

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

Article - Family Law

5-705.

(a) [Notwithstanding] (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, NOTWITHSTANDING any other provision of law, including any law on privileged communications, a person other than a health practitioner, police officer, or educator or human service worker who has reason to believe that a child has been subjected to abuse or neglect shall:

[(1)] (i) if the person has reason to believe the child has been subjected to abuse, notify the local department or the appropriate law enforcement agency; or

(ii) if the person has reason to believe the child has been subjected to neglect, notify the local department.

(2) A PERSON IS NOT REQUIRED TO PROVIDE NOTICE UNDER PARAGRAPH (1) OF THIS SUBSECTION:

{I} ~~IN VIOLATION OF THE PRIVILEGE DESCRIBED UNDER § 9-111 OF THE COURTS ARTICLE;~~

{II} ~~IF THE NOTICE WOULD DISCLOSE MATTER IN RELATION TO ANY CONFESSION OR COMMUNICATION DESCRIBED UNDER § 9-111 OF THE COURTS ARTICLE;~~

{III} (I) IN VIOLATION OF THE PRIVILEGE DESCRIBED UNDER § 9-108 OF THE COURTS ARTICLE;

{IV} (II) IF THE NOTICE WOULD DISCLOSE MATTER COMMUNICATED IN CONFIDENCE BY A CLIENT TO THE CLIENT'S ATTORNEY OR OTHER INFORMATION RELATING TO THE REPRESENTATION OF THE CLIENT; OR

{V} (III) IN VIOLATION OF ANY CONSTITUTIONAL RIGHT TO ASSISTANCE OF COUNSEL.

(3) A MINISTER OF THE GOSPEL, CLERGYMAN, OR PRIEST OF AN ESTABLISHED CHURCH OF ANY DENOMINATION IS NOT REQUIRED TO PROVIDE NOTICE UNDER PARAGRAPH (1) OF THIS SUBSECTION IF THE NOTICE WOULD DISCLOSE MATTER IN RELATION TO ANY COMMUNICATION DESCRIBED IN § 9-111 OF THE COURTS ARTICLE AND:

(I) THE COMMUNICATION WAS MADE TO THE MINISTER, CLERGYMAN, OR PRIEST IN A PROFESSIONAL CHARACTER IN THE COURSE OF DISCIPLINE ENJOINED BY THE CHURCH TO WHICH THE MINISTER, CLERGYMAN, OR PRIEST BELONGS; AND