

HOUSE BILL 1480

D4

EMERGENCY BILL

3lr3264

By: **Delegates Glenn, Anderson, Carter, K. Kelly, Stukes, and Tarrant**

Introduced and read first time: February 26, 2013

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Family Law – Unattended Child Under the Age of Three**

3 FOR the purpose of prohibiting a person who is charged with the care of a child under
4 a certain age from allowing the child to be locked or confined under certain
5 circumstances unless the person charged provides a reliable person of at least a
6 certain age to remain with the child to protect the child; making this Act an
7 emergency measure; and generally relating to unattended children.

8 BY repealing and reenacting, with amendments,
9 Article – Family Law
10 Section 5–801
11 Annotated Code of Maryland
12 (2012 Replacement Volume)

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

15 **Article – Family Law**

16 5–801.

17 (a) **(1) [A] SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, A**
18 **person who is charged with the care of a child under the age of 8 years may not allow**
19 **the child to be locked or confined in a dwelling, building, enclosure, or motor vehicle**
20 **while the person charged is absent and the dwelling, building, enclosure, or motor**
21 **vehicle is out of the sight of the person charged unless the person charged provides a**
22 **reliable person at least 13 years old to remain with the child to protect the child.**

23 **(2) A PERSON WHO IS CHARGED WITH THE CARE OF A CHILD**
24 **UNDER THE AGE OF 3 YEARS MAY NOT ALLOW THE CHILD TO BE LOCKED OR**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **CONFINED IN A DWELLING, BUILDING, ENCLOSURE, OR MOTOR VEHICLE WHILE**
2 **THE PERSON CHARGED IS ABSENT AND THE DWELLING, BUILDING, ENCLOSURE,**
3 **OR MOTOR VEHICLE IS OUT OF THE SIGHT OF THE PERSON CHARGED UNLESS**
4 **THE PERSON CHARGED PROVIDES A RELIABLE PERSON AT LEAST 15 YEARS OLD**
5 **TO REMAIN WITH THE CHILD TO PROTECT THE CHILD.**

6 (b) A person who violates this section is guilty of a misdemeanor and on
7 conviction is subject to a fine not exceeding \$500 or imprisonment not exceeding 30
8 days, or both.

9 SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency
10 measure, is necessary for the immediate preservation of the public health or safety,
11 has been passed by a yea and nay vote supported by three-fifths of all the members
12 elected to each of the two Houses of the General Assembly, and shall take effect from
13 the date it is enacted.