
By: **Delegate Morgan**

Introduced and read first time: February 5, 1998

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Minor Students - Commission of Civil Offense During Illegal Absence from**
3 **School - Fines**

4 FOR the purpose of increasing certain fines for civil offenses committed by minor
5 students in the public and nonpublic schools of the State while absent from
6 school without a lawful excuse.

7 BY repealing and reenacting, with amendments,
8 Article - Education
9 Section 7-302
10 Annotated Code of Maryland
11 (1997 Replacement Volume and 1997 Supplement)

12 BY adding to
13 Article - Courts and Judicial Proceedings
14 Section 3-838
15 Annotated Code of Maryland
16 (1995 Replacement Volume and 1997 Supplement)

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

19 **Article - Education**

20 7-302.

21 (a) The principal or head teacher of each public or private school in this State
22 shall report immediately to the county superintendent, the supervisor of pupil
23 personnel, or any other official designated by the county superintendent the name of
24 each child enrolled in his school who has been absent or irregular in attendance,
25 without lawful excuse, or who shows evidence of maladjustment, so that the causes
26 may be studied and solutions worked out.

1 (b) On receipt of a report from a principal or head teacher of a public school
2 that a student has been habitually truant without lawful excuse, the appropriate
3 representative of the school system:

4 (1) Shall initiate an investigation into the cause of the child's truancy;

5 (2) May provide counseling regarding the availability of social, health,
6 and educational services; and

7 (3) Following the investigation or intervention, may notify the
8 Department of Juvenile Justice that the student has been habitually truant, without
9 lawful excuse.

10 (c) The county superintendent, the superintendent's designee, or the
11 supervisor of pupil personnel shall provide to the local education agency for inclusion
12 in the report of the local education agency under § 7-304(f)(1) of this subtitle
13 information regarding the number of students identified as being habitually truant.

14 (D) A STUDENT UNDER THE AGE OF 18 YEARS WHO IS RESPONSIBLE FOR A
15 CIVIL OFFENSE WHILE ABSENT WITHOUT A LAWFUL EXCUSE FROM A PUBLIC OR
16 NONPUBLIC SCHOOL IN THE STATE IS SUBJECT TO TWICE THE AMOUNT OF THE FINE
17 USUALLY IMPOSED FOR THE OFFENSE.

18 **Article - Courts and Judicial Proceedings**

19 3-838.

20 A STUDENT UNDER THE AGE OF 18 YEARS WHO IS RESPONSIBLE FOR A CIVIL
21 OFFENSE WHILE ABSENT WITHOUT A LAWFUL EXCUSE FROM A PUBLIC OR
22 NONPUBLIC SCHOOL IN THE STATE UNDER THE PROVISIONS OF § 7-302 OF THE
23 EDUCATION ARTICLE IS SUBJECT TO TWICE THE AMOUNT OF THE FINE USUALLY
24 IMPOSED FOR THE OFFENSE.

25 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
26 July 1, 1998.