

HOUSE BILL 245

D4

6lr1560
CF SB 310

By: **Delegates Dumais, Atterbeary, Glass, McComas, Moon, Rey, Smith, Sydnor, Valentino-Smith, and B. Wilson**

Introduced and read first time: January 25, 2016

Assigned to: Judiciary

Committee Report: Favorable

House action: Adopted

Read second time: March 14, 2016

CHAPTER _____

1 AN ACT concerning

2 **Child Abuse and Neglect – Failure to Report**

3 FOR the purpose of requiring an agency that is participating in a child abuse or neglect
4 investigation and that has substantial grounds to believe that a person has
5 knowingly failed to report child abuse as required under a certain provision of law
6 to file a certain complaint with a certain board, agency, institution, or facility; and
7 generally relating to child abuse and neglect.

8 BY adding to

9 Article – Family Law

10 Section 5–705.3

11 Annotated Code of Maryland

12 (2012 Replacement Volume and 2015 Supplement)

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

14 That the Laws of Maryland read as follows:

15 **Article – Family Law**

16 **5–705.3.**

17 **IF AN AGENCY PARTICIPATING IN AN INVESTIGATION UNDER § 5–706 OF THIS**
18 **SUBTITLE HAS SUBSTANTIAL GROUNDS TO BELIEVE THAT A PERSON HAS**

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 KNOWINGLY FAILED TO REPORT SUSPECTED ABUSE OR NEGLECT AS REQUIRED BY §
2 5-704 OF THIS SUBTITLE, THE AGENCY SHALL:

3 (1) FILE A COMPLAINT WITH THE APPROPRIATE LICENSING BOARD IN
4 ACCORDANCE WITH THE PROVISIONS OF THE HEALTH OCCUPATIONS ARTICLE IF
5 THE PERSON IS A HEALTH PRACTITIONER;

6 (2) FILE A COMPLAINT WITH THE APPROPRIATE LAW ENFORCEMENT
7 AGENCY IF THE PERSON IS A POLICE OFFICER; OR

8 (3) FILE A COMPLAINT WITH THE COUNTY BOARD OF EDUCATION OR
9 THE APPROPRIATE AGENCY, INSTITUTION, OR LICENSED FACILITY AT WHICH THE
10 PERSON IS EMPLOYED IF THE PERSON IS AN EDUCATOR OR A HUMAN SERVICE
11 WORKER.

12 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
13 October 1, 2016.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.