

SENATE BILL 390

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P1

2003 Regular Session
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By: **The President (By Request - Administration) and Senators Stoltzfus, Stone, Brinkley, Brochin, Colburn, Conway, Currie, Giannetti, Greenip, Hafer, Haines, Harris, Hooper, Jacobs, Jimeno, Kittleman, Klausmeier, Lawlah, Munson, Pipkin, and Schrader**

Introduced and read first time: January 31, 2003
Rules suspended
Assigned to: Finance

Committee Report: Favorable with amendments
Senate action: Adopted
Read second time: April 1, 2003

CHAPTER _____

1 AN ACT concerning

2 **State Government - Department of Juvenile Services –~~Charles H. Hickey, Jr.~~**
3 **School Program**

4 FOR the purpose of renaming the Department of Juvenile Justice to be the
5 Department of Juvenile Services; renaming the Secretary of Juvenile Justice to
6 be the Secretary of Juvenile Services; renaming the State Advisory Board for
7 Juvenile Justice to be the State Advisory Board for Juvenile Services; renaming
8 the Department of Juvenile Justice Summer Opportunity Pilot Program to be
9 the Department of Juvenile Services Summer Opportunity Pilot Program;
10 renaming the Developmental Disabilities, Mental Health, Child Welfare, and
11 Juvenile Justice Workforce Tuition Assistance Program to be the Developmental
12 Disabilities, Mental Health, Child Welfare, and Juvenile Services Workforce
13 Tuition Assistance Program; renaming the juvenile justice alternative education
14 pilot program to be the juvenile services alternative education pilot program;
15 making conforming changes throughout the Code; adding certain facilities to a
16 list of facilities that the Department of Juvenile Services is authorized to
17 establish and operate; specifying that the publisher of the Annotated Code of
18 Maryland, in consultation with the Department of Legislative Services, shall
19 correct terminology in the Code to conform with the changes that are made by
20 this Act; ~~requiring the State Department of Education to develop and implement~~
21 ~~an educational program designed to meet the particular needs of the population~~
22 ~~at the Charles H. Hickey, Jr. School; requiring the transmission of certain~~
23 ~~records under certain circumstances; authorizing the State Superintendent to~~
24 ~~impose certain corrective actions under certain circumstances; requiring the~~

1 Department of Juvenile Services to work cooperatively with the State
2 Department of Education to facilitate the implementation of a certain education
3 program and the attendance of students in the program; authorizing the State
4 Department of Education to use nonpublic special education funds for certain
5 purposes; requiring the State Department of Education to develop and
6 implement certain educational programs by a certain date; making stylistic
7 changes; and generally relating to the Department of Juvenile Services.

8 BY renaming
9 Article 83C - Juvenile Justice
10 to be Article 83C - Juvenile Services
11 Annotated Code of Maryland
12 (1998 Replacement Volume and 2002 Supplement)

13 BY repealing and reenacting, with amendments,
14 Article 25B - Home Rule for Code Counties
15 Section 13C-1(i)(2)
16 Annotated Code of Maryland
17 (2001 Replacement Volume and 2002 Supplement)

18 BY repealing and reenacting, with amendments,
19 Article 41 - Governor - Executive and Administrative Departments
20 Section 3-102(b)(6) and 6-803(b)(5) and (c)(2)(iv)
21 Annotated Code of Maryland
22 (1997 Replacement Volume and 2002 Supplement)

23 BY repealing and reenacting, with amendments,
24 Article 49D - Office for Children, Youth, and Families
25 Section 4(b)(5), (6), and (8), 4.1(b)(4), 10(f)(3), 15(a)(6), 17(a)(1)(i), 20.1(b)(1)(v)1.
26 and (e), 38(c), (d), (e)(1), and (f), 40(c) and (h), 45(b)(2), and 48(a)(4)
27 Annotated Code of Maryland
28 (1998 Replacement Volume and 2002 Supplement)

29 BY repealing and reenacting, with amendments,
30 Article 83C - Juvenile Services
31 Section 1-101(b), (d), and (g); 2-101(a), 2-106, ~~2-118(f)~~, 2-117(a), 2-119.1(c)(3),
32 and 2-134(a)(2) and (3) and (b)(1) and (3)(i) to be under the amended title
33 "Title 2. Department of Juvenile Services"; and 4-101(b)
34 Annotated Code of Maryland
35 (1998 Replacement Volume and 2002 Supplement)
36 (As enacted by Section 1 of this Act)

37 BY repealing and reenacting, with amendments,
38 Article 88A - Department of Human Resources

1 Section 3(c)
2 Annotated Code of Maryland
3 (1998 Replacement Volume and 2002 Supplement)

4 BY repealing and reenacting, with amendments,
5 Article 88B - Department of State Police
6 Section 72(b)(1)(ii) and 81(a)(2)(i)1.
7 Annotated Code of Maryland
8 (1998 Replacement Volume and 2002 Supplement)

9 BY repealing and reenacting, with amendments,
10 Article - Correctional Services
11 Section 6-102(2), 7-102(2), 8-201(g)(2) and (h), 8-202(8), 8-204(a)(2) and (b)(1),
12 8-208(a)(14) and (b), 8-209(d), 8-706(2), 8-707(2), 8-709(b)(2), 8-710(c),
13 and 10-601(b)(2), (c)(2), and (d)(2)
14 Annotated Code of Maryland
15 (1999 Volume and 2002 Supplement)

16 BY repealing and reenacting, with amendments,
17 Article - Courts and Judicial Proceedings
18 Section 3-815(f)(4), 3-8A-01(h)(1) and (o), 3-8A-10(c)(4)(ii)2., (c-1)(4) and (5),
19 (i)(1), (2), and (3), 3-8A-11(b), 3-8A-15(e)(3) and (h)(2), (3), and (4)(i),
20 3-8A-17(a), 3-8A-19(d)(1)(ii) and (3), 3-8A-20.1(a), (b)(1) and (3), (c), and
21 (d)(1), and 3-8A-27(a)(2) and (b)(2) and (3)(i)
22 Annotated Code of Maryland
23 (2002 Replacement Volume)

24 BY repealing and reenacting, with amendments,
25 Article - Criminal Law
26 Section 3-314(c)
27 Annotated Code of Maryland
28 (2002 Volume)

29 BY repealing and reenacting, with amendments,
30 Article - Criminal Procedure
31 Section 10-201(f)(3)(i), 10-208(a)(14), 10-220(c), 11-113(c)(3)(ix), 11-402(a),
32 11-507, 11-607(a)(2), (b), and (c)(1), 11-616(a), (c), (d), and (e)(1)(ii)1.,
33 11-617(c)(3), (4), and (5) and (d)(2), 11-912(a)(1)(v), and 11-1003(a), (b)(4),
34 and (c)
35 Annotated Code of Maryland
36 (2001 Volume and 2002 Supplement)

37 BY repealing and reenacting, without amendments,
38 Article - Education

1 Section 1-101(a) and (f)
2 Annotated Code of Maryland
3 (2001 Replacement Volume and 2002 Supplement)

4 BY repealing and reenacting, with amendments,
5 Article - Education
6 Section 2-303(h)(1)(i), 3-109(e)(8), 3-111(a)(2)(viii), 6-302(a)(1)(i),
7 6-303(b)(1)(i)3., 7-302(b)(3), 7-305(g)(1), 7-305.1, 8-412(a)(7), 8-417(a)(2),
8 (3)(ii), and (4)(ii) and (b)(2), and 18-1803(b)(3)
9 Annotated Code of Maryland
10 (2001 Replacement Volume and 2002 Supplement)

