

# HOUSE BILL 111

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6lr1462

(PRE-FILED)

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By: **Delegate Griffith**

Requested: October 30, 2025

Introduced and read first time: January 14, 2026

Assigned to: Judiciary

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## A BILL ENTITLED

1 AN ACT concerning

### 2 **Family Law – Child Abuse – Definitions**

3 FOR the purpose of expanding the definitions of “abuse” and “sexual abuse” for purposes of  
4 provisions relating to the reporting and investigation of child abuse and neglect; and  
5 generally relating to child abuse and neglect.

6 BY repealing and reenacting, with amendments,

7 Article – Family Law

8 Section 5–701

9 Annotated Code of Maryland

10 (2019 Replacement Volume and 2025 Supplement)

11 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

12 That the Laws of Maryland read as follows:

### 13 **Article – Family Law**

14 5–701.

15 (a) Except as otherwise provided in § 5–705.1 of this subtitle, in this subtitle the  
16 following words have the meanings indicated.

17 (b) (1) “Abuse” means:

18 (i) the physical or mental injury of a child under circumstances that  
19 indicate that the child’s health or welfare is harmed or at substantial risk of being harmed  
20 [by:

21 1. a parent;

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



2. a household member or family member;
3. a person who has permanent or temporary care or custody
4. a person who has responsibility for supervision of the

8 (ii) sexual abuse of a child, whether physical injuries are sustained  
9 or not; or

10 (iii) labor trafficking of a child [by any individual].

11 (2) "Abuse" does not include the physical injury of a child by accidental  
12 means.

13 (c) "Administration" means the Social Services Administration of the  
14 Department.

15 (d) "Centralized confidential database" means the Department's confidential  
16 computerized data system that contains information regarding child abuse and neglect  
17 investigations and assessments.

18 (e) "Child" means any individual under the age of 18 years.

19           **[(g)] (F)**    (1)    “Educator or human service worker” means any professional  
20 employee of any correctional, public, parochial or private educational, health, juvenile  
21 service, social or social service agency, institution, or licensed facility.

22 (2) "Educator or human service worker" includes:

23 (i) any teacher;

24 (ii) any counselor;

25 (iii) any social worker;

26 (iv) any caseworker; and

27 (v) any probation or parole officer.

28 (h) "Family member" means a relative by blood, adoption, or marriage of a child.

(i)] (G) (1) "Health practitioner" includes any person who is authorized to practice healing under the Health Occupations Article or § 13–516 of the Education Article.

(2) "Health practitioner" does not include an emergency medical dispatcher.

5 [ (j) ] (H) "Household" means the location:

6 (1) in which the child resides;

7 (2) where the abuse or neglect is alleged to have taken place; or

8 (3) where the person suspected of abuse or neglect resides.

9           [(k) "Household member" means a person who lives with, or is a regular presence  
10    in, a home of a child at the time of the alleged abuse or neglect.

11 (l)] (I) "Indicated" means a finding that there is credible evidence, which has not been  
12 satisfactorily refuted, that abuse, neglect, or sexual abuse did occur.

13            [(m)] (J)     “Labor trafficking” means knowingly:

(1) taking, placing, harboring, persuading, inducing, or enticing a child by force, fraud, or coercion to provide services or labor; or

(2) receiving a benefit or thing of value from the provision of services or labor by a child that was induced by force, fraud, or coercion.

18           [(n)] (K)     (1)     “Law enforcement agency” means a State, county, or municipal  
19     police department, bureau, or agency.

20 (2) "Law enforcement agency" includes:

21 (i) a State, county, or municipal police department or agency;

22 (ii) a sheriff's office;

23 (iii) a State's Attorney's office; and

24 (iv) the Attorney General's office.

25           [(o)] (L)     Except as provided in §§ 5–705.1 and 5–714 of this subtitle, “local  
26 department” means the local department that has jurisdiction in the county:

27 (1) where the allegedly abused or neglected child lives; or

(2) if different, where the abuse or neglect is alleged to have taken place.

2        [(p)] (M)     "Local department case file" means that component of the Department's  
3 confidential computerized database that contains information regarding child abuse and  
4 neglect investigations to which access is limited to the local department staff responsible  
5 for the investigation.

[(q)] (N) "Local State's Attorney" means the State's Attorney for the county;

(1) where the allegedly abused or neglected child lives; or

(2) if different, where the abuse or neglect is alleged to have taken place.

**[(r)] (O)** “Mental injury” means the observable, identifiable, and substantial impairment of a child’s mental or psychological ability to function caused by an intentional series of acts, regardless of whether there was an intent to harm the child.

**[(s)] (P)** “Neglect” means the leaving of a child unattended or other failure to proper care and attention to a child by any parent or other person who has permanent temporary care or custody or responsibility for supervision of the child under instances that indicate:

(1) that the child's health or welfare is harmed or placed at substantial risk

(2) mental injury to the child or a substantial risk of mental injury.

**[(t)] (Q)** “Police officer” means any State or local officer who is authorized to arrests as part of the officer’s official duty.

**[(u)] (R)** “Record” means the original or any copy of any documentary material, form, including a report of suspected child abuse or neglect, that is made by, received from the State, a county, or a municipal corporation in the State, or any vision or agency concerning a case of alleged child abuse or neglect.

**[(v)] (S)** “Report” means an allegation of abuse or neglect, made or received this subtitle.

**[(w)] (T)** “Ruled out” means a finding that abuse, neglect, or sexual abuse did not

**[(x)] (U)** “Sex trafficking” means the recruitment, harboring, transportation, ion, obtaining, patronizing, or soliciting of a child for the purpose of a commercial sex

[(y)] (v) “Sexual abuse” means any act that involves:

(1) sexual molestation or exploitation of a child [by:

- (i) a parent;
- (ii) a household member or family member;
- (iii) a person who has permanent or temporary care or custody of the
- (iv) a person who has responsibility for supervision of the child; or
- (v) a person who, because of the person's position or occupation, authority over the child]; or

(2) sex trafficking of a child [by any individual].

(W) "Sexual molestation or exploitation" includes:

- (1) allowing or encouraging a child to engage in:
  - (i) obscene photography, films, poses, or similar activity;
  - (ii) pornographic photography, films, poses, or similar activity; or
  - (iii) prostitution;
- (2) incest;
- (3) rape;
- (4) sexual offense in any degree; and
- (5) any other sexual conduct that is a crime.

**[(aa)] (x)** “Unsubstantiated” means a finding that there is an insufficient amount of evidence to support a finding of indicated or ruled out.

21 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
22 October 1, 2026.