§ 382. Responsibility for children without state residence; license and board. 1. Any person, institution, corporation or agency which shall bring, or cause to be brought, into the state of New York any child not having a state residence, or which shall receive or accept any child from outside of the state of New York, not having state residence, shall be responsible for the care and maintenance of such child whether placed out, boarded out or otherwise cared for unless adopted by foster parents. Such responsibility shall continue during the minority of such child and thereafter until he is self-supporting.

2. (a) It shall be unlawful for any person, agency, association, corporation, society, institution or other organization, except an authorized agency, to bring, send or cause to be brought or sent into the state of New York any child for the purpose of placing or boarding such child or procuring the placing of such child, by adoption, guardianship, or otherwise, in a family, a home or institution, except with an authorized agency, in this state, without first obtaining a license from the department.

(b) This subdivision shall not apply to a sending agency, as defined in article two of section three hundred seventy-four-a of this title, which is located in a state which is a party to the interstate compact on the placement of children, provided, however, that all persons who reside in such a state, except officers or employees of the state or a subdivision thereof who are acting in their official capacity, shall comply with the provisions of this section.

(c) This section shall not apply to and shall not restrict or limit the right of a parent, legal guardian, or relative within the second degree of a child from bringing or sending the child or causing the child to be brought or sent, into the state of New York for the purpose of placing out or boarding out the child.

3. Application for a license shall be submitted on a form approved and provided by the department and be accompanied by proof that the applicant holds a license, or is approved by the department or similar body in the state where the applicant resides, or where its chief office is located, or where it has its place of business.

4. Before bringing, sending, or causing to be brought or sent into this state any child, the person, agency, association, corporation, society, institution or other organization, duly licensed as provided in this section must furnish the department a blanket indemnity bond of a reputable surety company in favor of the state in the penal sum of not less than ten thousand dollars. Such bond must be approved as to form and sufficiency by the department and conditioned as follows:

That such licensee (a) will report to the department immediately the name of each such child, its age, the name of the state, and city, town, borough or village, or the name of the country from which such child came, the religious faith of the parents of the child, the full name and last residence of its parent or parents, the name of the custodian from whom it is taken, and the name and residence of the person or authorized agency with whom it is placed or boarded, released or surrendered, or to whom adoption or guardianship is granted, and the death of such child or any reboarding, replacement or other disposition;

(b) will remove from the state within thirty days after written notice is given any such child becoming a public charge during his minority;

(c) will remove from the state immediately upon its release any such child who within three years from the time of its arrival within the state is committed to an institution or prison as a result of conviction for juvenile delinquency or crime;

(d) will place or cause to be placed or board or cause to be boarded such child under agreement which will secure to such child a proper home, and will make the person so receiving such child responsible for its proper care, education and training;

(e) will comply with section three hundred seventy-three;

(f) will supervise the care and training of such child and cause it to be visited at least annually by a responsible agent of the licensee; and

(g) will make to the department such reports as it from time to time may require.

5. In the event of the failure of such licensee to comply with the second and third conditions of the bond hereinbefore mentioned, and to

remove, after thirty days' notice so to do, a child becoming a public charge, such portion of the bond shall be forfeited to the state or the county or municipality thereof as shall equal the sum which shall have been expended by the state or such county or municipality thereof for the care or maintenance or in the prosecution of such child or for its return to the licensee.