

CHAPTER 697

(Senate Bill 611)

AN ACT to repeal Section 20 and 21 of Article 88A of the Annotated Code of Maryland (1969 Replacement Volume and 1972 Supplement), title "Social Services Administration," subtitle "Child Care," and to enact, in lieu thereof, new Section 20, 20A, 20B and 21, to said article, title, and subtitle, to provide for the licensing of child placement agencies, and persons acting as such, to provide for licensing of the placement of children by certain persons, and relating generally to child placement.

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That Section 20 and 21 of Article 88A of the Annotated Code of Maryland (1969 Replacement Volume and 1972 Supplement), title "Social Services Administration," subtitle "Child Care," be and they are hereby repealed, and that new Sections 20, 20A, 20B and 21, to said article, title, and subtitle be and they are hereby enacted in lieu thereof, to read as follows:

20.

[The following institutions, agencies, and societies whether incorporated or not shall obtain a license from the State for the activities herein mentioned: (a) those having the legal or physical care, custody or control of one or more minors; and (b) those which act as child placement agencies, whether for adoption or otherwise. The placement of a child by anyone other than a licensed child placement agency, local department of social services or the child's natural parent or parents, grandparents or the child's natural parents' adult brothers or sisters is prohibited.

In each instance the license shall be issued by the Social Services Administration upon due proof of compliance with rules and regulations designed to secure the proper care of such minors, which rules and regulations the State Director of Social Services is hereby authorized to establish.

In the event that any other department of the State is also empowered by law to issue a license for any of the activities mentioned herein, the Social Services Administration is authorized to make cooperative arrangements with such other State department to the end that either one, but not both, will exercise the power to license, thus avoiding duplication of licensing.]

21.

[(a) The provisions of § 20 hereinabove shall apply in the counties of Maryland, but shall apply in Baltimore City only to the extent to which they are not in conflict with the provisions of this section. In Baltimore City, the following entities, whether incorporated or not, and the following persons shall obtain licenses from the State Department of Social Services, as hereinafter set forth:

(b) (1) Any institution, agency or society, which acts as a child placement agency, shall obtain a license from the State Department of Social Services.

(2) Any person may not act as a placement agency or place a child, except that

(i) The placement of a child with a person or persons related to the child by blood or marriage shall be permitted and shall require no license; and

(ii) The placement of a child by the child's natural parent or parents or grandparents with a person not related by blood or marriage shall be permitted and shall require no license; provided, the placement be made directly by such person or persons without the intervention of any person or persons aiding or