SENATE BILL 15

E3 3lr0995 (PRE–FILED)

By: Senator Carter

Requested: November 20, 2022

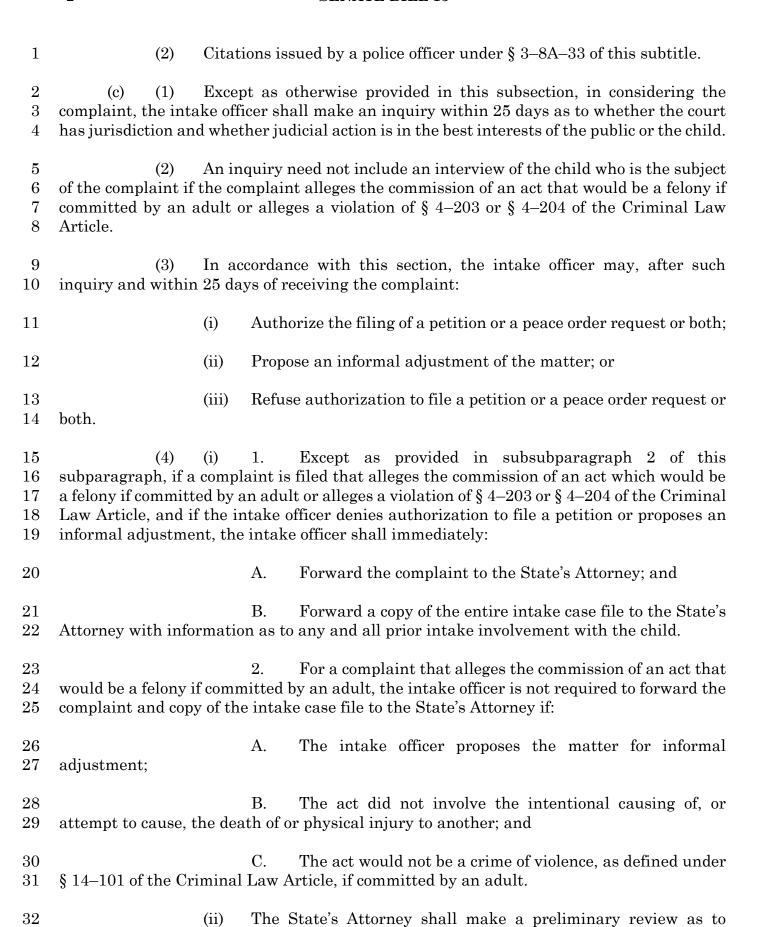
Introduced and read first time: January 11, 2023

Assigned to: Judicial Proceedings

A BILL ENTITLED

1	AN ACT concerning
2 3	Juvenile Law – Child in Need of Supervision – Mandatory Petition (NyKayla Strawder Memorial Act)
4 5 6	FOR the purpose of requiring an intake officer to file a petition alleging that a child under a certain age is a child in need of supervision if the child is alleged to have committed an act that results in the death of a victim; and generally relating to juvenile law.
7 8 9	BY repealing and reenacting, without amendments, Article – Courts and Judicial Proceedings Section 3–8A–10(b)
10	Annotated Code of Maryland
11	(2020 Replacement Volume and 2022 Supplement)
12	BY repealing and reenacting, with amendments,
13	Article – Courts and Judicial Proceedings
14	Section 3–8A–10(c)
15	Annotated Code of Maryland
16	(2020 Replacement Volume and 2022 Supplement)
17	SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND
18	That the Laws of Maryland read as follows:
19	Article - Courts and Judicial Proceedings
20	3–8A–10.
21	(b) An intake officer shall receive:
22	(1) Complaints from a person or agency having knowledge of facts which
23	may cause a person to be subject to the jurisdiction of the court under this subtitle; and





- whether the court has jurisdiction and whether judicial action is in the best interests of the public or the child. The need for restitution may be considered as one factor in the public interest. After the preliminary review the State's Attorney shall, within 30 days of the receipt of the complaint by the State's Attorney, unless the court extends the time:
- 5 1. File a petition or a peace order request or both;
- 6 2. Refer the complaint to the Department of Juvenile 7 Services for informal disposition; or
- 8 3. Dismiss the complaint.
- 9 (iii) This subsection may not be construed or interpreted to limit the 10 authority of the State's Attorney to seek a waiver under § 3–8A–06 of this subtitle.
- 11 (5) IF A COMPLAINT IS FILED THAT ALLEGES THE COMMISSION OF AN
 12 ACT BY A CHILD UNDER THE AGE OF 10 YEARS THAT RESULTS IN THE DEATH OF A
 13 VICTIM, THE INTAKE OFFICER SHALL FILE A PETITION ALLEGING THAT THE CHILD
 14 IS IN NEED OF SUPERVISION.
- SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect 16 October 1, 2023.