-562.

18 (c) (1) The requirement that a complete set of legible fingerprints taken on  
19 standard fingerprint cards be submitted as part of the application for a criminal  
20 background investigation may be waived by the Department of Human Resources if:

21 [(1)] (I) the application is submitted by a person who has attempted to have  
22 a complete set of fingerprints taken on at least 3 occasions;

23 [(2)] (II) the taking of a complete set of legible fingerprints is not possible  
24 because of a physical or medical condition of the person's fingers or hands;

25 [(3)] (III) the person submits documentation satisfactory to the Department  
26 of Human Resources of the requirements of this subsection; [and] OR

27 [(4) the person submits the other information required for a criminal  
28 background investigation.]

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1 (IV) THE PERSON IS SEEKING TO ADOPT A CHILD THROUGH A  
2 LOCAL DEPARTMENT OF SOCIAL SERVICES OR LICENSED CHILD PLACEMENT  
3 AGENCY.

4 (2) IF THE REQUIREMENT FOR SUBMISSION OF A COMPLETE SET OF  
5 LEGIBLE FINGERPRINTS IS WAIVED UNDER SUBSECTION (1) OF THIS SECTION, THE  
6 PERSON MUST NONETHELESS SUBMIT THE OTHER INFORMATION REQUIRED FOR A  
7 CRIMINAL BACKGROUND INVESTIGATION.

8 (3) WHEN THE FINGERPRINT REQUIREMENT IS WAIVED FOR AN  
9 INDIVIDUAL WHO IS SEEKING TO ADOPT A CHILD THROUGH A LOCAL DEPARTMENT  
10 OF SOCIAL SERVICES OR LICENSED CHILD PLACEMENT AGENCY, THE FEDERAL AND  
11 STATE CRIMINAL BACKGROUND INVESTIGATION SHALL BE COMPLETED WITHIN 7  
12 DAYS AFTER THE INDIVIDUAL SUBMITS THE APPLICATION FOR A CRIMINAL  
13 BACKGROUND INVESTIGATION.

14 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
15 October 1, 1996.