
By: **Delegates Cardin, Boteler, Frush, Hubbard, Kach, King, Mandel, Moe,
Nathan-Pulliam, Petzold, and Trueschler**

Introduced and read first time: February 10, 2006

Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **Family Law - Foster Care - Secondhand Smoke Exposure**

3 FOR the purpose of requiring the Social Services Administration to adopt regulations
4 authorizing the Administration to require the local departments of social
5 services to consider secondhand smoke exposure in determining permanency
6 plans for children in foster care and require foster care parents to protect
7 children in foster care from exposure to secondhand smoke in enclosed places;
8 requiring the Administration to adopt regulations on or before a certain date;
9 and generally relating to children in foster care and protection from secondhand
10 smoke exposure.

11 BY repealing and reenacting, with amendments,
12 Article - Family Law
13 Section 5-532
14 Annotated Code of Maryland
15 (2004 Replacement Volume and 2005 Supplement)

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

18 **Article - Family Law**

19 5-532.

20 (a) The Administration shall adopt rules and regulations to carry out the child
21 welfare services and foster care programs under this subtitle.

22 (b) The regulations shall authorize the Administration to:

23 (1) conduct a background check of child support arrearages on an
24 applicant for foster home approval who is also a biological or adoptive parent; [and]

25 (2) consider any child support arrearage in determining whether to
26 approve or disapprove the application; AND

1 (3) REQUIRE THE LOCAL DEPARTMENTS OF SOCIAL SERVICES TO
2 CONSIDER SECONDHAND SMOKE EXPOSURE IN DETERMINING THE PERMANENCY
3 PLAN FOR A CHILD IN FOSTER CARE IN ACCORDANCE WITH § 5-525(E)(1) OF THIS
4 SUBTITLE; AND

5 (4) REQUIRE A FOSTER CARE PARENT TO PROTECT A FOSTER CHILD
6 FROM EXPOSURE TO SECONDHAND SMOKE IN ENCLOSED PLACES.

7 SECTION 2. AND BE IT FURTHER ENACTED, That, on or before October 1,
8 2007, the Social Services Administration shall adopt regulations in accordance with §
9 5-532(b)(3) of the Family Law Article, as enacted by the Act.

10 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
11 October 1, 2006.