

HB0931/548075/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 931
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “**Child Care Providers – Notice of Allegations of**”; in the same line, after “**Neglect**” insert “**– Notice and Preventing or Interfering With Report**”; in lines 11 and 12, strike “child care providers and”; and after line 12, insert:

“BY repealing and reenacting, without amendments,

Article – Courts and Judicial Proceedings

Section 5–106(b)

Annotated Code of Maryland

(2020 Replacement Volume)”.

On page 2, in line 3, after “5–705(a),” insert “5–705.1(c)(1) and (2).”; and after line 5, insert:

“BY repealing and reenacting, with amendments,

Article – Family Law

Section 5–705.2

Annotated Code of Maryland

(2019 Replacement Volume and 2020 Supplement)”.

AMENDMENT NO. 2

On page 2, after line 7, insert:

“Article – Courts and Judicial Proceedings

5–106.

(Over)

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(b) Notwithstanding § 9–103(a)(3) of the Correctional Services Article or any other provision of the Code, if a statute provides that a misdemeanor is punishable by imprisonment in the penitentiary or that a person is subject to this subsection:

(1) The State may institute a prosecution for the misdemeanor at any time; and

(2) For purposes of the Maryland Constitution, the person:

(i) Shall be deemed to have committed a misdemeanor whose punishment is confinement in the penitentiary; and

(ii) May reserve a point or question for in banc review as provided under Article IV, § 22 of the Maryland Constitution.”

On page 7, after line 11, insert:

“5–705.1.

(c) (1) If suspected abuse or neglect is alleged to have occurred outside of this State and the victim is currently a child who lives outside of this State, a person who would be required to report suspected abuse or neglect under the provisions of § 5–704 or § 5–705 of this subtitle shall report the suspected abuse or neglect to any local department in accordance with paragraph (2) of this subsection.

(2) A person described in § 5–704 of this subtitle shall make:

(i) an oral report, by telephone or direct communication, as soon as possible; and

(ii) a written report not later than 48 hours after the contact, examination, attention, or treatment that caused the person to believe that the child had been subjected to abuse or neglect.

5–705.2.

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(a) An individual may not intentionally prevent or interfere with the making of a report of suspected abuse or neglect required by § 5-704 or § 5-705.1(c)(2) of this subtitle.

(b) A person who violates this section is guilty of a misdemeanor and on conviction is subject to imprisonment not exceeding 5 years or a fine not exceeding \$10,000 or both.

(C) A PERSON WHO VIOLATES THIS SECTION WITH RESPECT TO A REPORT OF SUSPECTED SEXUAL ABUSE OF A CHILD IS SUBJECT TO § 5-106(B) OF THE COURTS ARTICLE.”.