11 ~~BY adding to~~
12 ~~Article - Education~~
13 ~~Section 23-301 to be under the new subtitle "Subtitle 3. Juvenile Residential~~
14 ~~Facilities"~~
15 ~~Annotated Code of Maryland~~
16 ~~(2001 Replacement Volume and 2002 Supplement)~~

17 BY repealing and reenacting, with amendments,
18 Article - Family Law
19 Section 5-503(a), 5-508(b)(5)(iii), 5-509(b)(3), 5-509.1(b)(3), 5-527(c)(2),
20 5-560(d)(3), 5-7A-02(a)(6), and 9-403(c)(2)(i)
21 Annotated Code of Maryland
22 (1999 Replacement Volume and 2002 Supplement)

23 BY repealing and reenacting, with amendments,
24 Article - Health - General
25 Section 2-104(b)(2)(i), 5-703(a)(6), 10-309(a)(1)(ii)1.K., 10-514(d)(2)(ii),
26 10-923(a)(6), 16-206(b), 18-4A-03(a)(8) and (c), and 24-804(b)(4)
27 Annotated Code of Maryland
28 (2000 Replacement Volume and 2002 Supplement)

29 BY repealing and reenacting, with amendments,
30 Article - State Finance and Procurement
31 Section 3-305(d) and 13-107.1(c)(1)(iv) and (k)(4)
32 Annotated Code of Maryland
33 (2001 Replacement Volume and 2002 Supplement)

34 BY repealing and reenacting, with amendments,
35 Article - State Government
36 Section 8-201(b)(10), 9-1107(b)(10), and 10-616(q)(5)(iii)8.
37 Annotated Code of Maryland
38 (1999 Replacement Volume and 2002 Supplement)

1 BY repealing and reenacting, with amendments,
2 Article 49D - Office for Children, Youth, and Families
3 Section 15(a)(6) and (b)(2), 17(2), and 20.1(b)(4)(ii)3. and (f)
4 Annotated Code of Maryland
5 (1998 Replacement Volume and 2002 Supplement)
6 (As enacted by Chapter 282 of the Acts of the General Assembly of 2002)

7 BY repealing and reenacting, with amendments,
8 Article - Education
9 Section 7-305(f)(1)
10 Annotated Code of Maryland
11 (2001 Replacement Volume and 2002 Supplement)
12 (As enacted by Chapter 347 of the Acts of the General Assembly of 1995 and
13 Chapter 323 of the Acts of the General Assembly of 1996)

14 BY repealing and reenacting, with amendments,
15 Article - Education
16 Section 18-2101(b)(2), (c)(2), and (e) and 18-2108
17 Annotated Code of Maryland
18 (2001 Replacement Volume and 2002 Supplement)
19 (As enacted by Chapter 302 of the Acts of the General Assembly of 2002)

20 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
21 MARYLAND, That Article 83C - Juvenile Justice of the Annotated Code of Maryland
22 be renamed to be Article 83C - Juvenile Services.

23 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland
24 read as follows:

25 **Article 25B - Home Rule for Code Counties**

26 13C-1.

27 (i) (2) If the parent or guardian cannot be located or fails to take charge of
28 the minor, then the minor shall be released to the local Department of Social Services,
29 the Department of Juvenile [Justice] SERVICES, or to another adult who will, on
30 behalf of the parent or guardian, assume the responsibility of caring for the minor
31 pending the availability or arrival of the parent or guardian.

32 **Article 41 - Governor - Executive and Administrative Departments**

33 3-102.

34 (b) The Commission consists of the following 19 members:

1 (6) The Secretary of Juvenile [Justice] SERVICES or the Secretary's
2 designee;

3 6-803.

4 (b) The Advisory Board shall consist of the following individuals:

5 (5) The Secretaries of Health and Mental Hygiene, Juvenile [Justice]
6 SERVICES, and Human Resources or their designees;

7 (c) (2) The Executive Committee consists of the following individuals:

8 (iv) The Secretary of Juvenile [Justice] SERVICES or the Secretary's
9 designee;

10 **Article 49D - Office for Children, Youth, and Families**

11 4.

12 (b) The Special Secretary shall:

13 (5) In consultation with the Secretaries of Health and Mental Hygiene,
14 Human Resources, and Juvenile [Justice] SERVICES, and the State Superintendent
15 of Schools, develop an interagency plan that reflects the priorities for children, youth,
16 and family services;

17 (6) In consultation with the Secretaries of Health and Mental Hygiene,
18 Human Resources, and Juvenile [Justice] SERVICES, and the State Superintendent
19 of Schools, develop an interagency budget which identifies and collates all State
20 expenditures for children, youth, and family services;

21 (8) In consultation with the Secretaries of Health and Mental Hygiene,
22 Human Resources, and Juvenile [Justice] SERVICES, and the State Superintendent
23 of Schools, develop and implement an innovative interagency funding approach for
24 initiatives and programs for children, youth, and families;

25 4.1.

26 (b) The Subcabinet for Children, Youth, and Families consists of:

27 (4) The Secretary of Juvenile [Justice] SERVICES;

28 10.

29 (f) If the person in interest is not reasonably available to give written consent,
30 the following individuals, not listed in order of priority, may consent in writing to the
31 release of information regarding a minor:

32 (3) For minors in its care and custody, the Department of Health and
33 Mental Hygiene, the Department of Juvenile [Justice] SERVICES, or a local
34 department of social services.

1 15.

2 (a) The members of the Council are:

3 (6) The Secretary of Juvenile [Justice] SERVICES or the Secretary's
4 designee.

5 17.

6 (a) Each local coordinating council shall include:

7 (1) At least one representative from:

8 (i) The Department of Juvenile [Justice] SERVICES;

9 20.1.

10 (b) (1) A local or State agency may approve a new out-of-state placement of
11 any child only if:

12 (v) The child is hospitalized in an acute care psychiatric hospital
13 under the following circumstances:

14 1. The child is committed to the Department of Juvenile
15 [Justice] SERVICES, a local department of social services, or the Department of
16 Health and Mental Hygiene;

17 (e) The Special Secretary for Children, Youth, and Families, the Secretaries of
18 Health and Mental Hygiene, Human Resources, Juvenile [Justice] SERVICES, and
19 Budget and Management, and the State Superintendent of Schools shall implement
20 the plan developed by the Subcabinet, subject to the availability of funding.

21 38.

22 (c) The Special Secretary for Children, Youth, and Families, the Secretaries of
23 Health and Mental Hygiene, Human Resources, Juvenile [Justice] SERVICES, and
24 Budget and Management, and the State Superintendent of Schools may jointly
25 develop and adopt regulations necessary to implement the provisions of the joint plan
26 developed under subsection (b) of this section.

27 (d) The Special Secretary for Children, Youth, and Families, the Secretaries of
28 Health and Mental Hygiene, Human Resources, Juvenile [Justice] SERVICES, and
29 Budget and Management, and the State Superintendent of Schools shall implement
30 the plan developed under this section.

31 (e) (1) The Department of Health and Mental Hygiene, the Department of
32 Human Resources, the Department of Juvenile [Justice] SERVICES, and the
33 Department of Education may use funds that have been appropriated for
34 out-of-home placement care and services to provide family preservation services in
35 accordance with the joint plan and any regulations developed and adopted under this
36 section.

