

facility for the detention of adults, unless in a room or ward entirely separated from adults. After January 1, 1975, no child alleged to be in need of supervision shall ever be detained in a jail or other facility for the detention of adults or in a facility to which children alleged or adjudicated delinquent have been detained or committed.]

[(e)] (D) A child alleged to be neglected or dependent OR IN NEED OF SUPERVISION shall never be placed in detention, but only in shelter care facilities maintained by the Department of Social Services or any agency licensed by the Department of Social Services OR ANY HOME OR FACILITY MAINTAINED BY THE DEPARTMENT OF JUVENILE SERVICES FOR THE CHILD IN NEED OF SUPERVISION.

[(f)] (E) A child alleged to be mentally handicapped shall never be placed in detention, but only in shelter care facilities maintained by the Department of Mental Hygiene or any agency licensed by the Department of Mental Hygiene.

70-19.

(a) If a child is found to be neglected, delinquent, in need of supervision, mentally handicapped, or dependent, the court may make disposition as most suited to the physical, mental, and moral welfare of the child; but no child (except a delinquent child) may be confined in an institution or other facility designed or operated for the benefit of delinquent children [ ]], provided that this prohibition shall not apply to facilities designated by the State Department of Juvenile Services of the Department of Health and Mental Hygiene [ ]].

[(b) If an adequate facility required by this section has not been established, the court may approve a facility under the supervision and control of the State departments of juvenile services, social services, mental hygiene and other appropriate child-care agencies, for temporary use as such facility; but the use of a facility which does not meet the requirement of this section may not continue beyond January 1, 1975.]

**(B) IF A CHILD IS FOUND TO BE NEGLECTED, IN NEED OF SUPERVISION, MENTALLY HANDICAPPED, OR DEPENDENT, THE COURT MAY NOT CONFINE THE CHILD IN A JUVENILE TRAINING SCHOOL OR ANY SIMILAR INSTITUTION.**

76.

(b) The judge shall have power to place any child found to be delinquent, dependent or neglected or a child who is in need of supervision in the custody of such person or persons, juvenile institution or juvenile agency, or to appoint a guardian of the person therefor, for such period of time as may be deemed for the best interest and welfare of said child, if it shall appear that the present custodian or parent is not a fit person to have the custody of such child or that it would be conducive to the best interest of such child to have a change of custodian or to be placed under guardianship. **HOWEVER, ANY CHILD ALLEGED TO BE OR FOUND TO BE NEGLECTED, DEPENDENT, MENTALLY HANDICAPPED, OR IN NEED OF SUPERVISION MAY NOT BE CONFINED IN A JUVENILE TRAINING SCHOOL OR ANY SIMILAR INSTITUTION.** A guardian appointed hereunder shall have no control over the property of his ward, unless and until he shall apply for and receive such authority under other applicable provisions of this Code.

**SECTION 2. AND BE IT FURTHER ENACTED,** That this Act shall take effect [July 1, 1973] JANUARY 1, 1974.