

HOUSE BILL 256

D4

11r0004

By: **Chair, Judiciary Committee (By Request – Departmental – Human Resources)**

Introduced and read first time: January 31, 2011

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Family Law – Local Departments of Social Services – Access to Records of**
3 **Certain Adoptees**

4 FOR the purpose of requiring that an employee of the State Department of Human
5 Resources or a local department of social services shall have access to all local
6 department records on a certain adoptee under certain circumstances; and
7 generally relating to access to certain local department records.

8 BY repealing and reenacting, with amendments,
9 Article – Family Law
10 Section 5–357
11 Annotated Code of Maryland
12 (2006 Replacement Volume and 2010 Supplement)

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

15 **Article – Family Law**

16 5–357.

17 (a) (1) (i) On request of an adoptee or adoptive or former parent of an
18 adoptee and without a showing of a need, a local department shall provide
19 information, other than identifying information, in its adoption record on the adoptee.

20 (ii) If a local department denies a request under this paragraph,
21 then on petition of an adoptee or adoptive or former parent and without a showing of
22 need, a juvenile court shall order access for the petitioner to inspect, in accordance
23 with subsection (b) of this section, the local department’s record on the adoptee.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (2) **IF AN ADOPTEE HAS BEEN ADOPTED UNDER THIS SUBTITLE,**
2 **AN EMPLOYEE OF THE DEPARTMENT OR A LOCAL DEPARTMENT SHALL HAVE**
3 **ACCESS TO ALL LOCAL DEPARTMENT RECORDS ON THE ADOPTEE IF THE**
4 **ADOPTEE:**

5 **(I) IS THE SUBJECT OF A CHILD PROTECTIVE SERVICES**
6 **INVESTIGATION; OR**

7 **(II) ENTERS OUT-OF-HOME PLACEMENT AS THE RESULT OF**
8 **AN INVOLUNTARY REMOVAL FROM THE HOME OF THE ADOPTIVE PARENT OR A**
9 **VOLUNTARY PLACEMENT REQUEST.**

10 **(3)** On petition of an adoptee or adoptive or former parent of an
11 adoptee and without a showing of need, a juvenile court shall order access for the
12 petitioner to inspect, in accordance with subsection (b) of this section, the juvenile
13 court's record on the adoptee.

14 (b) A juvenile court may not order opened for inspection under this section
15 any part of a record that contains identifying information.

16 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
17 October 1, 2011.