

(3) Require the parent or guardian of the child to withdraw the [parent] PARENT'S or guardian's consent to the child's license to drive, and advise the Motor Vehicle Administration of the withdrawal of consent; or

(4) Forward the citation to the State's Attorney.

(m) The intake officer shall forward the citation, other than a citation authorized under Article 27, § 405A of the Code, to the State's Attorney if:

(1) The parent or guardian of the child refuses to withdraw consent to the child's license to drive;

(2) The child fails to comply with an alcohol education or rehabilitation program referral; or

(3) The child fails to comply with a supervised work program assignment.

(n) If the intake officer receives a citation authorized under Article 27, § 405A of the Code, the intake officer may:

(1) Refer the child to a smoking cessation clinic, or other suitable presentation of the hazards associated with tobacco use;

(2) Assign the child to a supervised work program for not more than 20 hours for the first violation and not more than 40 hours for a second or subsequent violation; or

(3) Forward the citation to the State's Attorney.

(o) The intake officer shall forward the citation authorized under Article 27, § 405A of the Code to the State's Attorney if the child fails to comply with a smoking program referral or a supervised work program assignment described under subsection (n) of this section.

(p) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, WITHIN 15 DAYS AFTER A LAW ENFORCEMENT OFFICER TAKES A CHILD INTO CUSTODY THE LAW ENFORCEMENT OFFICER SHALL FILE A COMPLAINT WITH AN INTAKE OFFICER.

(2) IF A CHILD IS REFERRED TO A DIVERSION PROGRAM, THE LAW ENFORCEMENT OFFICER MAY FILE THE COMPLAINT WITH AN INTAKE OFFICER MORE THAN 30 DAYS AFTER BUT NO LATER THAN 120 DAYS AFTER THE LAW ENFORCEMENT OFFICER TOOK THE CHILD INTO CUSTODY.

(Q) The court may dismiss a petition for failure to comply with this section only if the respondent has demonstrated actual prejudice.

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(a) Only the court or an intake officer may authorize detention or shelter care for a child who may be in need of supervision or delinquent. The local department, pursuant to regulations promulgated by the Department of Human Resources, may authorize shelter care for a child who may be in need of assistance.