

Chapter 366

(House Bill 311)

AN ACT concerning

Crimes – Requirement to Report Death or Disappearance of Minor – Penalties

FOR the purpose of requiring, under certain circumstances, a parent or other person who has permanent care or custody or responsibility for the supervision of a minor under a certain age to notify, within a certain period of time, the appropriate law enforcement agency that the minor is a missing child; requiring, under certain circumstances, a parent or other person who has permanent care or custody or responsibility for the supervision of a minor to notify, within a certain period of time, the appropriate law enforcement agency or medical authority that the minor has died; establishing certain penalties; defining a certain term; and generally relating to a requirement to report the death or disappearance of a minor.

BY adding to

Article – Criminal Law

Section 3–608 and 3–609

Annotated Code of Maryland

(2012 Replacement Volume and 2012 Supplement)

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

Article – Criminal Law

3–608.

(A) IN THIS SECTION, “MISSING CHILD” MEANS A MINOR WHOSE WHEREABOUTS ARE UNKNOWN TO A PARENT OR OTHER PERSON WHO HAS PERMANENT CARE AND CUSTODY OR RESPONSIBILITY FOR THE SUPERVISION OF THE MINOR.

(B) EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, A PARENT OR OTHER PERSON WHO HAS PERMANENT CARE OR CUSTODY OR RESPONSIBILITY FOR THE SUPERVISION OF A MINOR UNDER THE AGE OF 13 YEARS MAY NOT RECKLESSLY OR WILLFULLY FAIL TO NOTIFY THE APPROPRIATE LAW ENFORCEMENT AGENCY THAT THE MINOR IS A MISSING

CHILD WITHIN 24 HOURS OF THE TIME AT WHICH THE PARENT OR OTHER PERSON KNEW OR SHOULD HAVE KNOWN THAT THE MINOR IS A MISSING CHILD.

(C) THIS SECTION DOES NOT APPLY IF THE FACT THAT THE MINOR IS A MISSING CHILD HAS ALREADY BEEN REPORTED TO THE APPROPRIATE LAW ENFORCEMENT AGENCY.

(D) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 3 YEARS.

3-609.

(A) UNLESS THE DEATH OF A MINOR HAS ALREADY BEEN REPORTED TO THE APPROPRIATE LAW ENFORCEMENT AGENCY OR MEDICAL AUTHORITY, A PARENT OR OTHER PERSON WHO HAS PERMANENT CARE OR CUSTODY OR RESPONSIBILITY FOR THE SUPERVISION OF A MINOR SHALL REPORT THE DEATH OF THE MINOR TO THE APPROPRIATE LAW ENFORCEMENT AGENCY OR MEDICAL AUTHORITY WITHIN 5 HOURS OF BECOMING AWARE OF THE DEATH.

(B) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 3 YEARS.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2013.

Approved by the Governor, May 2, 2013.