1 (f) Subject to § 2-1246 of the State Government Article, by July 1, 1994, and
2 by July 1 of each year thereafter, the Special Secretary for Children, Youth, and
3 Families, the Secretaries of Health and Mental Hygiene, Human Resources, Juvenile
4 [Justice] SERVICES, and Budget and Management, and the State Superintendent of
5 Schools shall submit a joint report to the General Assembly on the costs and outcomes
6 of State-funded family preservation services for the previous fiscal year.

7 40.

8 (c) "Department" means the Department of Juvenile [Justice] SERVICES.

9 (h) "Secretary" means the Secretary of Juvenile [Justice] SERVICES.

10 45.

11 (b) (2) A copy of the report shall be provided to the State Advisory Board for
12 Juvenile [Justice] SERVICES and, in accordance with § 2-1246 of the State
13 Government Article, the General Assembly.

14 48.

15 (a) The Council consists of the following 25 members:

16 (4) The Secretary of Juvenile [Justice] SERVICES or the Secretary's
17 designee;

18

Article 83C - Juvenile Services

19 1-101.

20 (b) "Department" means the Department of Juvenile [Justice] SERVICES.

21 (d) "Secretary" means the Secretary of [the Department of] Juvenile
22 [Justice] SERVICES.

23 (g) "State Advisory Board" means the State Advisory Board for Juvenile
24 [Justice] SERVICES.

25 Title 2. Department of Juvenile [Justice] SERVICES.

26 2-101.

27 (a) There is a Department of Juvenile [Justice] SERVICES established as a
28 principal department of State government.

29 2-106.

30 There is a State Advisory Board for Juvenile [Justice] SERVICES in the
31 Department.

1 ~~2-117.~~

2 (a) (1) The Department may establish and operate the facilities that are
 3 necessary to diagnose, care for, train, educate, and rehabilitate properly children who
 4 need these services.

5 (2) These facilities include:

6 (i) The Baltimore City Juvenile Justice Center;

7 (ii) The J. DeWeese Carter Center;

8 (iii) The Charles H. Hickey, Jr. School;

9 (iv) The Alfred D. Noyes Children's Center;

10 (v) The Cheltenham Youth Facility;

11 (vi) The Victor Cullen Center;

12 (vii) The Thomas J. S. Waxter Children's Center; [and]

13 (viii) THE LOWER EASTERN SHORE CHILDREN'S CENTER;

14 (IX) THE WESTERN MARYLAND CHILDREN'S CENTER; AND

15 (X) The youth centers.

16 ~~2-118.~~

17 (f) ~~[The] EXCEPT AS PROVIDED IN § 22-301 OF THE EDUCATION ARTICLE, THE~~
 18 ~~Department shall adopt regulations that require each facility to provide:~~

19 (1) ~~Educational programs that are designed to meet the particular needs~~
 20 ~~of its population;~~

21 (2) ~~Medical and mental health assessment services;~~

22 (3) ~~Alcohol abuse and drug abuse assessment services;~~

23 (4) ~~Either alcohol abuse and drug abuse referral services or an alcohol~~
 24 ~~abuse and drug abuse treatment program that has been certified in accordance with~~
 25 ~~the requirements of Title 8 of the Health—General Article; and~~

26 (5) ~~Programs that ensure a safe, humane, and caring environment.~~

27 SECTION 3. AND BE IT FURTHER ENACTED, That the Laws of Maryland
 28 read as follows:

Article 83C - Juvenile Services

1
2 2-119.1.

3 (c) The Committee shall:

4 (3) Request information when necessary from related agencies including
5 the Department of State Police, the Charles H. Hickey, Jr. School Administration, the
6 Baltimore County Police Department, the State's Attorney's Office of Baltimore
7 County, and the Department of Juvenile [Justice] SERVICES; and

8 2-134.

9 (a) (2) "Fund" means the Department of Juvenile [Justice] SERVICES
10 Summer Opportunity Pilot Program Fund.

11 (3) "Program" means the Department of Juvenile [Justice] SERVICES
12 Summer Opportunity Pilot Program.

13 (b) (1) There is a Department of Juvenile [Justice] SERVICES Summer
14 Opportunity Pilot Program in not more than three counties in the State selected by
15 the Department.

16 (3) (i) There is a Department of Juvenile [Justice] SERVICES Summer
17 Opportunity Pilot Program Fund to finance the Program.

18 4-101.

19 (b) "Department" means the Department of Juvenile [Justice] SERVICES.

20 **Article 88A - Department of Human Resources**

21 3.

22 (c) The State Social Services Administration shall exercise supervision, as
23 hereinafter set forth, over all public and private institutions having the care, custody
24 or control of dependent, abandoned or neglected children, except those institutions
25 under the authority of the Department of Juvenile [Justice] SERVICES and those
26 agencies, persons, or institutions designated by the Department of Juvenile [Justice]
27 SERVICES as provided for in § 2-114 of Article 83C.

28 **Article 88B - Department of State Police**

29 72.

30 (b) The Council shall consist of the following 13 members appointed by the
31 Governor:

32 (1) As ex officio members of the Council:

1 (ii) The Secretary of Juvenile [Justice] SERVICES or the Secretary's
2 designee;

3 81.

4 (a) (2) (i) The Council shall consist of the following 11 members appointed
5 by the Governor:

6 1. The Secretary [of the Department] of Juvenile [Justice]
7 SERVICES, or the Secretary's designee;

8 **Article - Correctional Services**

9 6-102.

10 This subtitle does not apply to:

11 (2) a juvenile committed to the jurisdiction of the Department of
12 Juvenile [Justice] SERVICES or an institution or facility under its jurisdiction.

13 7-102.

14 This title does not apply to:

15 (2) a juvenile committed to the jurisdiction of the Department of
16 Juvenile [Justice] SERVICES or an institution or facility under its jurisdiction.

17 8-201.

18 (g) (2) "Correctional unit" includes those facilities as set forth in Article 83C,
19 § 2-117 and other facilities as designated by the Secretary of Juvenile [Justice]
20 SERVICES.

21 (h) (1) "Department of Juvenile [Justice] SERVICES employee" means a
22 youth supervisor, youth counselor, direct care worker, or other employee of the
23 Department of Juvenile [Justice] SERVICES whose employment responsibility is the
24 investigation, custody, control, or supervision of minors, juvenile delinquents, and
25 youthful offenders who are committed, detained, awaiting placement, adjudicated
26 delinquent, or are otherwise under the supervision of the Department of Juvenile
27 [Justice] SERVICES.

28 (2) "Employee" includes an
29 employee of any nonprofit or for-profit entity under contract with the Department of
30 Juvenile [Justice] SERVICES whose employment responsibility is the investigation,
31 custody, control, or supervision of minors, juvenile delinquents, and youthful
32 offenders as described under paragraph (1) of this subsection.

1 8-202.

2 The General Assembly finds that:

3 (8) Department of Juvenile [Justice] SERVICES employees should have
4 specific and appropriate training for that population.

5 8-204.

6 (a) The Commission consists of the following 14 members:

7 (2) the Secretary of Juvenile [Justice] SERVICES;

8 (b) (1) The Governor shall appoint, with the advice and consent of the
9 Senate, four correctional officers or officials to be members of the Commission, at
10 least one of whom shall be a Department of Juvenile [Justice] SERVICES employee or
11 official.

