HOUSE BILL 347

D3, D4 5lr1767

By: Delegates Valentino-Smith and Afzali

Introduced and read first time: February 5, 2015

Assigned to: Judiciary

A BILL ENTITLED

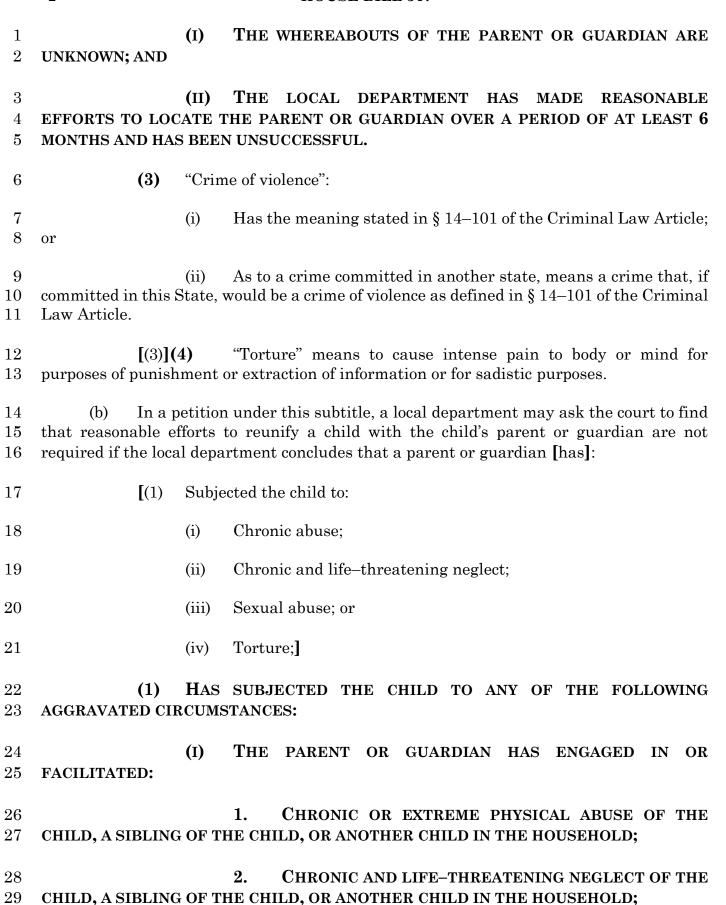
T	AN ACT concerning	

2 Courts - Child Abuse and Neglect - Waiver of Reunification Efforts

- 3 FOR the purpose of altering the circumstances under which a local department of social
- services may ask the court in a child in need of assistance proceeding to find that reasonable efforts to reunify the child with the child's parent or guardian are not
- 6 required; defining a certain term; making a stylistic change; and generally relating
- required; defining a certain term; making a stylistic change; and generally relating
- 7 to child abuse and neglect.
- 8 BY repealing and reenacting, with amendments,
- 9 Article Courts and Judicial Proceedings
- 10 Section 3–812
- 11 Annotated Code of Maryland
- 12 (2013 Replacement Volume and 2014 Supplement)
- 13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
- 14 That the Laws of Maryland read as follows:

15 Article - Courts and Judicial Proceedings

- 16 3–812.
- 17 (a) (1) In this section the following words have the meanings indicated, unless
- 18 the context of their use indicates otherwise.
- 19 (2) "ABANDON" MEANS TO LEAVE A CHILD WITHOUT ANY PROVISION
- 20 FOR SUPPORT AND WITHOUT ANY PERSON WHO HAS ACCEPTED LONG-TERM
- 21 RESPONSIBILITY TO MAINTAIN CARE AND HAVE CUSTODY AND CONTROL OF THE
- 22 CHILD WHEN:



1 2		SEXUAL ABUSE OF THE CHILD, A SIBLING OF THE IN THE HOUSEHOLD; OR	
3 4		TORTURE OF THE CHILD, A SIBLING OF THE CHILD, HOUSEHOLD;	
5 6 7 8 9	(II) THE CHILD, A SIBLING OF THE CHILD, OR ANOTHER CHILD IN THE HOUSEHOLD HAS SUFFERED EXTREME BODILY HARM OR DEATH RESULTING FROM ABUSE BY THE PARENT OR GUARDIAN OR ANOTHER ADULT IN THE HOUSEHOLD AND ALL PERSONS WHO COULD HAVE INFLICTED THE HARM OR CAUSED THE DEATH REMAIN IN THE HOUSEHOLD; OR		
0	0 (III) THE	PARENT OR GUARDIAN HAS ABANDONED THE CHILD.	
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13	3 (i) A cri	me of violence against:	
4	1.	A minor offspring of the parent or guardian;	
15	5 2.	The child; or	
16	6 3.	Another parent or guardian of the child; or	
17 18	(ii) Aiding or abetting, conspiring, or soliciting to commit a crime described in item (i) of this item; or		
19 20	(3) [Involuntarily] HAS INVOLUNTARILY lost parental rights of a sibling of [a] THE child; OR		
21 22	` ,	ED TO REGISTER AS A SEX OFFENDER UNDER § 11–704 URE ARTICLE.	
23 24 25 26	(c) If the local department determines after the initial petition is filed that any of the circumstances specified in subsection (b) of this section exists, the local department may immediately request the court to find that reasonable efforts to reunify the child with the child's parent or guardian are not required.		
27 28 29 30	(d) If the court finds by clear and convincing evidence that any of the circumstances specified in subsection (b) of this section exists, the court shall waive the requirement that reasonable efforts be made to reunify the child with the child's parent or guardian.		

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- 1 (e) If the court finds that reasonable efforts are not required, the local department 2 shall:
- 3 (1) Request that a permanency planning hearing be held in accordance 4 with § 3–823 of this subtitle within 30 days after the court makes the finding; and
- 5 (2) Make reasonable efforts to place the child in a timely manner in accordance with the permanency plan and complete the steps necessary to finalize the permanent placement of the child.
- 8 (f) If a parent consents to guardianship or adoption in accordance with § 5–320 or § 5–338 of the Family Law Article, loss of parental rights shall be considered voluntary.
- SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2015.