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THE MARYLAND HOUSE OF DELEGATES
ANNAPOLIS, MARYLAND 21401

HB1258- Child Placement Services- Advertising by Unlicensed Person- Prohibition

Hearing: February 26, 2026, 1:00pm

Chair Sandy Bartlett, Vice Chair Debra Davis

Judiciary Committee

HB 1258 is fundamentally a child safety and consumer protection bill that addresses a growing gap between Maryland's child welfare licensing laws and the modern online marketplace. Today, Maryland families increasingly turn to the internet when exploring adoption services. Unfortunately, online advertisements often blur the lines between licensed child placement agencies, attorneys, and unlicensed intermediaries. For prospective adoptive parents and expectant parents facing difficult decisions, it can be nearly impossible to determine who is operating legally and who is not.

HB 1258 creates a clear rule in Maryland that no one may advertise adoption placement services unless they are a local department of social services or a licensed child placement agency authorized under Maryland law. Adoption placement is not a typical commercial marketplace. It involves children, permanent legal custody decisions, and vulnerable families navigating emotionally and legally complex circumstances. Maryland already requires licensing for child placement agencies to ensure oversight, accountability, and compliance with our child welfare standards. HB 1258 simply ensures that the advertising marketplace reflects that same regulatory intent.

Nationally, child welfare policy experts have raised concerns about unlicensed intermediaries who advertise online and facilitate placements with limited transparency and accountability. Even in states with restrictions, enforcement gaps have allowed improper advertising to continue. When the front door to adoption services is an

unregulated online advertisement, families may unknowingly engage with actors who are not subject to Maryland oversight.

HB 1258 mirrors proven policy approaches adopted across the country. Thirty-three states prohibit unlicensed entities from advertising adoption services. Additionally, twenty-two states specifically restrict advertising to in-state licensed entities. These states have recognized that regulating who may advertise is an essential component of regulating who may place children for adoption.

The bill authorizes the Department of Human Services to refer violations to the Attorney General and empowers the Attorney General to pursue damages. These tools create meaningful deterrence and give the State the leverage necessary to address bad actors effectively. Clear authority paired with enforceable consequences ensures that the law is more than symbolic.

Without a clear statutory prohibition, Maryland risks becoming a digital marketplace where unregulated actors can target families and vulnerable parents. HB 1258 is a preventative policy. It closes a gap before harm occurs. It reinforces public trust and keeps adoption placements within Maryland's regulated child welfare system.

For these reasons, I respectfully urge a favorable report for HB1258.

Sincerely,

A handwritten signature in black ink that reads "Stephanie M. Smith". The signature is written in a cursive style with a clear, legible font.

Delegate Stephanie Smith