

SENATE BILL 765

D4, O4

5lr1625
CF HB 809

By: **Senators Zucker, Folden, Gallion, Smith, and Waldstreicher**

Introduced and read first time: January 27, 2025

Assigned to: Judicial Proceedings

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: February 24, 2025

CHAPTER _____

1 AN ACT concerning

2 **Out-of-Home Placement Providers – ~~Maximum Number of Children~~**
3 **~~Exemption~~ Individuals Enrolled in Higher Education and Vocational Training**
4 **Programs**

5 FOR the purpose of ~~requiring the Department of Human Services to adopt regulations~~
6 ~~setting the maximum number of children that may be placed with an out-of-home~~
7 ~~placement provider; establishing an exemption from the limitation on the number of~~
8 ~~children that may be placed with an out-of-home placement provider under certain~~
9 ~~circumstances; authorizing an individual enrolled in an accredited institution of~~
10 ~~higher education or a residential vocational training program to return to an~~
11 ~~out-of-home placement provider with whom the individual was previously placed~~
12 ~~under certain circumstances; requiring an individual to make a request to a local~~
13 ~~department of social services within a certain time period to return to an~~
14 ~~out-of-home placement provider under certain circumstances; requiring a local~~
15 ~~department to make a recommendation to the Department of Human Services~~
16 ~~regarding a certain request within a certain period; requiring the Department to~~
17 ~~make a determination regarding a local department's recommendation within a~~
18 ~~certain time period; and generally relating to the placement of children in return of~~
19 ~~individuals enrolled in higher education and vocational training programs to~~
20 ~~out-of-home care.~~

21 BY adding to
22 Article – Family Law
23 Section 5-525.3
24 Annotated Code of Maryland

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.



(2019 Replacement Volume and 2024 Supplement)

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

Article – Family Law

5-525.3.

~~(A) EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, THE DEPARTMENT SHALL ADOPT REGULATIONS SETTING THE MAXIMUM NUMBER OF CHILDREN THAT MAY BE PLACED WITH AN OUT-OF-HOME PLACEMENT PROVIDER.~~

~~(B) THE LIMITATION ON THE NUMBER OF CHILDREN PLACED WITH AN OUT-OF-HOME PLACEMENT PROVIDER IN ACCORDANCE WITH SUBSECTION (A) OF THIS SECTION DOES NOT APPLY TO A CHILD ENROLLED IN AN ACCREDITED INSTITUTION OF HIGHER EDUCATION;~~

(A) SUBJECT TO SUBSECTION (B) OF THIS SECTION, AN INDIVIDUAL ENROLLED IN AN ACCREDITED INSTITUTION OF HIGHER EDUCATION OR A RESIDENTIAL VOCATIONAL TRAINING PROGRAM MAY RETURN TO AN OUT-OF-HOME PLACEMENT PROVIDER WITH WHOM THE INDIVIDUAL WAS PREVIOUSLY PLACED IF:

(1) WHO THE INDIVIDUAL IS UNABLE TO REMAIN ON THE INSTITUTION'S OR TRAINING PROGRAM'S CAMPUS DUE TO A SCHEDULED BREAK, A TEMPORARY CLOSURE OF THE INSTITUTION OR TRAINING PROGRAM, OR A TEMPORARY LEAVE OF ABSENCE; AND

(2) WHOSE THE INDIVIDUAL'S LIVING ARRANGEMENT IN THE HOME IS MUTUALLY AGREED TO BY THE CHILD INDIVIDUAL, THE OUT-OF-HOME PLACEMENT PROVIDER, AND THE PROVIDER AGENCY; AND

(3) THE DEPARTMENT HAS REVIEWED AND APPROVED THE INDIVIDUAL'S REQUEST TO RETURN TO THE OUT-OF-HOME PLACEMENT PROVIDER.

(B) (1) TO RETURN TO AN OUT-OF-HOME PLACEMENT PROVIDER WITH WHOM AN INDIVIDUAL WAS PREVIOUSLY PLACED DURING A SCHEDULED BREAK OF AN INSTITUTION OF HIGHER EDUCATION OR A RESIDENTIAL VOCATIONAL TRAINING PROGRAM, THE INDIVIDUAL SHALL MAKE A REQUEST TO A LOCAL DEPARTMENT TO RETURN TO THE OUT-OF-HOME PLACEMENT PROVIDER AT LEAST 30 DAYS BEFORE THE SCHEDULED BREAK.

1 **(2) A LOCAL DEPARTMENT SHALL MAKE A RECOMMENDATION TO THE**
2 **DEPARTMENT REGARDING A REQUEST MADE UNDER PARAGRAPH (1) OF THIS**
3 **SUBSECTION NOT LATER THAN 21 DAYS BEFORE THE SCHEDULED BREAK.**

4 **(3) IF A LOCAL DEPARTMENT RECOMMENDS APPROVING AN**
5 **INDIVIDUAL'S REQUEST TO RETURN TO AN OUT-OF-HOME PLACEMENT PROVIDER**
6 **DURING A SCHEDULED BREAK, THE DEPARTMENT SHALL MAKE A DETERMINATION**
7 **REGARDING THE LOCAL DEPARTMENT'S RECOMMENDATION NOT LATER THAN 14**
8 **DAYS BEFORE THE SCHEDULED BREAK.**

9 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
10 1, 2025.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.