

SENATE BILL 490

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8lr1740
CF HB 454

By: **Senators Kelley, Astle, Brochin, Currie, Eckardt, Feldman, Guzzone, Kagan, Kasemeyer, Lee, Muse, Nathan–Pulliam, Oaks, Robinson, Smith, Young, and Zucker**

Introduced and read first time: January 29, 2018

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Child Abuse and Neglect – Disclosure of Identifying Information and**
3 **Investigations**

4 FOR the purpose of requiring a court to provide the Secretary of Health with identifying
5 information regarding an individual who has been convicted under certain provisions
6 of law of the murder, attempted murder, or manslaughter of a child; requiring a local
7 department to open an investigation of child abuse or neglect if the local department
8 is prevented from accessing a child born to an individual whose identifying
9 information has been provided to the Secretary under certain provisions of law while
10 providing a certain assessment; altering the period of time for which the Secretary
11 must provide certain birth record information to the Executive Director of the Social
12 Services Administration; making stylistic changes; and generally relating to child
13 abuse and neglect.

14 BY repealing and reenacting, with amendments,
15 Article – Family Law
16 Section 5–715
17 Annotated Code of Maryland
18 (2012 Replacement Volume and 2017 Supplement)

19 BY repealing and reenacting, with amendments,
20 Article – Health – General
21 Section 4–222
22 Annotated Code of Maryland
23 (2015 Replacement Volume and 2017 Supplement)

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



Article – Family Law

5–715.

(a) **(1)** The Executive Director of the Administration shall provide the Secretary of Health with identifying information regarding [individuals] **AN INDIVIDUAL** who, as to any child, [have] **HAS** had [their] **THE INDIVIDUAL’S** parental rights terminated under § 5–322 or § 5–323 of this title and [have] **HAS** been identified as responsible for abuse or neglect in a central registry as described in § 5–714(d) of this subtitle.

(2) A COURT SHALL PROVIDE THE SECRETARY OF HEALTH WITH IDENTIFYING INFORMATION REGARDING AN INDIVIDUAL WHO HAS BEEN CONVICTED UNDER TITLE 2, SUBTITLE 2 OF THE CRIMINAL LAW ARTICLE OF THE MURDER, ATTEMPTED MURDER, OR MANSLAUGHTER OF A CHILD.

(b) If in accordance with § 4–222 of the Health – General Article, the Secretary provides to the Executive Director birth record information for a child born to an individual whose identifying information has been provided under subsection (a) of this section, the Executive Director shall:

(1) verify that the parent of the child is the same individual described in subsection (a) of this section; and

(2) immediately notify the local department in the jurisdiction in which the child resides so that the local department may review its records and[, when appropriate,] provide an assessment of the family and offer services if needed.

(C) A LOCAL DEPARTMENT SHALL OPEN AN INVESTIGATION IF THE LOCAL DEPARTMENT IS PREVENTED FROM ACCESSING THE CHILD WHILE PROVIDING AN ASSESSMENT UNDER SUBSECTION (B) OF THIS SECTION.

Article – Health – General

4–222.

The Secretary shall provide to the Executive Director of the Social Services Administration in the Department of Human Services birth record information for a child born to an individual whose identifying information has been provided to the Secretary within the previous [5] **20** years by the Executive Director **OR A COURT** under § 5–715 of the Family Law Article.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2018.