

being "in the discretion of the court" is deleted as implicit in setting a maximum penalty.

Defined term: "Person" § 1-101

1-203. DISCLOSURE OF INFORMATION — CHILD ABUSE OR NEGLECT RESULTING IN DEATH OR SERIOUS PHYSICAL INJURY.

(A) DEFINITIONS.

(1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) "LOCAL DEPARTMENT" MEANS THE DEPARTMENT OF SOCIAL SERVICES THAT HAS JURISDICTION IN THE COUNTY:

(I) WHERE THE ALLEGEDLY ABUSED OR NEGLECTED CHILD LIVES;
OR

(II) IF DIFFERENT, WHERE THE ABUSE OR NEGLECT IS ALLEGED TO HAVE TAKEN PLACE.

(3) "LOCAL DIRECTOR" MEANS THE DIRECTOR OF THE LOCAL DEPARTMENT.

(4) "MEDICAL REPORT" MEANS A PSYCHOLOGICAL, PSYCHIATRIC, THERAPEUTIC, CLINICAL, OR MEDICAL REPORT OR EVALUATION RELATED TO THE ALLEGEDLY ABUSED OR NEGLECTED CHILD, A SIBLING OF THE CHILD, OR ANOTHER CHILD IN THE HOUSEHOLD, FAMILY, OR CARE OF THE ALLEGED ABUSER OR NEGLECTOR.

(5) "SECRETARY" MEANS THE SECRETARY OF HUMAN RESOURCES.

(B) CIRCUMSTANCES WARRANTING DISCLOSURE.

(1) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, THE LOCAL DIRECTOR OR THE SECRETARY MAY DISCLOSE INFORMATION CONCERNING CHILD ABUSE OR NEGLECT IN ACCORDANCE WITH SUBSECTION (C) OF THIS SECTION IF:

(I) THE LOCAL DIRECTOR OR THE SECRETARY DETERMINES THAT THE DISCLOSURE IS NOT CONTRARY TO THE BEST INTERESTS OF THE CHILD, THE CHILD'S SIBLINGS, OR OTHER CHILDREN IN THE HOUSEHOLD, FAMILY, OR CARE OF THE ALLEGED ABUSER OR NEGLECTOR;

(II) THE ALLEGED ABUSER OR NEGLECTOR HAS BEEN CHARGED WITH A CRIME RELATED TO A REPORT OF CHILD ABUSE OR NEGLECT; AND

(III) THE CHILD NAMED IN A REPORT OF ABUSE OR NEGLECT HAS DIED OR SUFFERED A SERIOUS PHYSICAL INJURY, AS DEFINED IN § 3-201 OF THE CRIMINAL LAW ARTICLE.

(2) IN DETERMINING WHETHER DISCLOSURE IS CONTRARY TO THE BEST INTERESTS OF THE CHILD, THE CHILD'S SIBLINGS, OR OTHER CHILDREN IN THE HOUSEHOLD, FAMILY, OR CARE OF THE ALLEGED ABUSER OR NEGLECTOR