

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL NO. 710

(First Reading File Bill)

AMENDMENT NO. 1

On page 45, strike beginning with “AS” in line 27 down through the colon in line 28; in line 30, strike “WAS” and substitute “TESTED”; in the same line, after “DRUG” insert “AS EVIDENCED BY A POSITIVE TOXICOLOGY TEST”; and in line 31, strike “THE CHILD WAS BORN EXPOSED TO A DRUG” and substitute “UPON THE BIRTH OF THE CHILD, THE CHILD TESTED POSITIVE FOR A DRUG AS EVIDENCED BY A POSITIVE TOXICOLOGY TEST”.

AMENDMENT NO. 2

On page 51, in line 32, strike “AND”.

On page 52, in line 8, after the semicolon insert “AND”

8. MAY CO-COMMIT THE CHILD TO THE CUSTODY OF THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE AND ORDER THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE TO PROVIDE ANY SERVICES THAT THE COURT FINDS TO BE IN THE CHILD’S BEST INTERESTS;”.

AMENDMENT NO. 3

On page 60, in line 8, after the period insert “Although subsection (a)(3)(iii) of this section states that a parent is not a party to a guardianship review hearing, the Committee notes that a former parent may file a motion to intervene under Maryland Rule 2-214.”.

AMENDMENT NO. 4

On page 87, in line 11, before “IF” insert “(1)”; and after line 14, insert:

“(2) IF, AFTER ADOPTION, THE ADOPTIVE PARENT REQUESTS”

(Over)

ADDITIONAL INFORMATION, THE LOCAL DEPARTMENT SHALL MAKE REASONABLE EFFORTS TO NOTIFY THE FORMER PARENT, AT THE FORMER PARENT’S LAST KNOWN ADDRESS AVAILABLE TO THE LOCAL DEPARTMENT, OF THE REQUEST AND THE REASON FOR THE REQUEST.”.

On page 124, in line 25, before “IF” insert “(1)”; and after line 28, insert:

“(2) IF, AFTER ADOPTION, THE ADOPTIVE PARENT REQUESTS ADDITIONAL INFORMATION, THE CHILD PLACEMENT AGENCY SHALL MAKE REASONABLE EFFORTS TO NOTIFY THE FORMER PARENT, AT THE FORMER PARENT’S LAST KNOWN ADDRESS AVAILABLE TO THE AGENCY, OF THE REQUEST AND THE REASON FOR THE REQUEST.”.

AMENDMENT NO. 5

On pages 113 through 115, strike in their entirety the lines beginning with line 18 on page 113 through line 24 on page 115, inclusive.

On page 115 in line 25, on page 116 in line 2, on page 117 in line 14, on page 118 in line 28, and on page 119 in line 15, strike “5-3A-22.”, “5-3A-23.”, “5-3A-24.”, “5-3A-25.”, and “5-3A-26.”, respectively, and substitute “5-3A-21.”, “5-3A-22.”, “5-3A-23.”, “5-3A-24.”, and “5-3A-25.”, respectively.

On page 116, in line 5, strike “§ 5-3A-24” and substitute “§ 5-3A-23”.

On page 119, after line 24, insert:

“5-3A-26. RESERVED.”.

AMENDMENT NO. 6

On page 3, in line 16, strike “Adoption Without or After Guardianship by” and substitute “Guardianship to and Adoption Through”.

AMENDMENT NO. 7

On page 7, strike beginning with the comma in line 27 down through “ARTICLE” in line 29.

AMENDMENT NO. 8

On page 8, in line 28, after “GUARDIANSHIP” insert “REVIEW”.

AMENDMENT NO. 9

On page 14, in line 28, strike “ADOPTION WITHOUT OR AFTER GUARDIANSHIP BY” and substitute “GUARDIANSHIP TO AND ADOPTION THROUGH”.

AMENDMENT NO. 10

On page 17, strike beginning with “or” in line 27 down through “2005” in line 28 and substitute “on or before September 30, 2005”.

On page 97, strike beginning with “or” in line 9 down through “2005” in line 10 and substitute “on or before September 30, 2005”.

On page 134, strike beginning with “or” in line 4 down through “2005” in line 5 and substitute “on or before September 30, 2005”.

