

HOUSE BILL 1258

D4

6lr3206

By: ~~Delegate Smith~~ **Delegates Smith, Moreno, Conaway, and Williams**

Introduced and read first time: February 12, 2026

Assigned to: Judiciary

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 9, 2026

CHAPTER _____

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~~ making a violation of this Act an
8 unfair, abusive, or deceptive trade practice under the Maryland Consumer
9 Protection Act; and generally relating to the advertisement of adoption services by
10 unlicensed persons.

11 BY repealing and reenacting, with amendments,

12 Article – Commercial Law
13 Section 13–301(14)(xlvii)
14 Annotated Code of Maryland
15 (2025 Replacement Volume)

16 BY repealing and reenacting, without amendments,

17 Article – Commercial Law
18 Section 13–301(14)(xlviii)
19 Annotated Code of Maryland
20 (2025 Replacement Volume)

21 BY adding to

22 Article – Commercial Law

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 Section 13–301(14)(xlix)
2 Annotated Code of Maryland
3 (2025 Replacement Volume)

4 BY repealing and reenacting, without amendments,
5 Article – Family Law
6 Section 5–101(a), (c), and (e), 5–501(a) and (b), and 5–507
7 Annotated Code of Maryland
8 (2019 Replacement Volume and 2025 Supplement)

9 BY adding to
10 Article – Family Law
11 Section 5–508
12 Annotated Code of Maryland
13 (2019 Replacement Volume and 2025 Supplement)

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

16 **Article – Commercial Law**

17 13–301.

18 Unfair, abusive, or deceptive trade practices include any:

19 (14) Violation of a provision of:

20 (xlvii) Title 14, Subtitle 50 of this article; [or]

21 (xlviii) Section 13–411.1(c)(2) of the Transportation Article; or

22 **(XLIX) SECTION 5–508 OF THE FAMILY LAW ARTICLE; OR**

23 **Article – Family Law**

24 5–101.

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

26 (c) “Child placement agency” means:

27 (1) a local department; or

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

1 (e) "Department" means the State Department of Human Services.

2 5-501.

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

4 (b) "Administration" means:

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

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

9 5-507.

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

13 (b) A license is not required:

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

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

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

21 **5-508.**

22 **(A) IN THIS SECTION, "ADVERTISE" MEANS TO ISSUE ANY COMMUNICATION,**
23 **SOLICITATION, OR OUTREACH INTENDED TO OFFER OR PROMOTE PRIVATE CHILD**
24 **PLACEMENT SERVICES, INCLUDING COMMUNICATIONS ISSUED VIA:**

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

26 **(2) INTERNET WEBSITES, SOCIAL MEDIA, OR ONLINE PLATFORMS;**

27 **(3) RADIO, TELEVISION, OR DIGITAL STREAMING SERVICES;**

28 **(4) DIRECT MAIL, E-MAIL, OR TEXT MESSAGING; OR**

1 **(5) ANY OTHER MEDIUM REASONABLY CALCULATED TO REACH**
 2 **RESIDENTS OF THE STATE.**

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

6 **(2) THE PROHIBITION IN THIS SUBSECTION INCLUDES**
 7 **ADVERTISEMENTS THAT:**

8 **(I) ORIGINATE IN THE STATE;**

9 **(II) ORIGINATE OUTSIDE THE STATE;**

10 **(III) TARGET STATE RESIDENTS DIRECTLY; AND**

11 **(IV) TARGET STATE RESIDENTS INDIRECTLY THROUGH**
 12 **GENERAL DISTRIBUTION.**

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

14 **(1) INVESTIGATE ALLEGED VIOLATIONS OF THIS SECTION;**

15 **(2) ISSUE A CEASE AND DESIST ORDER TO A PERSON THAT THE**
 16 **ADMINISTRATION BELIEVES TO BE VIOLATING THE PROVISIONS OF SUBSECTION (B)**
 17 **OF THIS SECTION; AND**

18 **(3) NOTIFY THE ATTORNEY GENERAL IF THERE IS REASON TO**
 19 **BELIEVE THAT A PERSON HAS COMMITTED A VIOLATION OF THIS SECTION.**

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

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

26 ~~**(2) ANY OTHER DAMAGES AUTHORIZED BY LAW**~~ **A VIOLATION OF THIS**
 27 **SECTION IS:**

28 **(1) AN UNFAIR, ABUSIVE, OR DECEPTIVE TRADE PRACTICE WITHIN**
 29 **THE MEANING OF TITLE 13 OF THE COMMERCIAL LAW ARTICLE; AND**

1 **(2) SUBJECT TO THE ENFORCEMENT AND PENALTY PROVISIONS**
2 **CONTAINED IN TITLE 13 OF THE COMMERCIAL LAW ARTICLE.**

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

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.