

Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

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

Article – Family Law

5-569.

(A) IN THIS SECTION, “EMERGENCY ~~HOME~~ OUT-OF-HOME PLACEMENT” MEANS ~~THOSE LIMITED INSTANCES WHEN~~ AN OUT-OF-HOME PLACEMENT IN WHICH A LOCAL DEPARTMENT PLACES A CHILD IN THE HOME OF A PRIVATE INDIVIDUAL, INCLUDING A NEIGHBOR, FRIEND, OR RELATIVE, AS A RESULT OF A SUDDEN UNAVAILABILITY OF THE CHILD’S PRIMARY CARETAKER.

(B) (1) IF A CHILD IS PLACED IN AN EMERGENCY ~~IN-HOME~~ OUT-OF-HOME PLACEMENT, A LOCAL DEPARTMENT MAY REQUEST THAT A DESIGNATED STATE OR LOCAL LAW ENFORCEMENT AGENCY IN THE STATE OR OTHER LOCATION APPROVED BY THE DEPARTMENT PERFORM A FEDERAL NAME-BASED CHECK ON ANY INDIVIDUAL DESCRIBED IN § 5-561(C)(4), (5)(II), AND (6)(II) OF THIS SUBTITLE.

(2) THE DESIGNATED AGENCY DESCRIBED IN PARAGRAPH (1) OF THIS SUBSECTION MAY PROVIDE THE RESULTS OF THE NAME-BASED CHECK TO THE LOCAL DEPARTMENT.

(3) WITHIN 15 CALENDAR DAYS AFTER THE LOCAL DEPARTMENT RECEIVES THE RESULTS OF THE NAME-BASED CHECK, THE LOCAL DEPARTMENT SHALL SUBMIT A COMPLETE SET OF FINGERPRINTS TO THE DEPARTMENT FOR EACH INDIVIDUAL DESCRIBED IN PARAGRAPH (1) OF THIS SUBSECTION ON WHOM A NAME-BASED CHECK WAS PERFORMED.

(4) WITHIN 15 CALENDAR DAYS AFTER THE DATE ON WHICH THE NAME-BASED CHECK WAS PERFORMED, THE DEPARTMENT SHALL PERFORM A CRIMINAL HISTORY RECORDS CHECK, IN ACCORDANCE WITH § 5-564 OF THIS SUBTITLE.

(C) A CHILD SHALL BE REMOVED IMMEDIATELY FROM AN EMERGENCY ~~IN-HOME~~ OUT-OF-HOME PLACEMENT IF ANY INDIVIDUAL REQUIRED TO SUBMIT TO A NAME-BASED CHECK FAILS TO COMPLY WITH THIS SECTION.