AMENDMENT NO. 11

On page 25, strike beginning with “applicable” in line 26 down through “agreements” in line 27 and substitute “not intended to invalidate agreements entered into on or before September 30, 2005”.

On page 104, in line 30, after “visits.” insert “This section is not intended to invalidate agreements entered into on or before September 30, 2005.”.

On page 141, strike beginning with “This” in line 10 down through “agreements.” in line 11 and substitute “This section is not intended to invalidate agreements entered into on or before September 30, 2005.”.

AMENDMENT NO. 12

On page 29, in line 23, after “for” insert “the clerk to provide”; in the same line, after “to” insert “counsel for”; and in line 24, strike “and the individual’s counsel”.

AMENDMENT NO. 13

On page 60, in line 8, strike “caretakers” and substitute “caregivers”.

AMENDMENT NO. 14

On page 67, in line 1, after “PARENTS” insert “WHO HAS NOT CONSENTED TO THE ADOPTION”; in line 2, strike “EACH LIVING PARENT’S” and substitute “THE”; and in line 3, after “CASE” insert “FOR EACH LIVING PARENT WHO HAS NOT CONSENTED TO THE ADOPTION”.

AMENDMENT NO. 15

On page 86, in line 28, strike “PSYCHOLOGICAL” and substitute “MENTAL HEALTH”; and in line 32, strike “PSYCHIATRIC” and substitute “MENTAL HEALTH”.

On page 87, in lines 1, 6, and 16, in each instance, strike “PSYCHIATRIC” and substitute “MENTAL HEALTH”; in line 12, strike “PSYCHOLOGICAL” and substitute “MENTAL HEALTH”; and in line 25, strike “psychiatric” and substitute “mental health”.

On page 124, in lines 10 and 26, in each instance, strike “PSYCHOLOGICAL” and substitute “MENTAL HEALTH”; and in lines 14, 16, 21, and 30, in each instance, strike “PSYCHIATRIC” and substitute “MENTAL HEALTH”.

On page 125, in line 5, strike “psychiatric” and substitute “mental health”.

AMENDMENT NO. 16

On page 102, in line 5, strike “MAY” and substitute “SHALL”; in line 6, strike “WHO”; in line 7, after “(I)” insert “WHO”; and in line 9, strike “IS A MINOR” and substitute “IF THE CHILD MUST DECIDE WHETHER TO CONSENT TO THE ADOPTION, WHO IS AT LEAST 10 YEARS OLD”.

AMENDMENT NO. 17

On page 111, strike beginning with the first “THE” in line 4 down through “3.” in line 7; in line 10, strike “4.” and substitute “3.”; and in line 23, strike “OR” and substitute “AND”.

On page 147, strike beginning with the first “THE” in line 8 down through “(III)” in line 11;

in line 14, strike “(IV)” and substitute “(III)”; and in line 34, strike “OR” and substitute “AND”.

AMENDMENT NO. 18

On page 112, strike in their entirety lines 21 and 22.

On page 148, strike in their entirety lines 23 and 24.

AMENDMENT NO. 19

On page 111, in line 28, strike “PERSON’S”.

On page 118, in line 30, strike “GOVERNMENTAL UNIT’S OR PERSON’S”.

On page 120, in line 25, strike “GOVERNMENTAL UNIT OR”.

AMENDMENT NO. 20

On page 143, in line 12, strike “(c)” and substitute “(d)”; and in line 14, strike “(d)” and substitute “(c)”.

AMENDMENT NO. 21

On page 144, in line 23, strike “PETITION” and substitute “SHOW CAUSE ORDER”.

AMENDMENT NO. 22

On page 145, strike beginning with “IN” in line 22 down through “BEFORE” in line 23 and substitute “BEFORE”; and strike in their entirety lines 28 through 31, inclusive.

On page 146, in line 2, strike “5-317(c)(1) and (g)(1)” and substitute “5-324.1”.

AMENDMENT NO. 23

On page 162, in line 35, after “order” insert “of priority”.

AMENDMENT NO. 24

On page 174, in line 23, after “Notes” insert “of the CINA Subcommittee of the Foster Care Court Improvement Project”.

AMENDMENT NO. 25

On page 174, in lines 13 and 26, in each instance, strike “October 1, 2005” and substitute “January 1, 2006”.