12 8-208.

13 (a) Subject to the authority of the Secretary, the Commission has the following
14 powers and duties:

15 (14) subject to subsection (b) of this section, to develop and implement
16 specific program design and appropriate course curriculum and training for
17 Department of Juvenile [Justice] SERVICES employees; and

18 (b) For any contract entered on or after July 1, 2000 between the Department
19 of Juvenile [Justice] SERVICES and any nonprofit or for-profit entity, the cost and
20 expenses for any course or training required under subsection (a)(14) of this section
21 for Department of Juvenile [Justice] SERVICES employees of any nonprofit or
22 for-profit entity under contract with the Department of Juvenile [Justice] SERVICES
23 shall be paid for or reimbursed by the nonprofit or for-profit entity, and may not be a
24 part of or reimbursed by funds from the contract with the Department of Juvenile
25 [Justice] SERVICES.

26 8-209.

27 (d) The Commission shall establish the minimum qualifications for
28 probationary or permanent appointment as a Department of Juvenile [Justice]
29 SERVICES employee.

30 8-706.

31 A community service program:

32 (2) for juveniles, shall be administered either by the county or, within the
33 county, by the Department of Juvenile [Justice] SERVICES.

1 8-707.

2 A county may elect to have a community service program monitored by:

3 (2) the Department of Juvenile [Justice] SERVICES; or

4 8-709.

5 (b) The administrator of each community service program shall prepare
6 separate reports containing annual statistical data on all adults and juveniles in the
7 program and submit:

8 (2) the report on juveniles to the Department of Juvenile [Justice]
9 SERVICES; and

10 8-710.

11 (c) This subtitle does not limit the authority of a court to direct a juvenile or a
12 defendant, under the supervision of the Division of Parole and Probation, the
13 Department of Juvenile [Justice] SERVICES, or any other unit or individual as
14 directed by the court, to make restitution to the victim of a particular crime or to
15 perform certain services for the victim as an alternative means of restitution:

16 (1) as a condition of probation;

17 (2) as a condition of suspended sentence; or

18 (3) instead of any fines and court costs imposed.

19 10-601.

20 (b) Another state may not begin construction or otherwise locate a facility in
21 this State unless the other state submits a written request for approval to construct
22 or locate the facility to and receives approval from:

23 (2) the Secretary of Juvenile [Justice] SERVICES, in the case of a facility
24 for juveniles.

25 (c) (2) The Secretary of Juvenile [Justice] SERVICES may approve or
26 disapprove a request for approval to construct or locate a facility for juveniles in this
27 State.

28 (d) If another state has an existing facility in this State, the other state may
29 not increase the inmate population of that facility by more than 5% unless the other
30 state first submits a written request for the increase to and receives approval for the
31 increase from:

32 (2) the Secretary of Juvenile [Justice] SERVICES, in the case of a facility
33 for juveniles.

1 **Article - Courts and Judicial Proceedings**

2 3-815.

3 (f) (4) The Secretary of Human Resources, the Secretary of Juvenile
4 [Justice] SERVICES, the Secretary of Health and Mental Hygiene, the State
5 Superintendent of Schools, and the Special Secretary for Children, Youth, and
6 Families, when appropriate, shall jointly adopt regulations to ensure that any child
7 placed in shelter care in accordance with a petition filed under this section is provided
8 appropriate services, including:

9 (i) Health care services;

10 (ii) Mental health care services;

11 (iii) Counseling services;

12 (iv) Education services;

13 (v) Social work services;

14 (vi) Drug and alcohol abuse assessment or treatment services; and

15 (vii) Visitation with siblings and biological family.

16 3-8A-01.

17 (h) (1) "Community detention" means a program monitored by the
18 Department of Juvenile [Justice] SERVICES in which a delinquent child or a child
19 alleged to be delinquent is placed in the home of a parent, guardian, custodian, or
20 other fit person, or in shelter care, as a condition of probation or as an alternative to
21 detention.

22 (o) "Intake officer" means the person assigned to the court by the Department
23 of Juvenile [Justice] SERVICES to provide the intake services set forth in this
24 subtitle.

25 3-8A-10.

26 (c) (4) (ii) The State's Attorney shall make a preliminary review as to
27 whether the court has jurisdiction and whether judicial action is in the best interests
28 of the public or the child. The need for restitution may be considered as one factor in
29 the public interest. After the preliminary review the State's Attorney shall, within 30
30 days of the receipt of the complaint by the State's Attorney, unless the court extends
31 the time:

32 2. Refer the complaint to the Department of Juvenile
33 [Justice] SERVICES for informal disposition; or

34 (c-1) (4) The Department of Juvenile [Justice] SERVICES and the
35 Department of Health and Mental Hygiene:

1 (i) May not disclose to any person any information received by the
2 Departments relating to a specific mental health and substance abuse screening or
3 assessment conducted under this section that could identify the child who was the
4 subject of the screening or assessment; and

5 (ii) May make public other information unless prohibited by law.

6 (5) The Secretary of Juvenile [Justice] SERVICES and the Secretary of
7 Health and Mental Hygiene jointly shall adopt any regulation necessary to carry out
8 this subsection.

9 (i) (1) If authorization to file a petition for a complaint which alleges a child
10 is in need of supervision or if authorization to file a peace order request is denied, the
11 person or agency that filed the complaint or caused it to be filed, within 15 days of
12 personal notice of the denial to that person or agency or the mailing to the last known
13 address, may submit the denial for review by the Department of Juvenile [Justice]
14 SERVICES Area Director for the area in which the complaint was filed.

15 (2) The Department of Juvenile [Justice] SERVICES Area Director shall
16 review the denial.

17 (3) If, within 15 days, the Department of Juvenile [Justice] SERVICES
18 Area Director concludes that the court has jurisdiction and that judicial action is in
19 the best interests of the public and the child, the Department of Juvenile [Justice]
20 SERVICES Area Director may authorize the filing of a petition in writing.

21 3-8A-11.

22 (b) The use of the form prescribed by subsection (a) of this section does not
23 preclude the Department of Juvenile [Justice] SERVICES from sending other
24 information, in addition to this form, to explain the intake officer's decision and
25 advise persons of their right to appeal the decision of the intake officer.

26 3-8A-15.

27 (e) (3) (i) If the court has not specifically prohibited community
28 detention, the Department of Juvenile [Justice] SERVICES may release the child
29 from detention into community detention and place the child in:

30 1. Shelter care; or

31 2. The custody of the child's parent, guardian, custodian, or
32 other person able to provide supervision and care for the child and to return the child
33 to court when required.

34 (ii) If a child who has been released by the Department of Juvenile
35 [Justice] SERVICES or the court into community detention violates the conditions of
36 community detention, and it is necessary to protect the child or others, an intake
37 officer may authorize the detention of the child.

1 (iii) The Department of Juvenile [Justice] SERVICES shall promptly
2 notify the court of:

3 1. The release of a child from detention under subparagraph
4 (i) of this paragraph; or

5 2. The return to detention of a child under subparagraph (ii)
6 of this paragraph.

7 (h) (2) Subject to paragraph (1)(iii) of this subsection, a child alleged to be in
8 need of supervision may be placed in shelter care facilities maintained or approved by
9 the Social Services Administration or the Department of Juvenile [Justice] SERVICES
10 or in a private home or shelter care facility approved by the court.

