

HOUSE BILL 1330

D4, E4, O4

0lr2977
CF SB 892

By: **Delegates Conway, Bates, Cane, G. Clagett, DeBoy, Elmore, Mathias, Proctor, Robinson, Rudolph, Sophocleus, and Wood**

Introduced and read first time: February 18, 2010

Assigned to: Judiciary

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 27, 2010

CHAPTER _____

1 AN ACT concerning

2 **Child Abuse and Neglect – Reports and Records – Disclosure to Division of**
3 **Parole and Probation**

4 FOR the purpose of requiring the disclosure of a report or record of child abuse or
5 neglect to the Division of Parole and Probation in the Department of Public
6 Safety and Correctional Services if the local department of social services has
7 reason to believe ~~or learns~~ that an individual who is living in or has a regular
8 presence in a child's home is ~~under the supervision of the Division of Parole and~~
9 ~~Probation~~ registered on the offender registry based on the commission of an
10 offense against a child; and generally relating to disclosure of reports and
11 records of child abuse and neglect.

12 BY repealing and reenacting, with amendments,
13 Article – Human Services
14 Section 1–202(b)
15 Annotated Code of Maryland
16 (2007 Volume and 2009 Supplement)

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

19 **Article – Human Services**

20 1–202.

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 (b) A report or record concerning child abuse or neglect shall be disclosed:

2 (1) under a court order;

3 (2) under an order of an administrative law judge, if:

4 (i) the request for disclosure concerns a case pending before the
5 Office of Administrative Hearings; and

6 (ii) provisions are made to comply with other State or federal
7 confidentiality laws and to protect the identity of the reporter or other person whose
8 life or safety is likely to be endangered by the disclosure; [or]

9 (3) on a written request, to the Baltimore City Health Department:

10 (i) if the Baltimore City Health Department is providing
11 treatment or care to a child who is the subject of a report of child abuse or neglect, for
12 a purpose relevant to the provision of the treatment or care;

13 (ii) if the record or report concerns a child convicted of a crime
14 or adjudicated delinquent for an act that caused a death or near fatality; or

15 (iii) if the record or report concerns a victim of a crime of
16 violence, as defined in § 14–101 of the Criminal Law Article, who is a child residing in
17 Baltimore City, for the purpose of developing appropriate programs and policies aimed
18 at reducing violence against children in Baltimore City; OR

19 (4) **TO THE DIVISION OF PAROLE AND PROBATION IN THE**
20 **DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES IF, AS A**
21 **RESULT OF A REPORT OR INVESTIGATION OF SUSPECTED CHILD ABUSE OR**
22 **NEGLECT, THE LOCAL DEPARTMENT OF SOCIAL SERVICES HAS REASON TO**
23 **BELIEVE ~~OR LEARNS~~ THAT AN INDIVIDUAL WHO LIVES IN OR HAS A REGULAR**
24 **PRESENCE IN A CHILD'S HOME IS ~~UNDER THE SUPERVISION OF THE DIVISION OF~~**
25 **~~PAROLE AND PROBATION~~ REGISTERED UNDER TITLE 11, SUBTITLE 7 OF THE**
26 **CRIMINAL PROCEDURE ARTICLE BASED ON THE COMMISSION OF AN OFFENSE**
27 **AGAINST A CHILD.**

28 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
29 October 1, 2010.