

HOUSE BILL 1272

D4

6lr3411

By: **Delegates Acevero, Fennell, Guyton, Hill, D. Jones, Martinez, Moreno, Smith, Toles, Woods, and ~~Young~~ Young, Simmons, Taylor, and Conaway**

Introduced and read first time: February 12, 2026

Assigned to: Judiciary

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 6, 2026

CHAPTER _____

1 AN ACT concerning

2 **Family Law – Kinship Care**

3 FOR the purpose of requiring a local department to consider a child’s feelings or views
4 about a prospective kinship caregiver in selecting a placement that is in the best
5 interest of the child in an out-of-home placement; including a certain unrelated
6 individual identified by a child as an option for a kinship caregiver; requiring a local
7 department to consider certain factors when determining whether to approve an
8 individual as a kinship caregiver; and generally relating to kinship care.

9 BY repealing and reenacting, with amendments,
10 Article – Family Law
11 Section 5–534
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 – Family Law**

17 5–534.

18 (a) (1) In this section, “kinship caregiver” means an individual:

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 (i) with whom a child who is in the care, custody, or guardianship of
2 the local department may be placed for temporary or long-term care other than adoption;
3 and

4 (ii) who is approved by the local department under subsection (e) of
5 this section.

6 (2) "Kinship caregiver" includes:

7 (i) a kinship parent;

8 (ii) an individual who is related to the child through blood or
9 marriage, adoption, tribal law or custom, or cultural custom or practice; and

10 (iii) an individual who is unrelated to the child but has a strong
11 familial or other significant bond with the child, or is a person identified by the **CHILD OR**
12 **THE** child's parent.

13 (b) The Secretary of Human Services shall establish and maintain a kinship care
14 program.

15 (c) (1) In selecting a placement that is in the best [interests] **INTEREST** of a
16 child in need of out-of-home placement, in the absence of good cause to the contrary, the
17 local department shall give preference to placement with a kinship caregiver.

18 (2) The local department shall exhaust all reasonable resources to make
19 proactive, thorough, and timely efforts to locate a kinship caregiver for initial placement of
20 the child.

21 (3) **IN SELECTING A PLACEMENT THAT IS IN THE BEST INTEREST OF A**
22 **CHILD IN AN OUT-OF-HOME PLACEMENT, THE LOCAL DEPARTMENT SHALL**
23 **CONSIDER THE CHILD'S FEELINGS AND VIEWS ABOUT A PROSPECTIVE KINSHIP**
24 **CAREGIVER.**

25 (4) If the local department cannot locate a kinship caregiver at the time of
26 the initial placement, then preference shall be given to a placement that most approximates
27 a family in which the child's special needs, if any, may be met, taking into account the
28 following:

29 (i) the proximity of the placement to the child's home, extended
30 family, or siblings;

31 (ii) the child's culture or language continuity;

32 (iii) the child's age; and

1 (iv) the child's developmental and educational needs.

2 [(4)] (5) If a kinship caregiver is located subsequent to the placement of a
3 child in a foster care setting, the local department shall, in the best interest of the child,
4 place the child with the kinship caregiver.

5 (d) A kinship caregiver may not be under the age of 18 years.

6 (e) (1) The local department shall approve an individual as a kinship caregiver
7 if:

8 (i) the individual is related to the child through blood or marriage,
9 adoption, tribal law or custom, or cultural custom or practice;

10 (ii) the individual has a strong familial or other significant bond to
11 the child or the child's family or is a person identified by the child's parent; and

12 (iii) placement with the individual is in the child's best interest.

13 (2) **WHEN DETERMINING WHETHER TO APPROVE AN INDIVIDUAL AS A
14 KINSHIP CAREGIVER, THE LOCAL DEPARTMENT SHALL CONSIDER:**

15 (I) **THE INDIVIDUAL'S KNOWLEDGE AND UNDERSTANDING OF
16 THE CIRCUMSTANCES SAFETY CONCERNS THAT LED TO THE NEED FOR THE CHILD'S
17 PLACEMENT;**

18 (II) **THE INDIVIDUAL'S PREVIOUS INVOLVEMENT IN HELPING OR
19 PROTECTING THE CHILD;**

20 (III) **THE INDIVIDUAL'S PREVIOUS INVOLVEMENT IN
21 PREVENTING OCCURRENCES OF ABUSE OR MALTREATMENT OF THE CHILD;**

22 (IV) **THE INDIVIDUAL'S CURRENT ABILITY TO PROTECT THE
23 CHILD;**

24 (V) **THE INDIVIDUAL'S ABILITY TO UNDERSTAND THE NEED FOR
25 PROTECTION OF THE CHILD; ~~AND~~**

26 (VI) **THE INDIVIDUAL'S WILLINGNESS TO COOPERATE WITH THE
27 LOCAL DEPARTMENT;**

28 (VII) **WHETHER THERE HAVE BEEN PREVIOUS OR CURRENT
29 ALLEGATIONS OF ABUSE OR NEGLECT ALLEGED AGAINST THE INDIVIDUAL BY THE
30 CHILD, THE CHILD'S PARENT, OR ANOTHER RELATIVE OF THE CHILD;**

1 (VIII) THE INDIVIDUAL’S WILLINGNESS TO ABIDE BY COURT
2 ORDERS; AND

3 (IX) THE INDIVIDUAL’S WILLINGNESS TO COOPERATE WITH THE
4 CHILD’S PARENTS AND TO FACILITATE CONTACT AS ORDERED BY THE COURT AND
5 GUIDED BY THE SAFETY PLAN.

6 (3) A prospective kinship caregiver shall provide to the local department
7 any information the local department requests to enable the local department to determine
8 whether the individual meets the criteria specified in paragraph (1) of this subsection.

9 (f) The Administration shall adopt regulations and policies consistent with this
10 section.

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

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.