11 (3) The Secretary of Human Resources and the Secretary of Juvenile
12 [Justice] SERVICES together, when appropriate, with the Secretary of Health and
13 Mental Hygiene shall jointly adopt regulations to ensure that any child placed in
14 shelter care pursuant to a petition filed under subsection (d) of this section be
15 provided appropriate services, including:

16 (i) Health care services;

17 (ii) Counseling services;

18 (iii) Education services;

19 (iv) Social work services; and

20 (v) Drug and alcohol abuse assessment or treatment services.

21 (4) In addition to any other provision, the regulations shall require:

22 (i) The Department of Juvenile [Justice] SERVICES to develop a
23 plan within 45 days of placement of a child in a shelter care facility to assess the
24 child's treatment needs; and

25 3-8A-17.

26 (a) After a petition or a citation has been filed with the court under this
27 subtitle, the court may direct the Department of Juvenile [Justice] SERVICES or
28 another qualified agency to make a study concerning the child, the child's family, the
29 child's environment, and other matters relevant to the disposition of the case.

30 3-8A-19.

31 (d) (1) In making a disposition on a petition under this subtitle, the court
32 may:

33 (ii) Subject to the provisions of paragraph (2) of this subsection,
34 commit the child to the custody or under the guardianship of the Department of
35 Juvenile [Justice] SERVICES, the Department of Health and Mental Hygiene, or a

1 public or licensed private agency on terms that the court considers appropriate to
2 meet the priorities set forth in § 3-8A-02 of this subtitle, including designation of the
3 type of facility where the child is to be accommodated, until custody or guardianship
4 is terminated with approval of the court or as required under § 3-8A-24 of this
5 subtitle; or

6 (3) A child committed under paragraph (1)(ii) of this subsection may not
7 be accommodated in a facility that has reached budgeted capacity if a bed is available
8 in another comparable facility in the State, unless the placement to the facility that
9 has reached budgeted capacity has been recommended by the Department of Juvenile
10 [Justice] SERVICES.

11 3-8A-20.1.

12 (a) In this section, "treatment service plan" means a plan recommended at a
13 disposition hearing under § 3-8A-19 of this subtitle or at a disposition review hearing
14 under this section by the Department of Juvenile [Justice] SERVICES to the court
15 proposing specific assistance, guidance, treatment, or rehabilitation of a child.

16 (b) (1) In making a disposition on a petition under § 3-8A-19 of this
17 subtitle, if the court adopts a treatment service plan, the Department of Juvenile
18 [Justice] SERVICES shall ensure that implementation of the treatment service plan
19 occurs within 25 days after the date of disposition.

20 (3) The Department of Juvenile [Justice] SERVICES shall certify in
21 writing to the court within 25 days after the date of disposition whether
22 implementation of the treatment service plan has occurred.

23 (c) (1) If a treatment service plan is not implemented by the Department of
24 Juvenile [Justice] SERVICES within 25 days under subsection (b)(3) of this section,
25 the court shall schedule, within 7 days after receipt of the certification, a disposition
26 review hearing to be held within 30 days after receipt of the certification.

27 (2) The court shall give at least 7 days' notice of the date and time of the
28 disposition review hearing to each party and to the Department of Juvenile [Justice]
29 SERVICES.

30 (d) (1) The court shall hold a disposition review hearing unless the
31 Department of Juvenile [Justice] SERVICES certifies in writing to the court prior to
32 the hearing that implementation of the treatment service plan has occurred.

33 3-8A-27.

34 (a) (2) This subsection does not prohibit:

35 (i) Access to and confidential use of the record by the Department
36 of Juvenile [Justice] SERVICES or in the investigation and prosecution of the child by
37 any law enforcement agency; or

1 (ii) A law enforcement agency of the State or of a political
2 subdivision of the State, the Department of Juvenile [Justice] SERVICES, or the
3 criminal justice information system from including in the law enforcement computer
4 information system information about an outstanding juvenile court ordered writ of
5 attachment, for the sole purpose of apprehending a child named in the writ.

6 (b) (2) This subsection does not prohibit access to and the use of the court
7 record or fingerprints of a child described under Title 10, Subtitle 2 of the Criminal
8 Procedure Article in a proceeding in the court involving the child, by personnel of the
9 court, the State's Attorney, counsel for the child, a court-appointed special advocate
10 for the child, or authorized personnel of the Department of Juvenile [Justice]
11 SERVICES.

12 (3) (i) Except as provided in subparagraph (ii) of this paragraph, this
13 subsection does not prohibit access to and confidential use of the court record or
14 fingerprints of a child described under Title 10, Subtitle 2 of the Criminal Procedure
15 Article by the Department of Juvenile [Justice] SERVICES or in an investigation and
16 prosecution by a law enforcement agency.

17 **Article - Criminal Law**

18 3-314.

19 (c) An employee or licensee of the Department of Juvenile [Justice] SERVICES
20 may not engage in vaginal intercourse or a sexual act with an individual confined in
21 a child care institution licensed by the Department, a detention center for juveniles,
22 or a facility for juveniles listed in Article 83C, § 2-117(a)(2) of the Code.

23 **Article - Criminal Procedure**

24 10-201.

25 (f) (3) Except as provided in §§ 10-215(a)(21) and (22), 10-216(e), and
26 10-220 of this subtitle, "criminal justice unit" does not include:

27 (i) the Department of Juvenile [Justice] SERVICES; or

28 10-208.

29 (a) The Advisory Board consists of the following 22 members:

30 (14) one representative of the Department of Juvenile [Justice]
31 SERVICES recommended by the Secretary of Juvenile [Justice] SERVICES;

32 10-220.

33 (c) For juveniles arrested and brought to the Baltimore City Juvenile Justice
34 Center for intake processing, identification, and assessment, the Department of
35 Juvenile [Justice] SERVICES may:

1 (1) submit fingerprints to the Criminal Justice Information System
2 Central Repository; and

3 (2) obtain juvenile data described under § 2-118.1 of Article 83C.
4 11-113.

5 (c) The following shall notify a victim of prohibited exposure or the victim's
6 representative of the provisions of Part II of this subtitle:

7 (3) on the filing of a charging document or delinquency petition for the
8 alleged prohibited exposure:

9 (ix) the Department of Juvenile [Justice] SERVICES; or
10 11-402.

11 (a) A presentence investigation that the Division of Parole and Probation
12 completes under § 6-112 of the Correctional Services Article or a predisposition
13 investigation that the Department of Juvenile [Justice] SERVICES completes shall
14 include a victim impact statement if:

15 (1) the defendant or child respondent caused physical, psychological, or
16 economic injury to the victim in committing a felony or delinquent act that would be
17 a felony if committed by an adult; or

18 (2) the defendant caused serious physical injury or death to the victim in
19 committing a misdemeanor.

20 11-507.

21 The Department or the Department of Juvenile [Justice] SERVICES shall notify
22 the victim or victim's representative of an alleged violation of a condition of probation
23 whenever:

24 (1) a warrant, subpoena, or writ of attachment is issued for the alleged
25 violation for a person who was convicted of a violent crime or who was adjudged to
26 have committed a delinquent act that would be a violent crime if committed by an
27 adult; and

28 (2) a victim of the crime or delinquent act or a victim's representative
29 has submitted a written request to the Department for notification or has submitted
30 a notification request form under § 11-104 of this title.

31 11-607.

