
By: **Delegates Barve, Barkley, Carlson, Cryor, La Vay, Shriver, and Stern**
Introduced and read first time: February 9, 2001
Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Juvenile Justice - Group Homes and Residential Facilities - Sexual Offenses**

3 FOR the purpose of prohibiting the Department of Juvenile Justice from placing a
4 child in a group home or other residential facility if the child has been
5 adjudicated delinquent for an act that would be a certain sexual offense if
6 committed by an adult; and generally relating to juvenile justice and placement
7 of children in group homes or residential facilities.

8 BY repealing and reenacting, with amendments,
9 Article 83C - Juvenile Justice
10 Section 2-120
11 Annotated Code of Maryland
12 (1998 Replacement Volume and 2000 Supplement)

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

15 **Article 83C - Juvenile Justice**

16 2-120.

17 (a) [The] EXCEPT AS PROVIDED IN SUBSECTION (D) OF THIS SECTION, THE
18 Department shall provide for care, diagnosis, training, education, and rehabilitation
19 of children by placing them in group homes and institutions that are operated by any
20 nonprofit or for-profit entity.

21 (b) (1) The Department shall reimburse these entities for the cost of these
22 services at appropriate monthly rates that the Department determines, as provided in
23 the State budget.

24 (2) The reimbursement rate may differ between homes and institutions
25 that provide intermediate services, as defined by the Department, and homes and
26 institutions that provide full services.

27 (c) The Department may not place a child in a group home or other residential
28 facility that is not operating in compliance with applicable State licensing laws.

1 (D) THE DEPARTMENT MAY NOT PLACE A CHILD IN A GROUP HOME OR OTHER
2 RESIDENTIAL FACILITY IF THE CHILD HAS BEEN ADJUDICATED DELINQUENT FOR AN
3 ACT THAT WOULD BE A VIOLATION OF ARTICLE 27, § 462, § 463, § 464, § 464A, § 464B, §
4 464C, OR § 464F OF THE CODE IF COMMITTED BY AN ADULT.

5 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
6 October 1, 2001.