



Maryland Association for Justice, Inc.

2020 Position Paper

SB 207/ HB 206

Unaccompanied Minors in Need of Shelter and Supportive Services

Favorable with Amendment

The Maryland Association for Justice (MAJ) respectfully requests the following amendment to HB 206. For the purpose of clarifying the immunity language under **4-2705**, beginning on **PAGE 4, LINE 30** and ending on **PAGE 5, LINE 12**. MAJ believes the following amendment clarifies the language only extends immunity to those who act in accordance with the provisions of the subtitle.

30 4-2705.

31 (A) EXCEPT AS PROVIDED UNDER SUBSECTION (B) OF THIS SECTION, A

1 SERVICE PROVIDER THAT PROVIDES SHELTER AND SUPPORTIVE SERVICES TO AN

2 UNACCOMPANIED MINOR IN NEED OF SHELTER IN ACCORDANCE WITH
3 THE PROVISIONS OF UNDER THIS SUBTITLE IS NOT

3 CIVILLY OR CRIMINALLY LIABLE OR SUBJECT TO A DISCIPLINARY PENALTY BASED
4 SOLELY

4 ON THE PROVIDER'S REASONABLE DETERMINATION TO PROVIDE THE SHELTER
5 AND SUPPORTIVE

5 SERVICES AUTHORIZED BY THIS SUBTITLE.

6 ~~—(B) A SERVICE PROVIDER IS CIVILLY OR CRIMINALLY LIABLE OR SUBJECT~~

7 ~~TO A DISCIPLINARY PENALTY IF THE SERVICE PROVIDER'S DETERMINATION TO~~

8 ~~PROVIDE SHELTER AND SUPPORTIVE SERVICES OR THE SERVICE PROVIDER'S~~

9 ~~CONDUCT IN PROVIDING SHELTER AND SUPPORTIVE SERVICES IS THE RESULT OF~~

10 ~~THE SERVICE PROVIDER'S:~~

11 (1) GROSS NEGLIGENCE; OR

12 (2) WILLFUL OR WANTON ACTS OR OMISSIONS.