

Department of Legislative Services
Maryland General Assembly
2001 Session

FISCAL NOTE

House Bill 499
Judiciary

(Delegate Elliott)

Child Abuse - Definition - Exemption for Reasonable Punishment by Parent or Stepparent

This bill excludes reasonable corporal punishment from the definition of “abuse” contained in criminal and family law child abuse and neglect statutes.

Fiscal Summary

State Effect: The bill is not expected to have a significant fiscal or operational impact on the Judiciary or the Department of Human Resources.

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law: Reasonable corporal punishment is not specifically excluded from statutory definitions of child abuse.

Background: The Department of Human Resources advises that reports received by local departments of social services are not accepted for investigation when abuse is alleged solely because corporal punishment has been used as a means of discipline. If a report of suspected abuse is made to a local department, the reporter must give a credible

account of an injury to the child. If there is no significant harm to the child or risk of a significant future harm, a local department may not find that abuse has occurred.

Additional Information

Prior Introductions: A similar bill was introduced during the 1996 session as HB 1097 and received an unfavorable report from the House Judiciary Committee.

Cross File: None.

Information Source(s): Department of Human Resources, Judiciary (Administrative Office of the Courts), Department of Legislative Services

Fiscal Note History: First Reader – February 14, 2001
cm/jr

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