

HOUSE BILL 1258

D4

6lr3206

By: **Delegate Smith**

Introduced and read first time: February 12, 2026

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Child Placement Services – Advertising by Unlicensed Person – Prohibition**

3 FOR the purpose of prohibiting a person from advertising adoption services in the State,
4 unless the person is a local department or a child placement agency licensed by the
5 Social Services Administration; authorizing the Administration to notify the
6 Attorney General of a violation of this Act; authorizing the Attorney General to bring
7 an action for damages for a violation of this Act; and generally relating to the
8 advertisement of adoption services by unlicensed persons.

9 BY repealing and reenacting, without amendments,
10 Article – Family Law
11 Section 5–101(a), (c), and (e), 5–501(a) and (b), and 5–507
12 Annotated Code of Maryland
13 (2019 Replacement Volume and 2025 Supplement)

14 BY adding to
15 Article – Family Law
16 Section 5–508
17 Annotated Code of Maryland
18 (2019 Replacement Volume and 2025 Supplement)

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

Article – Family Law

22 5–101.

23 (a) In this title the following words have the meanings indicated.

24 (c) “Child placement agency” means:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (1) a local department; or

2 (2) a private agency that is licensed by the Social Services Administration
3 of the Department under § 5–507 of this title, or by a comparable governmental unit of
4 another state, to place children.

5 (e) “Department” means the State Department of Human Services.

6 5–501.

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

8 (b) “Administration” means:

9 (1) the Social Services Administration of the Department; or

10 (2) any other unit within the Department to which the Secretary of Human
11 Services has delegated in writing specified responsibilities of the Administration under this
12 subtitle.

13 5–507.

14 (a) Except as otherwise provided in this section, a person shall be licensed by the
15 Administration as a child placement agency before the person may engage in the placement
16 of minor children in homes or with individuals.

17 (b) A license is not required:

18 (1) for a person to place a child with an individual related to the child by
19 blood or marriage within 4 degrees of consanguinity or affinity under the civil law rule;

20 (2) except as provided in § 5–3B–12 of this title, for a parent or grandparent
21 of a child to place the child directly, without the intervention of any other person except the
22 recipient of the child; or

23 (3) for a lawyer to prepare pleadings necessary to accomplish the adoption
24 of a child or to perform any other function associated with the normal practice of law.

25 **5–508.**

26 **(A) IN THIS SECTION, “ADVERTISE” MEANS TO ISSUE ANY COMMUNICATION,**
27 **SOLICITATION, OR OUTREACH INTENDED TO OFFER OR PROMOTE PRIVATE CHILD**
28 **PLACEMENT SERVICES, INCLUDING COMMUNICATIONS ISSUED VIA:**

29 **(1) PRINT OR DIGITAL MEDIA;**

- 1 **(2) INTERNET WEBSITES, SOCIAL MEDIA, OR ONLINE PLATFORMS;**
2 **(3) RADIO, TELEVISION, OR DIGITAL STREAMING SERVICES;**
3 **(4) DIRECT MAIL, E-MAIL, OR TEXT MESSAGING; OR**
4 **(5) ANY OTHER MEDIUM REASONABLY CALCULATED TO REACH**
5 **RESIDENTS OF THE STATE.**

6 **(B) (1) A PERSON MAY NOT ADVERTISE ADOPTION SERVICES IN THE**
7 **STATE UNLESS THE PERSON IS A LOCAL DEPARTMENT OR A CHILD PLACEMENT**
8 **AGENCY LICENSED BY THE ADMINISTRATION UNDER § 5-507 OF THIS SUBTITLE.**

9 **(2) THE PROHIBITION IN THIS SUBSECTION INCLUDES**
10 **ADVERTISEMENTS THAT:**

- 11 **(I) ORIGINATE IN THE STATE;**
12 **(II) ORIGINATE OUTSIDE THE STATE;**
13 **(III) TARGET STATE RESIDENTS DIRECTLY; AND**
14 **(IV) TARGET STATE RESIDENTS INDIRECTLY THROUGH**
15 **GENERAL DISTRIBUTION.**

16 **(C) THE ADMINISTRATION MAY:**

- 17 **(1) INVESTIGATE ALLEGED VIOLATIONS OF THIS SECTION;**
18 **(2) ISSUE A CEASE AND DESIST ORDER TO A PERSON THAT THE**
19 **ADMINISTRATION BELIEVES TO BE VIOLATING THE PROVISIONS OF SUBSECTION (B)**
20 **OF THIS SECTION; AND**
21 **(3) NOTIFY THE ATTORNEY GENERAL IF THERE IS REASON TO**
22 **BELIEVE THAT A PERSON HAS COMMITTED A VIOLATION OF THIS SECTION.**

23 **(D) ON RECEIVING NOTICE FROM THE ADMINISTRATION UNDER**
24 **SUBSECTION (C)(3) OF THIS SECTION, THE ATTORNEY GENERAL MAY BRING AN**
25 **ACTION FOR RELIEF IN A COURT OF COMPETENT JURISDICTION, INCLUDING AN**
26 **ACTION SEEKING:**

1 **(1) A CIVIL PENALTY OF \$10,000 FOR EACH VIOLATION OF THIS**
2 **SECTION; AND**

3 **(2) ANY OTHER DAMAGES AUTHORIZED BY LAW.**

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