

Department of Legislative Services  
Maryland General Assembly  
2014 Session

FISCAL AND POLICY NOTE

House Bill 383  
Judiciary

(Delegate Glenn)

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Family Law - Unattended Child Under the Age of Three

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This emergency bill prohibits a person who is charged with the care of a child younger than age three from allowing the child to be locked or confined in a dwelling, building, enclosure, or motor vehicle that is out of the person's sight while the person charged is absent unless a reliable person who is at least age 15 remains with the child for protection. Existing penalties relating to unattended children apply to a violation of the bill's provisions.

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Fiscal Summary

**State Effect:** General and federal fund expenditures increase minimally for the Department of Human Resources (DHR) to investigate additional reports of child neglect. Potential minimal increase in general fund revenues from the bill's penalty provisions. The bill does not materially impact the workload of the Judiciary.

**Local Effect:** The bill does not materially impact the workload of the circuit courts. Any potential minimal increase in expenditures due to the bill's penalty provisions does not materially impact local finances. Enforcement can be handled with existing resources.

**Small Business Effect:** None.

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Analysis

**Current Law:** A person charged with the care of a child younger than age eight may not allow the child to be locked or confined in a dwelling, building, enclosure, or motor vehicle while the person charged is absent and out of sight of the dwelling, building,

enclosure, or motor vehicle unless the person provides a reliable person at least 13 years old to remain with the child for protection. A violator is subject to maximum penalties of a \$500 fine and/or 30 days imprisonment.

Child neglect means the leaving of a child unattended or other failure to give proper care and attention to a child by any parent or other person who has permanent or temporary care or custody or responsibility for supervision of the child under circumstances that indicate (1) that the child's health or welfare is harmed or placed at substantial risk of harm or (2) mental injury to the child or a substantial risk of mental injury.

**Background:** The Judiciary advises that for the District Court in calendar 2013, there were 539 violations of the prohibition against leaving a child unattended.

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### **Additional Information**

**Prior Introductions:** HB 1480 of 2013 was referred to the House Rules and Executive Nominations Committee, but was subsequently withdrawn.

**Cross File:** None.

**Information Source(s):** Baltimore, Harford, and Montgomery counties; Judiciary (Administrative Office of the Courts); Department of State Police; Department of Human Resources; Department of Legislative Services

**Fiscal Note History:** First Reader - February 4, 2014  
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