

Chapter 451

(House Bill 1011)

AN ACT concerning

Juvenile Law – Lead Testing – Required Authorized

FOR the purpose of ~~requiring the juvenile court to order the Department of Health and Mental Hygiene to perform a blood lead level test on a child authorizing the juvenile court to order a child to undergo blood lead level testing after a petition has been filed but before an adjudication; requiring authorizing a court exercising criminal jurisdiction in a case involving a child to order the Department to perform a blood lead level test on a child the child to undergo blood lead level testing before trial; requiring a copy of certain test results to be provided to certain individuals; and generally relating to juvenile law and lead testing of a child before adjudication or trial.~~

BY adding to

Article – Courts and Judicial Proceedings
Section 3-8A-16.1
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

BY adding to

Article – Criminal Procedure
Section 4-205
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

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

Article – Courts and Judicial Proceedings

3-8A-16.1.

(A) AFTER A PETITION HAS BEEN FILED WITH THE COURT UNDER THIS SUBTITLE, BUT BEFORE AN ADJUDICATION, THE COURT ~~SHALL~~ MAY ORDER THE ~~DEPARTMENT OF HEALTH AND MENTAL HYGIENE TO PERFORM A CHILD TO UNDERGO BLOOD LEAD LEVEL TEST ON THE CHILD TESTING.~~

(B) A COPY OF THE RESULTS OF ~~THE~~ A TEST PERFORMED UNDER SUBSECTION (A) OF THIS SECTION SHALL BE PROVIDED TO:

- (1) THE CHILD;
- (2) THE CHILD'S PARENT OR GUARDIAN;
- (3) THE CHILD'S COUNSEL; AND
- (4) THE STATE'S ATTORNEY.

Article – Criminal Procedure

4-205.

(A) BEFORE TRIAL, A COURT EXERCISING CRIMINAL JURISDICTION IN A CASE INVOLVING A CHILD ~~SHALL~~ MAY ORDER THE ~~DEPARTMENT OF HEALTH AND MENTAL HYGIENE TO PERFORM A~~ CHILD TO UNDERGO BLOOD LEAD LEVEL ~~TEST ON THE CHILD~~ TESTING.

(B) A COPY OF THE RESULTS OF ~~THE~~ A TEST PERFORMED UNDER SUBSECTION (A) OF THIS SECTION SHALL BE PROVIDED TO:

- (1) THE CHILD;
- (2) THE CHILD'S PARENT OR GUARDIAN;
- (3) THE CHILD'S COUNSEL; AND
- (4) THE STATE'S ATTORNEY.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2010.

Approved by the Governor, May 4, 2010.