

SENATE BILL 480

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D4

1999 Regular Session
(9r1862)

ENROLLED BILL
-- Judicial Proceedings/Judiciary --

Introduced by **Senator Hafer**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this
____ day of _____ at _____ o'clock, ____ M.

President.

CHAPTER _____

1 AN ACT concerning

2 **Foster Care - Child Support Obligations**

3 FOR the purpose of requiring the Social Services Administration to adopt regulations
4 that ~~mandate require~~ authorize background checks for child support arrearages
5 for certain ~~foster parents~~ applicants for foster home approval who are also
6 biological or adoptive parents; ~~requiring the Social Services Administration to~~
7 ~~adopt regulations that mandate that certain foster parents be given a certain~~
8 ~~time period to pay delinquent child support obligations before any action is~~
9 ~~taken with regard to the placement or removal of foster children~~ requiring the
10 regulations to require that an applicant whose child support payments are in
11 arrears be given a certain period of time to bring the obligation current before a
12 decision is made on the application; requiring the regulations to require that if a
13 foster parent is in arrears in child support payments, no additional children will
14 be placed in the individual's home until the obligation is brought current
15 requiring the Administration to adopt regulations that authorize the
16 Administration to consider any child support arrearage of an applicant in
17 determining whether to approve or disapprove the application; and generally

1 relating to the placement of foster children.

2 BY repealing and reenacting, with amendments,

3 Article - Family Law

4 Section ~~5-525(i)~~ 5-532

5 Annotated Code of Maryland

6 (1999 Replacement Volume)

7 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF

8 MARYLAND, That the Laws of Maryland read as follows:

9 **Article - Family Law**

10 ~~5-525.~~

11 (i) ~~The Administration shall adopt regulations that:~~

12 (1) ~~for the 12-month period beginning on October 1, 1983, and for each~~
 13 ~~subsequent 12-month period, establish specific goals as to the maximum number of~~
 14 ~~children who will remain in foster care for more than 2 years;~~

15 (2) ~~prohibit a local department from seeking the custody or guardianship~~
 16 ~~of a child for placement in foster care solely because the child's parent or guardian~~
 17 ~~lacks shelter; [and]~~

18 (3) ~~require the local department to make appropriate referrals to~~
 19 ~~emergency shelter and other services for families with children who lack shelter; AND~~
 20 ~~5-532.~~

21 (A) The Administration shall adopt rules and regulations to carry out the child
 22 welfare services and foster care programs under this subtitle.

23 (B) THE REGULATIONS SHALL REQUIRE THAT AUTHORIZE THE
 24 ADMINISTRATION TO:

25 (4) (i) ~~REQUIRE THAT~~

26 (1) ~~DURING THE HOME STUDY PROCESS, A BACKGROUND CHECK OF~~
 27 ~~ANY CHILD SUPPORT OBLIGATIONS AND ARREARAGES BE CONDUCTED ON A~~
 28 ~~PROSPECTIVE FOSTER PARENT AN APPLICANT FOR FOSTER HOME APPROVAL WHO IS~~
 29 ~~ALSO A BIOLOGICAL OR ADOPTIVE PARENT PRIOR TO THE PLACEMENT OF A FOSTER~~
 30 ~~CHILD IN THE INDIVIDUAL'S HOME;~~

31 (ii) ~~REQUIRE THAT ANY PROSPECTIVE FOSTER PARENT~~

32 (2) ~~AN APPLICANT FOR FOSTER HOME APPROVAL WHOSE CHILD~~
 33 ~~SUPPORT PAYMENTS ARE IN ARREARS WILL BE GIVEN 60 DAYS TO BRING THE~~
 34 ~~OBLIGATION CURRENT BEFORE A DECISION IS MADE WHETHER TO PLACE A FOSTER~~

1 ~~CHILD IN THE INDIVIDUAL'S HOME APPROVE OR DISAPPROVE THE APPLICATION;~~
2 ~~AND~~

3 (III) REQUIRE THAT

4 ~~(3) DURING THE TIME AN INDIVIDUAL IS A FOSTER PARENT, IF THE~~
5 ~~INDIVIDUAL'S CHILD SUPPORT PAYMENTS ARE IN ARREARS, THE INDIVIDUAL WILL~~
6 ~~HAVE 30 DAYS TO BRING THE OBLIGATION CURRENT BEFORE ANY DECISION IS MADE~~
7 ~~WHETHER TO REMOVE A FOSTER CHILD FROM THE INDIVIDUAL'S HOME NO~~
8 ~~ADDITIONAL CHILDREN WILL BE PLACED IN THE INDIVIDUAL'S HOME UNTIL THE~~
9 ~~OBLIGATION IS BROUGHT CURRENT~~

10 ~~(1) CONDUCT A BACKGROUND CHECK OF CHILD SUPPORT ARREARAGES~~
11 ~~ON AN APPLICANT FOR FOSTER HOME APPROVAL WHO IS ALSO A BIOLOGICAL OR~~
12 ~~ADOPTIVE PARENT; AND~~

13 ~~(2) CONSIDER ANY CHILD SUPPORT ARREARAGE IN DETERMINING~~
14 ~~WHETHER TO APPROVE OR DISAPPROVE THE APPLICATION.~~

15 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
16 October 1, 1999.