32 (a) (2) Subject to federal law, the Department or the Department of Juvenile
33 [Justice] SERVICES shall obtain the Social Security number of the restitution obligor
34 to facilitate the collection of restitution.

1 (b) (1) The restitution obligor shall make restitution to the Division or the
2 Department of Juvenile [Justice] SERVICES under the terms and conditions of the
3 judgment of restitution.

4 (2) The Division or the Department of Juvenile [Justice] SERVICES:

5 (i) shall keep records of payments or return of property in
6 satisfaction of the judgment of restitution;

7 (ii) shall forward property or payments in accordance with the
8 judgment of restitution and Part I of this subtitle to:

9 1. the victim;

10 2. the Department of Health and Mental Hygiene or other
11 governmental unit; or

12 3. the third-party payor; and

13 (iii) may require the restitution obligor to pay additional fees not
14 exceeding 2% of the amount of the judgment of restitution to pay for the
15 administrative costs of collecting payments or property.

16 (c) (1) Whenever a restitution obligor fails to make restitution as ordered,
17 the Division or the Department of Juvenile [Justice] SERVICES shall notify the court.
18 11-616.

19 (a) The Division or the Department of Juvenile [Justice] SERVICES:

20 (1) in addition to other actions authorized under Part I of this subtitle,
21 may refer an overdue restitution account for collection to the Central Collection Unit;
22 and

23 (2) if probation or other supervision is terminated and restitution is still
24 owed, shall refer the overdue restitution account for collection to the Central
25 Collection Unit.

26 (c) (1) The Central Collection Unit may not compromise and settle a
27 judgment of restitution unless the Division or the Department of Juvenile [Justice]
28 SERVICES obtains the consent of the victim.

29 (2) The Division or the Department of Juvenile [Justice] SERVICES shall
30 contact the victim to determine whether the victim consents to compromise and settle
31 a judgment of restitution.

32 (d) If complete restitution and interest have been paid or a judgment of
33 restitution has been compromised and settled as provided in subsection (c) of this
34 section, the Division, the Department of Juvenile [Justice] SERVICES, or the Central
35 Collection Unit immediately shall notify:

1 (1) the court that issued the judgment by filing the statement as
2 provided under § 11-608(3) of this subtitle that the judgment has been satisfied; and

3 (2) the last known employer of a restitution obligor to terminate an
4 earnings withholding order issued under § 11-617 of this subtitle.

5 (e) (1) Restitution is overdue if the restitution or a restitution payment is
6 not paid:

7 (ii) if no date is ordered, by the later of:

8 1. the date the Division or the Department of Juvenile
9 [Justice] SERVICES directs the restitution obligor to pay restitution or make a
10 restitution payment; or

11 11-617.

12 (c) (3) A restitution obligor immediately shall notify the court and the
13 Division or Department of Juvenile [Justice] SERVICES of:

14 (i) any objection to an earnings withholding order;

15 (ii) the current home address of the restitution obligor;

16 (iii) the name of the employer;

17 (iv) the work address of the restitution obligor; and

18 (v) any change of employer, home address, or work address of the
19 restitution obligor.

20 (4) An employer who is served with an earnings withholding order under
21 this section immediately shall notify the court and the Division or Department of
22 Juvenile [Justice] SERVICES of:

23 (i) any justification for the employer's inability to comply with the
24 earnings withholding order;

25 (ii) the home address of the restitution obligor on the termination of
26 employment;

27 (iii) information regarding the new place of employment of the
28 restitution obligor; or

29 (iv) the employer's reemployment of the restitution obligor.

30 (5) Unless the information has been provided to the court, the Division,
31 Department of Juvenile [Justice] SERVICES, or the Central Collection Unit shall
32 notify the court of a current or subsequent home address of the restitution obligor and
33 the employer and work address of the restitution obligor.

1 (d) (2) Each amount withheld in an earnings withholding order under this
2 section is payable to the Division or Department of Juvenile [Justice] SERVICES.

3 11-912.

4 (a) The Board consists of the following 22 members:

5 (1) as ex officio members:

6 (v) the Secretary of Juvenile [Justice] SERVICES or the Secretary's
7 designee;

8 11-1003.

9 (a) The appropriate juvenile [justice] SERVICES unit should tell a victim of a
10 delinquent act, victim's representative, or witness of the guidelines listed in
11 subsection (b) of this section.

12 (b) A victim of a delinquent act, victim's representative, or witness:

13 (4) should be told by the appropriate juvenile [justice] SERVICES unit of
14 financial help, criminal injuries compensation, and any other social services available
15 to the victim and receive help or information on how to apply for services;

16 (c) The Department of Juvenile [Justice] SERVICES shall make the guidelines
17 in subsection (b) of this section available to the units involved with carrying out the
18 guidelines.

19

Article - Education

20 1-101.

21 (a) In this article, unless the context requires otherwise, the following words
22 have the meanings indicated.

23 (f) "Department" means the State Department of Education.

24 2-303.

25 (h) (1) If the program is based on and complies with the standards
26 established by the bylaws, rules, and regulations of the State Board, the State
27 Superintendent shall approve any program of instruction offered by a State
28 institution under the supervision of:

29 (i) The Department of Juvenile [Justice] SERVICES;

30 3-109.

31 (e) There is a School Shared Space Council in Baltimore County consisting of
32 12 employees of the county appointed by the County Executive for a term coterminous
33 with that of the Board as follows:

1 (8) One from the Department of Juvenile [Justice] SERVICES;

2 3-111.

3 (a) (2) The School Shared Space Council consists of eleven employees of the
4 county appointed by the County Executive for a term coterminous with that of the
5 County Executive as follows:

6 (viii) One from the Department of Juvenile [Justice] SERVICES;

7 6-302.

8 (a) An individual who is employed as a teacher, librarian, principal, director of
9 education, or supervisor of vocational education on the staffs of the following
10 institutions or in the following programs, or an individual who is employed as a
11 central office director, superintendent, specialist, or coordinator of education for the
12 following institutions or programs, shall be paid the annual salary determined under
13 subsection (b) of this section:

14 (1) Any institution that is under the jurisdiction of:

15 (i) The Department of Juvenile [Justice] SERVICES; or

16 6-303.

17 (b) (1) The Advisory Committee shall consist of:

18 (i) Four employee educators whose positions are included in the
19 Institutional Educator Pay Plan established under § 6-302 of this subtitle from each
20 of the following units:

21 3. The Department of Juvenile [Justice] SERVICES; and

22 7-302.

23 (b) On receipt of a report from a principal or head teacher of a public school
24 that a student has been habitually truant without lawful excuse, the appropriate
25 representative of the school system:

26 (3) Following the investigation or intervention, may notify the
27 Department of Juvenile [Justice] SERVICES that the student has been habitually
28 truant, without lawful excuse.

29 7-305.

30 (g) (1) This subsection does not apply if the student is referred to the
31 Department of Juvenile [Justice] SERVICES.

1 7-305.1.

2 (a) The State Board shall establish in a county designated by the State
3 Superintendent a juvenile [justice] SERVICES alternative education pilot program for
4 public school students who are suspended, expelled, or identified as being candidates
5 for suspension or expulsion as provided in subsection (d) of this section.

6 (b) The Department or the county board for the county designated under
7 subsection (a) of this section may enter into a partnership with the county's circuit
8 court judges to oversee the juvenile [justice] SERVICES disciplinary alternative
9 education pilot program for public school students who are suspended, expelled, or
10 identified as being candidates for suspension or expulsion.

