

custody and control of a minor or minors exercised by the institution, agency, society or person authorized to make a placement aggrieved by the decision of the State Department, shall be in the discretion of the court.

28.

The Director of the State Department of **[Public Welfare]** *Social Services* may by petition seek to enjoin the activities and operations of any institution, agency, society, individual, or set of individuals seeking to carry on the functions licensed by this subtitle, without having secured the required license. Such petition for an injunction shall be brought before the circuit court, sitting in equity, in any county in which the alleged violator is located or has an established place of business or before one of the circuit courts of the Supreme Bench of Baltimore City, if the alleged violator is located or has an established place of business in Baltimore City.

32.

The provisions of Section 399 of Article 27 of the Annotated Code shall not be construed as limiting the powers granted by this subtitle to the State Department of **[Public Welfare]** *Social Services*.

32A.

(a) License required; definitions.—No person, firm, corporation or agency may provide family day care for children in this State unless licensed therefor by the State Department of **[Public Welfare]** *Social Services*. “Family day care” is defined for the purposes of this section as care given in lieu of parental care to from one to not more than four children under the age of sixteen, in a facility located outside of the home of the child’s parents or legal guardian, for a part of a twenty-four hour day, if compensation is paid for the care. A “family day care home” is defined as the facility where the care is provided.

(b) No license is required if family day care is provided by:

(1) A person related to the child by blood or marriage;

(2) A person who is a close friend of the child’s parents or legal guardian and is providing such care on an occasional basis; or

(3) A person who has received the care of the child from a child placement agency licensed hereunder by the State Department of **[Public Welfare]** *Social Services* or from a local **[welfare]** department of *social services*.

(c) The necessary qualifications and the minimum standards established as prerequisites for the issuance of licenses shall be set forth in rules and regulations promulgated by the State Department of **[Public Welfare]** *Social Services* and shall be such as to protect the health, safety, welfare and morals of the children placed in family day care. The procedures for the issuance of licenses shall be set forth in rules and regulations of the State Department. The rules and regulations shall provide for the issuance of licenses by local **[welfare]** departments of *social services* in the name of the State Department. An appeal shall be allowed to the State Department in the event of a local department’s refusal to issue a license. The issuance, duration, revocation and suspension of all licenses