## **HOUSE BILL 232**

D4 (3lr0718)

## ENROLLED BILL

— Judiciary/Judicial Proceedings —

Introduced by <b>Delegate Williams</b>				
Read and	Examined l	y Proofreaders:		
			Proc	ofreader.
			Proc	ofreader.
Sealed with the Great Seal and	presented	to the Governor,	for his appro	val this
day of	at		o'clock,	M.
				Speaker.
•	CHAPTER .			
AN ACT concerning				
Child in Need of As	ssistance -	Neglect - Canna	abis Use	
FOR the purpose of providing that individuals who care for a circumstances for purposes of assistance; and generally related	child does of provisions	not qualify as ne of law applicable	eglect except in e to children in	certain
BY repealing and reenacting, without Article – Courts and Judicial I Section 3–801(a) and (f) Annotated Code of Maryland (2020 Replacement Volume ar	Proceedings			
BY repealing and reenacting, with a Article – Courts and Judicial I				

## EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

<u>Underlining</u> indicates amendments to bill.

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Strike out indicates matter stricken from the bill by amendment or deleted from the law by amendment.

Italics indicate opposite chamber/conference committee amendments.



1 2 3	Section 3–801(s) Annotated Code of Maryland (2020 Replacement Volume and 2022 Supplement)
4 5	SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND That the Laws of Maryland read as follows:
6	Article - Courts and Judicial Proceedings
7	3–801.
8	(a) In this subtitle the following words have the meanings indicated.
9 10	(f) "Child in need of assistance" means a child who requires court intervention because:
11 12	(1) The child has been abused, has been neglected, has a developmental disability, or has a mental disorder; and
13 14	(2) The child's parents, guardian, or custodian are unable or unwilling to give proper care and attention to the child and the child's needs.
15 16 17 18	(s) (1) "Neglect" means the leaving of a child unattended or other failure to give proper care and attention to a child by any parent or individual who has permanent or temporary care or custody or responsibility for supervision of the child under circumstances that indicate:
19 20	[(1)] (I) That the child's health or welfare is harmed or placed at substantial risk of harm; or
21 22	[(2)] (II) That the child has suffered mental injury or been placed at substantial risk of mental injury.
23 24 25 26	(2) "NEGLECT" DOES NOT INCLUDE THE USE OF CANNABIS BY ANY PARENT OR INDIVIDUAL WHO HAS PERMANENT OR TEMPORARY CARE OR CUSTODY OR RESPONSIBILITY FOR SUPERVISION OF THE CHILD UNLESS, AS A RESULT OF THE USE OF CANNABIS:
27 28	(I) THE CHILD'S HEALTH OR WELFARE IS HARMED OR PLACED AT SUBSTANTIAL RISK OF HARM; OR
29 30	(II) THE CHILD HAS SUFFERED MENTAL INJURY OR HAS BEEN PLACED AT SUBSTANTIAL RISK OF MENTAL INJURY.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect 32 October  $\underline{July}$  1, 2023.