

HB1382/483428/1

BY: Senator Kelley

AMENDMENTS TO HOUSE BILL 1382, AS AMENDED
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1 of the Judicial Proceedings Committee Amendments (HB1382/678173/1), strike in their entirety Amendments No. 1 and 2.

AMENDMENT NO. 2

On page 1 of the bill, strike beginning with “a” in line 3 down through “circumstances;” in line 7, and substitute “authorizing the Department of Juvenile Services to provide access to and the confidential use of a certain treatment plan of a child by an agency in the District of Columbia or a state agency in Virginia under certain circumstances; providing that a certain shared record may only provide certain information; providing that the Department of Juvenile Services is liable for an unauthorized release of a certain court record; requiring the Department of Juvenile Services to adopt certain regulations; establishing that certain provisions do not prohibit access to certain court records by the Department of Human Resources under certain circumstances; providing that the Department of Human Resources shall be liable for the unauthorized release of certain information;”.

AMENDMENT NO. 3

On page 2 of the bill, in line 9, strike the colon; and strike in their entirety lines 10 through 20, inclusive, and substitute:

“the Department of Juvenile Services or in an investigation and prosecution by a law enforcement agency.”.

AMENDMENT NO. 4

On page 2 of the bill, after line 27, insert:

(Over)

“(4) (I) THE DEPARTMENT OF JUVENILE SERVICES MAY PROVIDE ACCESS TO AND THE CONFIDENTIAL USE OF A TREATMENT PLAN OF A CHILD DESCRIBED UNDER TITLE 10, SUBTITLE 2 OF THE CRIMINAL PROCEDURE ARTICLE BY AN AGENCY IN THE DISTRICT OF COLUMBIA OR A STATE AGENCY IN VIRGINIA, IF THE AGENCY:

1. PERFORMS THE SAME FUNCTIONS IN THE JURISDICTION OF THE AGENCY AS DESCRIBED IN § 9-216(A) OF THE HUMAN SERVICES ARTICLE; AND

2. HAS A RECIPROCAL AGREEMENT WITH THE STATE THAT PROVIDES THAT THE SPECIFIC INFORMATION TO BE SHARED BY THE STATE IS THE SAME TYPE OF INFORMATION THAT WILL BE SHARED BY THE AGENCY; AND

3. HAS CUSTODY OF THE CHILD.

(II) A RECORD THAT IS SHARED UNDER THIS PARAGRAPH MAY ONLY PROVIDE INFORMATION THAT IS RELEVANT TO THE SUPERVISION, CARE, AND TREATMENT OF THE CHILD.

(III) THE DEPARTMENT OF JUVENILE SERVICES SHALL BE LIABLE FOR AN UNAUTHORIZED RELEASE OF A COURT RECORD UNDER THIS PARAGRAPH.

(IV) THE DEPARTMENT OF JUVENILE SERVICES SHALL ADOPT REGULATIONS TO IMPLEMENT THIS PARAGRAPH.”;

and in line 28, strike “(4)” and substitute “(5)”.

AMENDMENT NO. 5

On page 3 of the bill, in line 9, strike “(5)” and substitute “**(6)**”.

On page 2 of the Judicial Proceedings Committee Amendments, in line 1 of Amendment No. 3, strike “**(6)**” and substitute “**(7)**”.