

# SENATE BILL 653

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SB 772/22 – JPR

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By: Senator Carter

Introduced and read first time: February 6, 2023

Assigned to: Judicial Proceedings

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## A BILL ENTITLED

1 AN ACT concerning

### 2 **Child in Need of Assistance – Neglect – Cannabis Use**

3 FOR the purpose of providing that the use of cannabis by a parent or certain other  
4 individuals who care for a child does not qualify as neglect except in certain  
5 circumstances for purposes of provisions of law applicable to children in need of  
6 assistance; and generally relating to children in need of assistance.

7 BY repealing and reenacting, without amendments,

8 Article – Courts and Judicial Proceedings

9 Section 3–801(a) and (f)

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 3–801(s)

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 3–801.

21 (a) In this subtitle the following words have the meanings indicated.

22 (f) “Child in need of assistance” means a child who requires court intervention  
23 because:

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(2) The child's parents, guardian, or custodian are unable or unwilling to give proper care and attention to the child and the child's needs.

9                   [(1)] (I) That the child's health or welfare is harmed or placed at  
10 substantial risk of harm; or

11                    [(2)] (II) That the child has suffered mental injury or been placed at  
12 substantial risk of mental injury.

19 (II) THE CHILD HAS SUFFERED MENTAL INJURY OR BEEN  
20 PLACED AT SUBSTANTIAL RISK OF MENTAL INJURY

21 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
22 October 1, 2023.