

UNREGISTERED FAMILY ~~CHILD~~ DAY CARE HOME TO CONDUCT ANY INSPECTION REQUIRED OR AUTHORIZED BY LAW TO DETERMINE COMPLIANCE WITH THE PROVISIONS OF THIS SUBTITLE RELATING TO FAMILY ~~CHILD~~ DAY CARE HOMES.

(B) (1) THE APPLICATION FOR AN ADMINISTRATIVE SEARCH WARRANT SHALL BE IN WRITING AND SIGNED AND SWORN BY THE SECRETARY AND SHALL PARTICULARLY DESCRIBE THE PLACE, STRUCTURE, PREMISES, OR RECORDS TO BE INSPECTED AND THE NATURE, SCOPE, AND PURPOSE OF THE INSPECTION TO BE CONDUCTED.

(2) BEFORE THE FILING OF AN ADMINISTRATIVE SEARCH WARRANT APPLICATION WITH A COURT, THE APPLICATION SHALL BE APPROVED BY THE ATTORNEY GENERAL OF MARYLAND AS TO ITS LEGALITY IN BOTH FORM AND SUBSTANCE UNDER THE STANDARDS AND CRITERIA OF THIS SECTION AND A STATEMENT TO THIS EFFECT SHALL BE INCLUDED AS PART OF THE APPLICATION.

(C) A JUDGE OF A DISTRICT COURT OR CIRCUIT COURT IN THE JURISDICTION IN WHICH THE ~~REGISTERED OR~~ UNREGISTERED FAMILY ~~CHILD~~ DAY CARE HOME IS LOCATED MAY ISSUE AN ADMINISTRATIVE SEARCH WARRANT ON FINDING THAT:

(1) THE DEPARTMENT HAS REASONABLY SOUGHT AND BEEN DENIED ACCESS TO ~~A REGISTERED OR AN~~ UNREGISTERED FAMILY ~~CHILD~~ DAY CARE HOME FOR THE PURPOSE OF MAKING AN INSPECTION;

(2) THE REQUIREMENTS OF SUBSECTION (B) OF THIS SECTION ARE MET;

(3) THE OFFICIAL OR EMPLOYEE OF THE DEPARTMENT IS AUTHORIZED OR REQUIRED BY LAW TO MAKE AN INSPECTION OF THE ~~REGISTERED OR~~ UNREGISTERED FAMILY ~~CHILD~~ DAY CARE HOME FOR WHICH THE WARRANT IS SOUGHT; AND

(4) PROBABLE CAUSE FOR THE ISSUANCE OF THE WARRANT HAS BEEN DEMONSTRATED BY THE DEPARTMENT BY SPECIFIC EVIDENCE:

(I) OF AN EXISTING VIOLATION OF ~~ANY PROVISION § 5-552 OF THIS SUBTITLE OR ANY RULE OR REGULATION ADOPTED UNDER THIS SUBTITLE OR BY SHOWING:~~

(I) ~~THAT A REASONABLE ADMINISTRATIVE INSPECTION PROGRAM EXISTS REGARDING FAMILY CHILD CARE HOMES; AND~~

(II) ~~THAT THE PROPOSED INSPECTION COMES WITHIN THAT PROGRAM ; AND~~