

HOUSE BILL 78

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2002 Regular Session
2lr0540

(PRE-FILED)

By: **Delegate Brown**

Requested: September 25, 2001

Introduced and read first time: January 9, 2002

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Education - Child from Out of State Placed for Adoption - Liability for Costs**

3 FOR the purpose of altering the liability of out-of-state agencies and families for
4 education and related costs for children placed for adoption in Maryland; and
5 generally relating to the liability for costs of education for children placed for
6 adoption.

7 BY repealing and reenacting, without amendments,
8 Article - Education
9 Section 4-122(e)
10 Annotated Code of Maryland
11 (2001 Replacement Volume)

12 BY adding to
13 Article - Education
14 Section 4-122(f)
15 Annotated Code of Maryland
16 (2001 Replacement Volume)

17 BY repealing and reenacting, with amendments,
18 Article - Education
19 Section 4-122(f)
20 Annotated Code of Maryland
21 (2001 Replacement Volume)

22 BY repealing and reenacting, without amendments,
23 Article - Family Law
24 Section 5-301(j)
25 Annotated Code of Maryland
26 (2001 Replacement Volume)

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

3 **Article - Education**

4 4-122.

5 (e) Out-of-state agencies that place a child in a foster care home or
6 residential facility in Maryland shall be liable for the costs of such child's education,
7 including transportation.

8 (F) (1) OUT-OF-STATE AGENCIES THAT ARRANGE FOR A CHILD'S
9 PLACEMENT FOR ADOPTION IN MARYLAND, AS DEFINED BY § 5-301 OF THE FAMILY
10 LAW ARTICLE, MAY NOT BE HELD LIABLE FOR THE COSTS OF THE CHILD'S
11 EDUCATION, INCLUDING TRANSPORTATION.

12 (2) A PLACEMENT FOR ADOPTION UNDER § 5-301 OF THE FAMILY LAW
13 ARTICLE DOES NOT HOLD LIABLE UNDER THIS SECTION A FAMILY OR INDIVIDUAL
14 WITH WHICH A CHILD HAS BEEN PLACED, FOR THE COSTS OF THE CHILD'S
15 EDUCATION, INCLUDING TRANSPORTATION.

16 [(f)] (G) The State Board may adopt regulations which implement this
17 section.

18 **Article - Family Law**

19 5-301.

20 (j) "Placement for adoption" means the placement of a child to live with a
21 family or individual approved for adoption by a child placement agency, with the
22 intent that the child be adopted by the family or individual.

23 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
24 October 1, 2002.