

# HOUSE BILL 1011

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By: **Delegates Carter, Anderson, Oaks, Pena–Melnyk, and Simmons**

Introduced and read first time: February 15, 2010

Assigned to: Judiciary

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## A BILL ENTITLED

1 AN ACT concerning

2 **Juvenile Law – Lead Testing – Required**

3 FOR the purpose of requiring the juvenile court to order the Department of Health  
4 and Mental Hygiene to perform a blood lead level test on a child after a petition  
5 has been filed but before an adjudication; requiring a court exercising criminal  
6 jurisdiction in a case involving a child to order the Department to perform a  
7 blood lead level test on a child before trial; requiring a copy of certain test  
8 results to be provided to certain individuals; and generally relating to juvenile  
9 law and lead testing of a child before adjudication or trial.

10 BY adding to

11 Article – Courts and Judicial Proceedings

12 Section 3–8A–16.1

13 Annotated Code of Maryland

14 (2006 Replacement Volume and 2009 Supplement)

15 BY adding to

16 Article – Criminal Procedure

17 Section 4–205

18 Annotated Code of Maryland

19 (2008 Replacement Volume and 2009 Supplement)

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

22 **Article – Courts and Judicial Proceedings**

23 **3–8A–16.1.**

24 **(A) AFTER A PETITION HAS BEEN FILED WITH THE COURT UNDER THIS**  
25 **SUBTITLE, BUT BEFORE AN ADJUDICATION, THE COURT SHALL ORDER THE**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **DEPARTMENT OF HEALTH AND MENTAL HYGIENE TO PERFORM A BLOOD LEAD**  
2 **LEVEL TEST ON THE CHILD.**

3 **(B) A COPY OF THE RESULTS OF THE TEST PERFORMED UNDER**  
4 **SUBSECTION (A) OF THIS SECTION SHALL BE PROVIDED TO:**

- 5 **(1) THE CHILD;**  
6 **(2) THE CHILD'S PARENT OR GUARDIAN;**  
7 **(3) THE CHILD'S COUNSEL; AND**  
8 **(4) THE STATE'S ATTORNEY.**

9 **Article – Criminal Procedure**

10 **4–205.**

11 **(A) BEFORE TRIAL, A COURT EXERCISING CRIMINAL JURISDICTION IN A**  
12 **CASE INVOLVING A CHILD SHALL ORDER THE DEPARTMENT OF HEALTH AND**  
13 **MENTAL HYGIENE TO PERFORM A BLOOD LEAD LEVEL TEST ON THE CHILD.**

14 **(B) A COPY OF THE RESULTS OF THE TEST PERFORMED UNDER**  
15 **SUBSECTION (A) OF THIS SECTION SHALL BE PROVIDED TO:**

- 16 **(1) THE CHILD;**  
17 **(2) THE CHILD'S PARENT OR GUARDIAN;**  
18 **(3) THE CHILD'S COUNSEL; AND**  
19 **(4) THE STATE'S ATTORNEY.**

20 **SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect**  
21 **October 1, 2010.**