

SENATE BILL 267

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E3
HB 24/00 - JUD

2001 Regular Session
1r1711
CF HB 93

By: **Senator Jimeno**
Introduced and read first time: January 26, 2001
Assigned to: Judicial Proceedings

Committee Report: Favorable with amendments
Senate action: Adopted
Read second time: March 20, 2001

CHAPTER _____

1 AN ACT concerning

2 **Courts - Sharing Information Relating to Juveniles**

3 FOR the purpose of authorizing the sharing of information relating to certain
4 juveniles among the Department of Juvenile Justice, local departments of social
5 services, local management boards, State and local law enforcement agencies,
6 State's Attorneys, and State and local school superintendents and their
7 designees under certain circumstances; requiring certain persons to enter into
8 an agreement for the sharing of certain information within a county among the
9 school superintendent and the local department of social services, local
10 management board, law enforcement agencies, the State's Attorney, and the
11 Department of Juvenile Justice; and generally relating to the sharing of
12 information relating to certain juveniles under certain circumstances.

13 BY adding to
14 Article - Courts and Judicial Proceedings
15 Section 3-828(h)
16 Annotated Code of Maryland
17 (1998 Replacement Volume and 2000 Supplement)

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

20 **Article - Courts and Judicial Proceedings**

21 3-828.

22 (H) (1) THIS SECTION DOES NOT PROHIBIT THE DEPARTMENT OF JUVENILE
23 JUSTICE, LOCAL DEPARTMENTS OF SOCIAL SERVICES, LOCAL MANAGEMENT

1 BOARDS, STATE AND LOCAL LAW ENFORCEMENT AGENCIES, STATE'S ATTORNEYS,
2 AND STATE AND LOCAL SCHOOL SUPERINTENDENTS AND THEIR DESIGNEES FROM
3 SHARING INFORMATION IN ACCORDANCE WITH STATE AND FEDERAL LAWS FOR THE
4 PURPOSE OF INCREASING THE ABILITY OF THE JUVENILE JUSTICE SYSTEM, PRIOR
5 TO ADJUDICATION, TO ASSESS, SERVE, AND TREAT JUVENILE OFFENDERS AND
6 JUVENILES WHO ARE AT RISK OF BECOMING OFFENDERS.

7 (2) (I) WITHIN EACH COUNTY, THE DEPARTMENT OF JUVENILE
8 JUSTICE, THE LOCAL DEPARTMENT OF SOCIAL SERVICES, THE LOCAL MANAGEMENT
9 BOARD, STATE AND LOCAL LAW ENFORCEMENT AGENCIES, THE STATE'S ATTORNEY,
10 AND THE LOCAL SCHOOL SUPERINTENDENT SHALL ENTER INTO AN INTERAGENCY
11 AGREEMENT FOR THE PURPOSE OF SHARING INFORMATION AMONG THE PARTIES.

12 (II) THE AGREEMENT SHALL SPECIFY:

13 1. THE CONDITIONS UNDER WHICH CRIMINAL AND
14 JUVENILE HISTORY INFORMATION IS TO BE MADE AVAILABLE TO APPROPRIATE
15 SCHOOL PERSONNEL; AND

16 2. THE CONDITIONS UNDER WHICH SCHOOL RECORDS ARE
17 TO BE MADE AVAILABLE TO THE APPROPRIATE PERSONNEL OF A THE LOCAL
18 DEPARTMENT OF SOCIAL SERVICES, THE LOCAL MANAGEMENT BOARD, A STATE OR
19 LOCAL LAW ENFORCEMENT AGENCY, THE STATE'S ATTORNEY, OR THE DEPARTMENT
20 OF JUVENILE JUSTICE.

21 (III) THE PARTIES TO THE AGREEMENT SHALL AGREE NOT TO
22 DISCLOSE ANY INFORMATION TO A PERSON OR AGENCY THAT IS NOT A PARTY TO
23 THE AGREEMENT EXCEPT AS PROVIDED BY STATE OR FEDERAL LAW.

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