

Article 27 - Crimes and Punishments  
Section 35A(i)  
Annotated Code of Maryland  
(1982 Replacement Volume and 1982 Supplement)

BY-adding-to

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(1982-Replacement-Volume-and-1982-Supplement)

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

Article 27 - Crimes and Punishments

35A.

The General Assembly hereby declares as its legislative intent and purpose the protection of children who have been the subject of abuse by mandating the reporting of suspected abuse, by extending immunity to those who report in good faith, by requiring prompt investigations of such reports and by causing immediate, cooperative efforts by the responsible agencies on behalf of such children.

(i) (1) Based on their findings, the local department of social services shall render the appropriate service in the best interests of the child, including, when indicated, petitioning the juvenile court in behalf of the child for the added protection to the child which either commitment or custody would provide. [ The local State's attorney and other appropriate law enforcement agencies having jurisdiction shall take such lawful action as may be appropriate in the circumstances.]

(i) (1) IF A REPRESENTATIVE OF THE LOCAL DEPARTMENT OF SOCIAL SERVICES IS CONDUCTING AN INVESTIGATION UNDER THIS SUBTITLE, AND HAS PROBABLE CAUSE TO BELIEVE THAT A CHILD IS IN SERIOUS PHYSICAL DANGER OR THAT AN EMERGENCY EXISTS, THE LOCAL DEPARTMENT SHALL SEEK A COURT ORDER THAT PERMITS A REPRESENTATIVE OF THE LOCAL DEPARTMENT

(i) TO ENTER THE HOUSEHOLD TO DETERMINE THE CONDITION OF THE CHILD, AND

(ii) TO REMOVE THE CHILD, IF CONDITIONS WARRANT.

(2) (i) A POLICE OFFICER SHALL ACCOMPANY THE REPRESENTATIVE IN CARRYING OUT THE ORDER AND MAY USE REASONABLE FORCE TO ENABLE THE REPRESENTATIVE TO GAIN ENTRY.