11 (c) (1) The State Board may select a private agency to administer the
12 juvenile [justice] SERVICES alternative education pilot program.

13 (2) The selected private agency shall:

14 (i) Provide proof of student progress in reading and mathematics;
15 and

16 (ii) Have at least 3 years of experience serving students that are
17 suspended, expelled, or identified as being candidates for suspension or expulsion.

18 (d) Except for a student who is adjudicated delinquent and committed by the
19 juvenile court to a public or licensed private agency for placement in a facility under
20 § 3-8A-19 of the Courts Article, a student who is required to attend school under §
21 7-301 of this subtitle and who is suspended, expelled, or identified as being a
22 candidate for suspension or expulsion from a public school in the county designated
23 under subsection (a) of this section shall attend the juvenile [justice] SERVICES
24 alternative education pilot program.

25 (e) The juvenile [justice] SERVICES alternative education pilot program shall:

26 (1) Provide programs designed to promote self-discipline and reduce
27 disruptive behavior in the school environment;

28 (2) Ensure that the student continues to receive appropriate educational
29 and related services during the term of the suspension or expulsion; and

30 (3) Offer services to facilitate the student's transition back to the school
31 after completion of the term of suspension or expulsion.

32 8-412.

33 (a) (7) "Public agency" includes the State Department of Education, local
34 education agencies, and other agencies that are responsible for providing education to
35 a child with a disability, including the Department of Health and Mental Hygiene,
36 Mental Hygiene Administration, the Mental Retardation Administration, the
37 Department of Juvenile [Justice] SERVICES, and the Maryland School for the Deaf.

1 For the purpose of this section the Maryland School for the Blind shall be considered
2 a public agency.

3 8-417.

4 (a) (2) "Nonpublic general education school" means a nonpublic school
5 approved in COMAR 13A.09.10.07 pursuant to § 2-206 of the Education Article and
6 operated in conjunction with residential or nonresidential child care programs
7 licensed or approved by the Department of Education, the Department of Health and
8 Mental Hygiene, the Department of Human Resources, or the Department of Juvenile
9 [Justice] SERVICES.

10 (3) "Nonresidential child care program" means a program that:

11 (ii) Is licensed or approved by the Department of Health and
12 Mental Hygiene, the Department of Human Resources, or the Department of Juvenile
13 [Justice] SERVICES.

14 (4) "Residential child care program" means a program that:

15 (ii) Is licensed by the Department of Health and Mental Hygiene,
16 the Department of Human Resources, or the Department of Juvenile [Justice]
17 SERVICES.

18 (b) (2) The Department of Human Resources, the Department of Juvenile
19 [Justice] SERVICES, the Department of Budget and Management, the Office for
20 Children, Youth, and Families, and the Department of Health and Mental Hygiene
21 shall participate with the Department of Education in the development and
22 implementation of rates in programs licensed or approved by those agencies to the
23 extent required by federal and State law.

24 18-1803.

25 (b) A grant recipient shall use the grant in an apprenticeship training
26 program that is:

27 (3) A youth apprenticeship program approved by the Secretary of
28 Juvenile [Justice] SERVICES that involves clients of the Department of Juvenile
29 [Justice] SERVICES.

30 ~~SUBTITLE 3. JUVENILE RESIDENTIAL FACILITIES.~~

31 ~~22-301.~~

32 ~~(A) THE DEPARTMENT SHALL DEVELOP AND IMPLEMENT AN EDUCATIONAL~~
33 ~~PROGRAM DESIGNED TO MEET THE PARTICULAR NEEDS OF THE POPULATION AT~~
34 ~~THE CHARLES H. HICKEY, JR. SCHOOL IN BALTIMORE COUNTY.~~

35 ~~(B) (1) FOR EACH STUDENT PLACED AT THE CHARLES A. HICKEY, JR.~~
36 ~~SCHOOL, THE LOCAL SCHOOL SYSTEM IN WHICH THE STUDENT WAS LAST ENROLLED~~

1 5-509.1.

2 (b) This section does not apply:

3 (3) to an institution that accepts only children placed by the Department
4 of Health and Mental Hygiene or the Department of Juvenile [Justice] SERVICES.

5 5-527.

6 (c) The Department shall pay for foster care for a child who needs the most
7 demanding special care in a single family home at a monthly rate that is not less than
8 the higher of:

9 (2) the rate that the Department of Juvenile [Justice] SERVICES pays
10 for the current fiscal year.

11 5-560.

12 (d) (3) "Employee" does not include any person employed to work for
13 compensation by the Department of Juvenile [Justice] SERVICES.

14 5-7A-02.

15 (a) The Council consists of up to 23 members including:

16 (6) a representative of the Department of Juvenile [Justice] SERVICES,
17 designated by the Secretary;

18 9-403.

19 (c) (2) The advisory council shall consist of the following members:

20 (i) 1 person from the Department of Juvenile [Justice] SERVICES,
21 to be designated by the Secretary of the Department of Juvenile [Justice] SERVICES;

22 **Article - Health - General**

23 2-104.

24 (b) (2) (i) The Secretary shall adopt regulations, in consultation and
25 cooperation with local governing bodies, to govern the siting of community residences
26 for special populations funded by the Department, the Department of Housing and
27 Community Development, the Department of Human Resources, and the Department
28 of Juvenile [Justice] SERVICES.

29 5-703.

30 (a) The State Team shall be a multidisciplinary and multiagency review team,
31 composed of at least 25 members, including:

32 (6) The Secretary of Juvenile [Justice] SERVICES;

1 10-309.

2 (a) (1) The mental health advisory committee of each county shall consist of:

3 (ii) As voting members, appointed by the governing body of the
4 county and representative of the county's major socio-economic and ethnic groups:

5 1. At least 5, but not more than 7, representatives selected
6 from among the following groups or agencies:

7 K. The Department of Juvenile [Justice] SERVICES;

8 10-514.

9 (d) (2) "Private group home" does not include:

10 (ii) Any facility that is regulated by the Department of Juvenile
11 [Justice] SERVICES;

12 10-923.

13 (a) Application for placement of a child or adolescent in a private therapeutic
14 group home may be made under this section by:

15 (6) On behalf of a child or adolescent, the Department of Juvenile
16 [Justice] SERVICES when the Department has custody or guardianship of the child or
17 adolescent under § 3-819 of the Courts Article; or

18 16-206.

19 (b) The Department of Juvenile [Justice] SERVICES shall pay for juvenile
20 screening and treatment services that any person other than the Department
21 provides under Article 83C, § 2-118 of the Code. However, the Department later shall
22 bill and collect this cost of care as provided in this subtitle.

23 18-4A-03.

24 (a) Subject to the provisions of this section, the following individuals, not in
25 order of priority, may consent to the immunization of a minor if a parent is not
26 reasonably available and the authority to consent is not denied under subsection (b)
27 or (c) of this section:

28 (8) For minors in its care and custody, the Department of Juvenile
29 [Justice] SERVICES.

30 (c) When a parent has been contacted and requested to consent to the
31 immunization of a minor, the Department of Juvenile [Justice] SERVICES may
32 consent to the immunization of a minor in its care and custody if the parent:

33 (1) Has not acted on the request; and

1 (2) Has not expressly denied to the Department of Juvenile [Justice]
2 SERVICES the authority to consent to the immunization of the minor.

3 24-804.

