

SENATE BILL 116

E3

4lr0083

(PRE-FILED)

By: **Chair, Judicial Proceedings Committee (By Request – Departmental – Juvenile Services)**

Requested: November 8, 2013

Introduced and read first time: January 8, 2014

Assigned to: Judicial Proceedings

Committee Report: Favorable

Senate action: Adopted

Read second time: January 21, 2014

CHAPTER _____

1 AN ACT concerning

2 **Juvenile Law – Committed Facilities – Repeal of Termination**

3 FOR the purpose of repealing the termination of certain provisions of law authorizing
4 the Department of Juvenile Services to transfer a child committed to residential
5 placement from a certain facility to another facility under certain
6 circumstances; and generally relating to juvenile law.

7 BY repealing and reenacting, without amendments,
8 Article – Courts and Judicial Proceedings
9 Section 3–8A–19(l)
10 Annotated Code of Maryland
11 (2013 Replacement Volume and 2013 Supplement)

12 BY repealing and reenacting, with amendments,
13 Chapter 198 of the Acts of the General Assembly of 2012
14 Section 3

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

17 **Article – Courts and Judicial Proceedings**

18 3–8A–19.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 (1) (1) When necessary to appropriately administer the commitment of
2 the child, the Department of Juvenile Services, on approval of the Director of
3 Behavioral Health, may transfer a child committed for residential placement from one
4 facility to another facility that is operated, licensed, or contracted by the Department.

5 (2) A facility to which a child is transferred under paragraph (1) of this
6 subsection shall be:

7 (i) Consistent with the type of facility designated by the court
8 under subsection (d)(1)(ii) of this section; or

9 (ii) More secure than the type of facility designated by the court
10 under subsection (d)(1)(ii) of this section.

11 (3) Prior to transfer, the Department shall notify:

12 (i) The court;

13 (ii) The counsel for the child;

14 (iii) The State's Attorney; and

15 (iv) The parent or guardian of the child.

16 (4) The court may conduct a hearing at any time for the purpose of
17 reviewing the commitment order and the transfer of a child under this subsection.

18 **Chapter 198 of the Acts of 2012**

19 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
20 June 1, 2012. [It shall remain effective for a period of 2 years and 1 month and, at the
21 end of June 30, 2014, with no further action required by the General Assembly, this
22 Act shall be abrogated and of no further force and effect.]

23 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
24 June 1, 2014.