

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL NO. 1336

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Treatment Foster Care" and substitute "Children in Out-of-Home Placements"; in the same line, strike "Sibling" and substitute "Siblings"; strike beginning with the second "the" in line 3 down through "children" in line 7 and substitute "a local department of social services to place together siblings who are in an out-of-home placement under certain circumstances; authorizing a local department of social services to place together siblings who are in an out-of-home placement together under certain circumstances; and generally relating to children in out-of-home placements"; in line 8, strike "with" and substitute "without"; in line 10, after "5-525(a)" insert "and (e)"; in line 13, strike "without" and substitute "with"; and in line 15, strike "5-525(e)(1)" and substitute "5-525.2".

AMENDMENT NO. 2

On page 2, strike in their entirety lines 19 through 23, inclusive.

On page 3, after line 2, insert:

"5-525.2.

(A) (1) A LOCAL DEPARTMENT SHALL PLACE TOGETHER SIBLINGS WHO ARE IN AN OUT-OF-HOME PLACEMENT UNDER § 5-525 OF THIS SUBTITLE IF:

(I) IT IS IN THE BEST INTERESTS OF THE SIBLINGS TO BE PLACED TOGETHER; AND

(II) PLACEMENT OF THE SIBLINGS TOGETHER DOES NOT CONFLICT WITH A SPECIFIC HEALTH OR SAFETY REGULATION.

(Over)

(2) IF PLACEMENT OF THE SIBLINGS TOGETHER CONFLICTS WITH A SPECIFIC HEALTH OR SAFETY REGULATION, THE LOCAL DEPARTMENT MAY PLACE THE SIBLINGS TOGETHER IF THE LOCAL DEPARTMENT MAKES A WRITTEN FINDING DESCRIBING HOW PLACEMENT OF THE SIBLINGS TOGETHER SERVES THE BEST INTERESTS OF THE SIBLINGS.

[(a)] (B) (1) Any siblings who are separated due to a foster care or adoptive placement may petition a court, including a juvenile court with jurisdiction over one or more of the siblings, for reasonable sibling visitation rights.

[(b)] (2) If a petitioner under this [section] SUBSECTION petitions a court to issue a visitation decree or to amend an order, the court:

[(1)] (I) may hold a hearing to determine whether visitation is in the best interest of the children;

[(2)] (II) shall weigh the relative interests of each child and base its decision on the best interests of the children promoting the greatest welfare and least harm to the children; and

[(3)] (III) may issue an appropriate order or decree.”.