4 (b) The oversight committee shall consist of:

5 (4) Two representatives from the Department of Health and Mental
6 Hygiene, the Department of Juvenile [Justice] SERVICES, or the Department of
7 Education, nominated by the Secretary of Health and Mental Hygiene;

8 **Article - State Finance and Procurement**

9 3-305.

10 (d) The Central Collection Unit shall deliver the net proceeds of collections
11 from defendants or liable parents in arrears on restitution payments to the Division
12 of Parole and Probation or the Department of Juvenile [Justice] SERVICES to be
13 forwarded by the Division or Department to the victim or other appropriate person or
14 agency in accordance with the judgment of restitution.

15 13-107.1.

16 (c) (1) There is an interagency panel consisting of representatives appointed
17 by the Governor from the following:

18 (iv) the Department of Juvenile [Justice] SERVICES;

19 (k) The following agencies shall implement an educational outreach campaign
20 on the availability of the unsolicited proposal method of procurement:

21 (4) the Department of Juvenile [Justice] SERVICES;

22 **Article - State Government**

23 8-201.

24 (b) The principal departments of the Executive Branch of the State
25 government are:

26 (10) Juvenile [Justice] SERVICES;

27 9-1107.

28 (b) Of the 30 Council members:

29 (10) 1 shall be from the Department of Juvenile [Justice] SERVICES;

1 10-616.

2 (q) (5) The provisions of paragraphs (1) and (2) of this subsection may not be
3 construed to prohibit:

4 (iii) inspection of files and records, of a court pertaining to an
5 unserved arrest warrant and the charging document upon which the arrest warrant
6 was issued, by:

7 8. the Department of Public Safety and Correctional Services
8 or the Department of Juvenile [Justice] SERVICES for the purpose of notification of a
9 victim under the provisions of § 11-507 of the Criminal Procedure Article; or

10 SECTION ~~3~~ 5. AND BE IT FURTHER ENACTED, That the Laws of
11 Maryland read as follows:

12 **Article 49D - Office for Children, Youth, and Families**

13 15.

14 (a) The members of the Council are:

15 (6) The Secretary of the Department of Juvenile [Justice] SERVICES or
16 the Secretary's designee.

17 (b) (2) The Secretary of Health and Mental Hygiene is the chairman of the
18 Council for a term of 12 consecutive months beginning on July 1, 1987. The Secretary
19 of Human Resources shall succeed the Secretary of Health and Mental Hygiene as
20 chairman for a term of 12 consecutive months, the Secretary [of the Department] of
21 Juvenile [Justice] SERVICES shall succeed the Secretary of Human Resources for a
22 term of 12 consecutive months, the State Superintendent of Schools shall succeed the
23 Secretary [of the Department] of Juvenile [Justice] SERVICES for a term of 12
24 consecutive months and the Special Secretary of the Office for Children, Youth, and
25 Families shall succeed the State Superintendent of Schools for a term of 12
26 consecutive months.

27 17.

28 Each local coordinating council shall include at least 1 representative from:

29 (2) The Department of Juvenile [Justice] SERVICES;

30 20.1.

31 (b) (4) (ii) The Committee shall include:

32 3. The Secretary of Juvenile [Justice] SERVICES;

33 (f) The Special Secretary for Children, Youth, and Families, the Secretaries of
34 Health and Mental Hygiene, Human Resources, Juvenile [Justice] SERVICES, and

1 Budget and Management, and the State Superintendent of Schools shall implement
2 the plan developed under this section.

3 SECTION ~~4~~ 6. AND BE IT FURTHER ENACTED, That the Laws of
4 Maryland read as follows:

5 **Article - Education**

6 7-305.

7 (f) (1) This subsection does not apply if the student is referred to the
8 Department of Juvenile [Justice] SERVICES.

9 SECTION ~~5~~ 7. AND BE IT FURTHER ENACTED, That the Laws of
10 Maryland read as follows:

11 **Article - Education**

12 18-2101.

13 (b) "Community-based program" means:

14 (2) Any residential child care program licensed by the Department of
15 Human Resources or the Department of Juvenile [Justice] SERVICES.

16 (c) "Direct service employee" means:

17 (2) (i) An employee of a community-based program who provides
18 direct care and supervision of children who are in the custody of a local department of
19 social services or the Department of Juvenile [Justice] SERVICES; or

20 (ii) A first-line supervisor of employees who provide direct care and
21 supervision of children who are in the custody of a local department of social services
22 or the Department of Juvenile [Justice] SERVICES.

23 (e) "Program" means the Developmental Disabilities, Mental Health, Child
24 Welfare, and Juvenile [Justice] SERVICES Workforce Tuition Assistance Program.

25 18-2108.

26 Funds for the Developmental Disabilities, Mental Health, Child Welfare, and
27 Juvenile [Justice] SERVICES Workforce Tuition Assistance Program shall be as
28 provided in the State budget.

29 SECTION ~~6~~ 8. AND BE IT FURTHER ENACTED, That the publisher of the
30 Annotated Code of Maryland, in consultation with and subject to the approval of the
31 Department of Legislative Services, shall correct, with no further action required by
32 the General Assembly, cross references and terminology rendered incorrect by this Act
33 or by any other Act of the General Assembly of 2003 that affects provisions enacted by

1 this Act. The publisher shall adequately describe any such correction in an editor's
2 note following the section affected.

3 ~~SECTION 7. AND BE IT FURTHER ENACTED, That the State Department~~
4 ~~of Education may use nonpublic special education funds under § 8 415 of the~~
5 ~~Education Article for contractual services as necessary to deliver special education~~
6 ~~and related services to identified students with disabilities placed at the Charles H.~~
7 ~~Hickey, Jr. School.~~

8 ~~SECTION 8. AND BE IT FURTHER ENACTED, That the State Department~~
9 ~~of Education shall develop and fully implement the educational program for the~~
10 ~~Charles H. Hickey, Jr. School by December 31, 2003.~~

11 SECTION 9. AND BE IT FURTHER ENACTED, That Section ~~3~~ 5 of this Act
12 shall take effect on the taking effect of the termination provision specified in Section
13 3 of Chapter 282 of the Acts of the General Assembly of 2002. If that termination
14 provision takes effect, §§ 15, 17, and 20.1 of Article 49D - Office for Children, Youth,
15 and Families as enacted by Section 2 of this Act shall be abrogated and of no further
16 force and effect. This Act may not be interpreted to have any effect on that
17 termination provision.

18 SECTION 10. AND BE IT FURTHER ENACTED, That Section ~~_~~ 6 of this Act
19 shall take effect on the taking effect of the contingency specified in Section 2 of
20 Chapter 347 of the Acts of the General Assembly of 1995 and Section 2 of Chapter 323
21 of the Acts of the General Assembly of 1996. If that contingency takes effect, § 7-305
22 of Article - Education as enacted by Section 2 of this Act shall be abrogated and of no
23 further force and effect.

24 SECTION 11. AND BE IT FURTHER ENACTED, That Section ~~5~~ 7 of this Act
25 shall take effect October 1, 2003, the effective date of Chapter 302 of the Acts of the
26 General Assembly of 2002. If the effective date of Chapter 302 is amended, Section ~~5~~
27 7 of this Act shall take effect on the taking effect of Chapter 302.

28 SECTION 12. AND BE IT FURTHER ENACTED, That, subject to the
29 provisions of Sections 9, 10, and 11 of this Act, this Act shall take effect July 1, 2003.