intervention systems in certain counties.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 3–818
Annotated Code of Maryland
(1998 Replacement Volume and 2001 Supplement)

BY repealing and reenacting, with amendments,
Article – Family Law
Section 5–313(d), 5–706.3, and 5–710
Annotated Code of Maryland
(1999 Replacement Volume and 2001 Supplement)

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

Article – Courts and Judicial Proceedings

3–818.

Within 1 year after a child's birth, there is a presumption that a child is not receiving proper care and attention from the mother for purposes of § 3–801(f)(2) of this subtitle if:

(1)   [(i)] The child was born [addicted to or dependent on] EXPOSED TO cocaine, heroin, or a derivative of cocaine or heroin[; or

(ii)   The child was born with a significant presence of cocaine, heroin, or a derivative of cocaine or heroin in the child's blood] as evidenced by A toxicology SCREEN OF THE BLOOD OF THE MOTHER OR CHILD or other ANY appropriate tests OF THE MOTHER OR CHILD; OR

(II)   UPON ADMISSION TO A HOSPITAL FOR DELIVERY OF THE CHILD, THE MOTHER TESTED POSITIVE FOR COCAINE, HEROIN, OR A DERIVATIVE OF COCAINE OR HEROIN AS EVIDENCED BY ANY APPROPRIATE TOXICOLOGY TEST; and

(2)   Drug treatment is made available to the mother and the mother refuses THE RECOMMENDED LEVEL OF DRUG TREATMENT, or does not successfully complete the RECOMMENDED LEVEL OF drug treatment.

Article – Family Law

5–313.

(d)   (1)   In determining whether it is in the best interest of the child to terminate a natural parent's rights as to the child in a case involving a child who has been adjudicated to be a child in need of assistance, a neglected child, an abused child, or a dependent child, the court shall consider the factors in subsection (c) of this section and whether any of the following continuing or serious conditions or acts exist:

(i)   the natural parent has a disability that renders the natural