

# HOUSE BILL 661

O4, D4  
HB 1353/06 – JUD

7lr2191

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By: **Delegates Cardin, Barnes, Boteler, Burns, Feldman, Frush, Hubbard, Kach, N. King, Kramer, Morhaim, Nathan-Pulliam, Pena-Melnyk, Rice, and Taylor**

Introduced and read first time: February 8, 2007

Assigned to: Judiciary

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## 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 (2006 Replacement Volume)

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.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

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

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

6                   (2)     consider any child support arrearage in determining whether to  
7 approve or disapprove the application;

8                   **(3)     REQUIRE THE LOCAL DEPARTMENTS OF SOCIAL SERVICES TO**  
9 **CONSIDER SECONDHAND SMOKE EXPOSURE IN DETERMINING THE**  
10 **PERMANENCY PLAN FOR A CHILD IN FOSTER CARE IN ACCORDANCE WITH §**  
11 **5-525(E)(1) OF THIS SUBTITLE; AND**

12                   **(4)     REQUIRE A FOSTER CARE PARENT TO PROTECT A FOSTER**  
13 **CHILD FROM EXPOSURE TO SECONDHAND SMOKE IN ENCLOSED PLACES.**

14           SECTION 2. AND BE IT FURTHER ENACTED, That, on or before October 1,  
15 2008, the Social Services Administration shall adopt regulations in accordance with §  
16 5-532(b)(3) of the Family Law Article, as enacted by this Act.

17           SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
18 October 1, 2007.