

---

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 Institutions - Operators**

3 FOR the purpose of requiring that if a child commits a theft or destruction of property  
4 while under the care and supervision of certain entities operating a group home  
5 or institution the entity is responsible for paying certain damages and a certain  
6 fine; requiring the Department to remove children that are placed in a group  
7 home or institution and prohibiting them from placing more children in the  
8 group home or institution if a child commits a certain violent act while under the  
9 care and supervision of the entity operating the group home or institution; and  
10 generally relating to the operators of juvenile group homes and institutions.

11 BY repealing and reenacting, with amendments,  
12 Article 83C - Juvenile Justice  
13 Section 2-120  
14 Annotated Code of Maryland  
15 (1998 Replacement Volume and 2000 Supplement)

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

18 **Article 83C - Juvenile Justice**

19 2-120.

20 (a) The Department shall provide for care, diagnosis, training, education, and  
21 rehabilitation of children by placing them in group homes and institutions that are  
22 operated by any nonprofit or for-profit entity.

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

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

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

3 (D) (1) IF A CHILD PLACED IN A GROUP HOME OR INSTITUTION UNDER  
4 SUBSECTION (A) OF THIS SECTION COMMITS A THEFT OR DESTROYS PROPERTY  
5 WHILE UNDER THE CARE AND SUPERVISION OF THE NONPROFIT OR FOR-PROFIT  
6 ENTITY OPERATING THE GROUP HOME OR INSTITUTION, THE OPERATOR SHALL:

7 (I) PAY TO THE OWNER THE VALUE OF THE PROPERTY TAKEN OR  
8 DESTROYED; AND

9 (II) BE FINED AN AMOUNT EQUAL TO THE VALUE OF THE  
10 PROPERTY TAKEN OR DESTROYED.

11 (2) IF A CHILD PLACED IN A GROUP HOME OR INSTITUTION UNDER  
12 SUBSECTION (A) OF THIS SECTION COMMITS AN ACT THAT WOULD BE A CRIME OF  
13 VIOLENCE IF COMMITTED BY AN ADULT WHILE UNDER THE CARE AND SUPERVISION  
14 OF THE NONPROFIT OR FOR-PROFIT ENTITY OPERATING THE GROUP HOME OR  
15 INSTITUTION, THE DEPARTMENT:

16 (I) SHALL REMOVE ALL CHILDREN PLACED IN THE GROUP HOME  
17 OR INSTITUTION; AND

18 (II) MAY NOT PLACE A CHILD IN THE GROUP HOME OR  
19 INSTITUTION.

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