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By: **Senator Hafer**

Introduced and read first time: February 5, 1999

Assigned to: Judicial Proceedings

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Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 10, 1999

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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 background checks for child support arrearages for certain  
5 ~~foster parents~~ applicants for foster home approval who are also biological or  
6 adoptive parents; ~~requiring the Social Services Administration to adopt~~  
7 ~~regulations that mandate that certain foster parents be given a certain time~~  
8 ~~period to pay delinquent child support obligations before any action is taken~~  
9 ~~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; and  
15 generally relating to the placement of foster children.

16 BY repealing and reenacting, with amendments,  
17 Article - Family Law  
18 Section ~~5-525(i)~~ 5-532  
19 Annotated Code of Maryland  
20 (1999 Replacement Volume)

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

1 **Article - Family Law**

2 ~~5-525.~~

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

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

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

10 (3) ~~require the local department to make appropriate referrals to~~  
 11 ~~emergency shelter and other services for families with children who lack shelter; AND~~  
 12 ~~5-532.~~

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

15 (B) THE REGULATIONS SHALL REQUIRE THAT:

16 (4) (i) ~~REQUIRE THAT~~

17 (1) DURING THE HOME STUDY PROCESS, A BACKGROUND CHECK OF  
 18 ANY CHILD SUPPORT OBLIGATIONS AND ARREARAGES BE CONDUCTED ON A  
 19 PROSPECTIVE FOSTER PARENT AN APPLICANT FOR FOSTER HOME APPROVAL WHO IS  
 20 ALSO A BIOLOGICAL OR ADOPTIVE PARENT PRIOR TO THE PLACEMENT OF A FOSTER  
 21 CHILD IN THE INDIVIDUAL'S HOME;

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

23 (2) AN APPLICANT FOR FOSTER HOME APPROVAL WHOSE CHILD  
 24 SUPPORT PAYMENTS ARE IN ARREARS WILL BE GIVEN 60 DAYS TO BRING THE  
 25 OBLIGATION CURRENT BEFORE A DECISION IS MADE WHETHER TO PLACE A FOSTER  
 26 CHILD IN THE INDIVIDUAL'S HOME APPROVE OR DISAPPROVE THE APPLICATION;  
 27 AND

28 (iii) ~~REQUIRE THAT~~

29 (3) DURING THE TIME AN INDIVIDUAL IS A FOSTER PARENT, IF THE  
 30 INDIVIDUAL'S CHILD SUPPORT PAYMENTS ARE IN ARREARS, THE INDIVIDUAL WILL  
 31 HAVE 30 DAYS TO BRING THE OBLIGATION CURRENT BEFORE ANY DECISION IS MADE  
 32 WHETHER TO REMOVE A FOSTER CHILD FROM THE INDIVIDUAL'S HOME NO  
 33 ADDITIONAL CHILDREN WILL BE PLACED IN THE INDIVIDUAL'S HOME UNTIL THE  
 34 OBLIGATION IS BROUGHT CURRENT.

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

