

(PRE-FILED)

By: **Senators Mooney and Stone**
 Requested: November 4, 2004
 Introduced and read first time: January 12, 2005
 Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Family Law - Child Abuse and Neglect Investigations - Rights of Alleged**
3 **Abuser or Neglector**

4 FOR the purpose of requiring a local department of social services to advise an
5 individual alleged to have abused or neglected a child of the specific complaints
6 or allegations made against the individual, at a certain time and in a certain
7 manner; and generally relating to investigations of suspected child abuse or
8 neglect.

9 BY repealing and reenacting, with amendments,
10 Article - Family Law
11 Section 5-706(a)
12 Annotated Code of Maryland
13 (2004 Replacement Volume)

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

16 **Article - Family Law**

17 5-706.

18 (a) (1) Promptly after receiving a report of suspected abuse or neglect of a
19 child who lives in this State that is alleged to have occurred in this State:

20 [(1)] (I) the local department or the appropriate law enforcement
21 agency, or both, if jointly agreed on, shall make a thorough investigation of a report of
22 suspected abuse to protect the health, safety, and welfare of the child or children; or

23 [(2)] (II) the local department shall make a thorough investigation of a
24 report of suspected neglect to protect the health, safety, and welfare of the child or
25 children.

26 (2) AT THE FIRST TELEPHONE OR FACE-TO-FACE CONTACT WITH AN
27 INDIVIDUAL ALLEGED TO HAVE ABUSED OR NEGLECTED A CHILD, THE LOCAL

1 DEPARTMENT SHALL ADVISE THE INDIVIDUAL OF THE SPECIFIC COMPLAINTS OR
2 ALLEGATIONS MADE AGAINST THE INDIVIDUAL, IN A MANNER THAT IS CONSISTENT
3 WITH FEDERAL AND STATE LAWS PROTECTING THE RIGHTS OF THE PERSON WHO
4 MADE THE REPORT.

5 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
6 October 1, 2005.